THE General History OF ENGLAND BOTH Ecclesiastical and Civil, FROM The Beginning of the REIGN OF King WILLIAM I. (Commonly called the *Conqueror*) To the End of the REIGN OF King HENRY the Third.

Taken from the most Antient Records, Manuscripts, and Printed Historians.

VOL. II.

By *JAMES TYRRELL*, Esq;

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Printed for W. Rogers at the Sun in *Fleetstreet*, Robert Knaplock at the Angel in St. *Paul's Church-Yard*, Andrew Bell at the Cross-Keys and Bible in *Cornhil*, and Thomas Cockerill at the three Legs and Bible over against Grocers-Hall in the *Poultrey*. MDCC.

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UMI

TO

His Most Sacred MAJESTY

WILLIAM III.

King of *Great-Britain, France* and *Ireland,*

Defender of the *Faith,* &c.

SIR,

HE that writes the Lives and Reigns of *Sovereign Princes,* and the Affairs of Kingdoms and States as becomes an *Hiſtorian,* ought to diveſt himſelf of all *private Affections,* and to be exact in recounting paſt Tranſactions with Candor and Fidelity.

I would not have preſumed to dedicate this Hiſtory to Your *Sacred Majeſty*, who hath as much reaſon to *love Truth* as moſt Princes have to *fear it*, were I not aſſured I had carefully obſerved that *Maxim*; and if I could not truly ſay, I have been ſtrictly juſt to the moſt Authentick Accounts of thoſe *Authors* from whom I have *gathered my Materials*; have repreſented the *Failings* as well as the *Merits* of the Perſons herein mention'd; and endeavour'd, with utmoſt ſincerity, to make the whole ſpeak the Truth of their Actions, together with the various Events and Conſequences of them.

The favourable Reception that *my Firſt Attempt* of this kind has met with from One of Your Majeſty's *Prime Miniſters of State*, encourages me to lift up my Eyes to *the Throne*, and, through Your Permiſſion, to lay with all Humility this *my Second*, and more perfect, *Performance*, at the feet of Your Royal Majeſty.

Give me leave to add, SIR, That this Volume more peculiarly belongs to Your *Majeſty*, ſince it commences at that Memorable Period with which the *Norman* Race of Kings began, the Firſt of whom (Your *Majeſty's* Great Anceſtor) was of the ſame Name with Your Self, and is commonly ſtiled THE CONQUEROR; tho all muſt confeſs, Your *moſt Excellent Majeſty*, by a much better Right, deſerves *that Title*: for You have not only ſubdued Your *Enemies* by the Terror of Your *Arms*, but have overcome their *Paſſions* and

 their

their *Prejudices*, whilſt at home You *powerfully* reign in the Hearts of Your Subjects, by (*nobler Ways* than thoſe of Force and Violence) a *ſteddy Courſe* of *juſt* and *gentle Government*, by which a Throne is beſt eſtabliſhed.

The Titles and Reigns of ſeveral of the Eight Princes (which is the Subject of this Volume) are particularly remarkable, and being here faithfully repreſented, may, I hope, be of publick Service and Advantage, were it only to ſhew, how much *Your Majeſty* excells the beſt and moſt Illuſtrious of Your *Royal Progenitors*.

SIR,

The Eyes of all *Europe* are now fixed upon *Your Majeſty*, for You have been as a *Guardian Angel* to her Princes and States: and as it hath been *Their Glory* to commit both Themſelves and their Intereſts to Your Care and Vigilance; ſo was it much more *Your Majeſty's*, to uſe *that Truſt intirely for their Deliverance and Preſervation*.

Your Majeſty hath reſcued them from their *Fears*, I had almoſt ſaid from their *Deſpair*, and reſtored them to their antient Rights and Dominions, by Your tranſcendent Courage and Conduct; and at laſt *perfected* a moſt *Glorious Revolution*, with ſuch an *Honourable* and *Advantageous Peace*, as never any CONQUEROR yet attain'd, and which hath juſtly ſtruck the World with Wonder and Aſtoniſhment.

May

May the Supreme Ruler make *Your Majeſty* as Glorious in *Peace*, as He hath in *War*; may You ſtill govern in the Affections of Your People, the beſt and moſt certain way to ſecure Your Power and Greatneſs; and may They always, as it is their Duty, with an intire Zeal and Fidelity, continue to aſſiſt *Your Majeſty* to the utmoſt of their Power, in advancing all Your Pious and Noble Deſigns, of maintaining our *Holy Religion* and *Civil Liberties*, together with the common Intereſt and Tranquillity of *Chriſtendom*.

So moſt heartily prays,

May it pleaſe Your Majeſty,

Your Majeſty's moſt Humble,
moſt Obedient, and
moſt devoted Subject,

JAMES TYRRELL.

THE PREFACE TO THE READER.

AS in the Preface to my last Volume, I undertook to give you an account of its main Design, and of the Writers and Authorities both in Print and Manuscript, which I there made use of, so I shall here persue the same Method.

BUT I shall first indeavour to remove some Prejudices against this Undertaking it self, as that I being a private Man, not famed for much Reading, or deep Learning, should, almost unassisted with Materials from the present Historians and Antiquaries of the Nation, attempt to write a General History of England, *out of my own private Reading and Collections: whereas according to the late Idea of the* French *Jesuit, Father* Le Moyne, *the Accomplishments necessary to make a Person fit for the performing such a great Design, are so various, and require so many several Talents, that he tells us,* Such an Historian is a man not yet born, nor will be before the Year that discovers the perpetual Motion, and Philosopher's Stone; *that is to say in plain terms, he looks upon it as an impossibility in nature to produce a compleat Author in this kind.*

AND another Modern Writer will have his Historian, not only a Soldier, a Statesman, and a Philosopher, *but he must* be also a Divine, a Lawyer, an Orator, and a Poet; *and beyond all this,* a down-right honest Country Gentleman. At least he must be plentifully stock'd with Wit, or an Universal Disposition, and unbounded Spirit, that comprehends all that's Great and Glorious in the several States and Empires of the whole World; and to these intellectual Indowments, we must add the great Moral one of being *PHILALETHES, a Person of that just Integrity, as not to be biast by Passion or Interest.* Mr. *Nicholson,* Arch-Deacon of *Carlisle's* Preface to his *English* Historical Library.

THESE are the Conditions and Accomplishments that I find laid down all together, in the first pages of the Preface of a late learned Author, who, I hope, has publish'd his two Treatises concerning our English *Historians, both Ecclesiastical and Civil, now extant either in* Print *or* Manuscript, *(as the Title of the former of them sets forth) out of a pure design to be serviceable to the Undertakers of a* General History *of this Kingdom, rather than out of any Ostentation to shew his great Reading and Knowledg of Authors of this kind.*

BUT to speak something to what these Reverend Gentlemen have laid down, I can only say, that a great deal of it is merely Notional and Romantick;

tick: *for if the Perſon* that is to ſet up for a Hiſtorian, is not yet born, nor will be till the perpetual Motion, and Philoſopher's Stone be found out, *to what purpoſe is it for that Writer, or any Body elſe, to give Inſtructions to One that can never exiſt, much leſs make the leaſt uſe of them?*

AND indeed theſe Gentlemen, after making the Qualifications of an Hiſtorian ſo difficult and hard to be met with, do very prudently not to give us any thing of their own, more than bare Collections; ſince if they ſhould take upon them to write a Hiſtory, they muſt at the ſame time own themſelves thoſe rare and moſt accompliſh'd Perſons, they before ſuppos'd almoſt impoſſible to be produced; that is, they muſt not be yet born, nor will be, till the perpetual Motion, and Philoſopher's Stone be found out.

BUT to help theſe ſeeming Impoſſibilities, and to mend the many unſucceſsful Deſigns of ſome late Authors in undertaking to write a Hiſtory of England, *this worthy Writer laſt mentioned, propoſes a noble Project indeed, of compiling a compleat body of* Engliſh *Hiſtory, and which (ſays he)*
" *can only be carried on with ſucceſs, by a Club of Men of different Parts*
" *and Learning*; *ſome whereof he would have to be Maſters of antient*
" *Languages, and others of the Modern*; *ſome vers'd in the Writings of*
" *the old* Britains, Romans, Saxons, *and* Danes, *and others throughly*
Id. in Pref. " *acquainted with the Hiſtorians ſince the Conqueſt*; *ſome that know the*
" Geography, *and others the* Law *of the Realm*; *ſome that have been bred*
" *at Court, and others in the Camp,* &c.

AFTER this there follows an, &c. *that may (for ought I know) take in Merchants, Sea Captains, and God knows how many Trades more, all whom he likewiſe requires,* " *ſhall be men of Leiſure and Fortune, as ad-*
" *ditional Accompliſhments over and above all thoſe already mention'd*; *or*
" *elſe he hopes to ſee a College of* Hiſtorians, *as nobly endow'd here, as that*
" *of the Antiquaries is in* Sweden, *whoſe Stipends I ſhall not trouble my-*
" *ſelf to ſet down*; *but only obſerve, that every one of this Club muſt take*
" *their particular part or task of this intended Hiſtory*; *which being fi-*
" *niſh'd, he would have carefully perus'd by every particular Member of the*
" *Society, as well as by him whoſe peculiar Province it ſhall be to inſpect*
" *and ſuperviſe the whole.*

AND he farther tells us, " *That it is to ſerve this Imaginary Frater-*
" *nity, that he has drawn together the following Papers*; *to give the Reader*
" *as ſhort, and as methodical an Abſtract of a great many larger Collecti-*
" *ons on this Subject, as he could readily furniſh himſelf with.*

AND then he proceeds to give us a Catalogue of the performances of other Modern Writers of this kind, with the Names of our beſt and moſt antient Hiſtorians, as alſo thoſe that have bin of late publiſh'd from Manuſcripts in ſeveral Libraries and private hands, together with an Account of the late publiſh'd Catalogue of Manuſcripts in both Univerſities.

NOW, tho I grant this to be uſeful and diverting enough for common Readers, yet that they can be of Benefit to that airy Fraternity for which he deſigns them, I muſt beg his pardon if I doubt, ſince beſides ſome few fears I have upon me, that his Book will be out of Print before that Deſign will be reduced to Practice, it will be alſo needleſs upon other Accounts: for if the Perſons he mentions be Men of ſuch general Learning and great Accompliſhments, as he ſuppoſes they ought to be, and ſo throughly vers'd in all the antient, as well as modern Hiſtorians, it will not be only an unneceſſary Undertaking, but a great Preſumption, to go about to inſtruct Perſons already ſo well ſkill'd in what is ſuppoſed to be their particular Talent and Buſineſs;

or

or if they are not ſo without his Inſtructions, I doubt they will make but very mean Members of this Imaginary Society.

BUT to come to the main Buſineſs of this Preface, which is not to find fault with the Performances of others, but to apologize for my own; ſince I cannot expect to ſee ſuch a Club as this Author propoſes ſet up in my Time, and that I never yet ſaw or heard of any Hiſtory, writ after ſuch a manner; I cannot but ſtill think, and am pretty well ſatisfied, that a Hiſtory of England *may ſucceed well enough without all theſe wonderful Conditions and Precautions this Author has laid down.*

FOR we have ſeen in this preſent Age, a General Hiſtory of France *written by one* * *man's ſingle Pen, without the help of any ſuch Club of Antiquaries and Hiſtorians, and which has bin received with the Univerſal Applauſe of the Learned and ingenious World. And tho I will not take upon me to compare my Performances with that great Man's, yet this I think I may boldly affirm, that I have made it my buſineſs for divers years paſt, carefully to collect out of all our Hiſtorians, as well in Print, as in Manuſcript (that I could eaſily come at) whatever I thought worthy to be inſerted into a general Hiſtory of* England.

* Mr. Mezeray.

AND, I think, whoſoever truly conſiders the largeneſs of this Volume, in reſpect of the Time it comprehends, and the various Subjects herein treated of, will not ſay it wants ſufficient matter for a juſt Hiſtory.

SO that the main Queſtion will be, whether theſe Collections are made with that Judgment as is requiſite for a work of this nature; to which I ſhall only ſay, concerning the due choice of the Materials, that as I have taken all the Care I could, not to let ſlip any thing I thought worth the committing to Poſterity, ſo have I alſo left out, whatever I found in our antient Authors that was light and trivial, or ſavour'd of the Credulity of a ſuperſtitious Age; unleſs it be ſometimes, and that too but rarely, to give the Reader a taſte what ſtuff our Monkiſh *Writers would have had men ſwallow in thoſe dark Times.*

AND tho for variety I have frequently intermixed things Eccleſiaſtical with Civil, and ſet down the moſt conſiderable matters relating to Church-Affairs under the ſame Years; yet it hath been chiefly when they are ſo connected, and dependent upon each other, that the one ſeems obſcure and imperfect if the other be omitted. As to inſtance in that great Affair of Thomas Becket *and King* Henry *the* Second, *which imployed eight years of his Reign; and without a Relation of which, the Civil Hiſtory of thoſe times would be very dark and defective.*

AND for the ſame Reaſon I have alſo inſerted into this Volume the great Differences that fell out in the Reigns of King William Rufus *and* Henry *the* Firſt, *between the Pope and thoſe Princes, about the Inveſtitures of Biſhops and Abbots with the* Staff *and* Ring; *which, tho a mere Ceremony in it ſelf, yet was of main Conſequence for the diſcharging of the Prelates of thoſe times from all Dependance on the Civil Power. I have alſo given a full Account of that long Diſpute between the Archbiſhops of* Canterbury *and* York *about Precedence, and the Oath of Canonical Obedience, which the former for many Years after the Conqueſt required of the latter, till they were freed from that Dependance in the Reign of* Henry *the* Second, *by a Bull of Pope* Alexander *the* Third, *as you will find in the following Hiſtory.*

I HAVE likewiſe taken notice of ſome of thoſe many Diſputes that happen'd between the Monks of Chriſt-Church *in* Canterbury, *and their Arch-*

Archbiſhops, about the building and founding a Chappel for Regular Chanons firſt at Canterbury, *and afterwards at* Lambeth, *which the Monks were jealous might in time become the* Chapter *of the Archbiſhop, and ſo rob them of their antient Right of electing him.*

BUT as for many other Diſputes between the Archbiſhops of Canterbury, *and thoſe Monks; as alſo thoſe of St.* Auguſtin *in the ſame City, I have purpoſely omitted them, being not willing to over-clog the Reader with things of this nature; for it is indeed almoſt an endleſs, as well as an unprofitable Labour, to ſet down all the Quarrels that happen'd between divers other Biſhops who had Priors and Convents of Monks for their Chapters, as alſo thoſe that frequently fell out between the Abbots of divers other Monaſteries; or between them and the Biſhops; or between the Biſhops themſelves about the particular Juriſdictions, Privileges, and Exemptions of their ſeveral Religious Houſes and Sees, in an Age when theſe things were contended for, by frequent Appeals to* Rome, *as if they had been* pro Aris & Focis.

SO that for thoſe Church-Affairs which I thought fit to inſert here, they are either ſo mix'd and interwoven with the Civil Hiſtory of thoſe Times, that they could not well be ſeparated; or elſe they may be inſtructive to ſuch as are deſirous to know the ſtate of the Church (that is, of the Clergy) of thoſe Times; but thoſe that think ſuch things inſignificant and not worth their knowledg, may (if they pleaſe) paſs them over, ſince they are for the moſt part noted in the Margins, and commonly placed by themſelves at the end of the Year.

I COME now to give you ſome Account of thoſe many and various Authors, as well in Print *as in Manuſcript, out of whom I have drawn theſe Collections; that ſo the more curious Readers, who deſire to have recourſe to the Originals, may know where to find them; ſince I do not deſign by this performance to take off men's Appetites from reading thoſe antient Authors, but rather to excite them to it, as well for my own Juſtification, as for their better Inſtruction.*

BUT I will now give you the names of the Writers here made uſe of: As for the Reigns of the Three firſt Norman *Kings contained in this Work, they are drawn in great part from thoſe Authors mention'd in my laſt Preface,* viz. *the* Saxon *Chronicle, ſo often cited in the former Volume, and which is continued (tho more briefly) as far as the Reign of King* Stephen. *Next to this follow* William *of* Malmsbury, Henry *of* Huntingdon, Florence *of* Worceſter, *and* Simeon *of* Durham; *to all which I muſt alſo add* Roger Hoveden, *tho he is but ſeldom made uſe of in the firſt Four Reigns, becauſe he commonly borrows his matter from ſome of thoſe already mention'd. And tho* Eadmerus *a Monk of* Canterbury, *wrote only the Eccleſiaſtical Hiſtory of* England, *during the Reigns of King* William *and* Rufus *his Son, and* Henry I. *yet there are alſo intermixt with it, ſeveral other Matters of great moment relating to the Civil Hiſtory of thoſe Times, which I have inſerted into the following Volume, together with ſuch Paſſages of Eccleſiaſtical Hiſtory as may ſerve to illuſtrate the former; ſuch as are the frequent Synods, and great Councils held in thoſe Times; the erection of new Biſhopricks; and the recovery of their Lands from the* Normans; *and the like.*

I HAVE alſo in my Reigns of thoſe four Firſt Kings, made uſe of ſome Foreign *Writers, who, tho they chiefly deſign'd to write the Hiſtory of* Normandy, *yet have likewiſe given us a great deal of that of* England,

it being ſo nearly connected with their own. And notwithſtanding I took divers Paſſages out of ſome of theſe in my former Volume, yet ſince they were not many, and that the Authors were Foreigners, *I forbore mentioning of them until now; being theſe that follow.*

THE firſt is Gulielmus Pictavienſis, *i. e.* William of Poictiers, * *who was a ſecular Prieſt, and Arch-deacon of* Liſieux, *and for a long time Chaplain to* William *the* Conqueror, *and wrote the* † *four firſt years of his Reign, that is, as far as the year* 1070. *but of this we have not the firſt year left us entire. So that I could wiſh a more perfect Copy of this Author could be diſcovered in ſome of the Libraries in* France *or* England, *ſince it is very probable it would give us a far better account of this King's Reign, as far as this Author wrote, than we have from any other now extant.*

* Ord: vitalis, p. 503, 504.

† Id. ib. p. 521.

NEXT to him follows in the ſame Volume of Norman *Writers, another of the ſame Name with the former,* viz. Gulielmus Gematicenſis, *i. e.* William *of* Jumiegue, *a Monaſtery in* Normandy, *of which he was Abbot, and who wrote a Hiſtory of the Dukes of that Province, from* Rollo, *to the end of King* Henry *the* Firſt.

Vid. Scriptor. Norman. per And. Du Cheſne, Pag. 1619.

AFTER whom follows Ordericus Vitalis, *who was a Monk of the Abbey of St.* ‖ Evroul, *and may be counted a* Foreigner, *not becauſe of his Birth, for in that reſpect he was an* Engliſh-man, *but by reaſon of his Education, being carried over into* Normandy, *as he himſelf relates, when he was but a Child, and there lived to write the Eccleſiaſtical Hiſtory of that Province, from the birth of Chriſt, to* Anno Dom. 1141. *the ſixth year of King* Stephen.

‖ *Called in Latin* Cœnobium Uticenſe.

AND it is to this laſt Author I confeſs my ſelf beholden for divers choice pieces of Hiſtory, eſpecially thoſe relating to Normandy, *during the Reigns of the firſt four Kings; yet in his Accounts of* England *he is ſometimes miſtaken, both in reſpect of Time, Place, and other Circumſtances: but in this he is to be the more excuſed, if we conſider him as a* Foreigner *by Education; as alſo ſome Allowances are to be made for his great credulity of* Legendary *Fables, and his making long winded Speeches: theſe being the common faults of the Age wherein he lived. But there is no Writer from whom we may receive greater Light concerning the Families and Deſcents of ſuch of the* Norman Nobility *as firſt came over and ſettled here, having great Eſtates given them by* William *the* Firſt.

TO theſe I ſhall alſo add the Manuſcript Chronicle of Robert de Monte, *ſo called from his being Abbot of St.* Michael's Mount *near the Sea in* Normandy; *and who, tho he borrowed what relates to the Affairs of* England, *from* Henry *of* Huntington, *and other* Engliſh *Writers (as he himſelf acknowledges in his Preface) yet he has alſo added divers Paſſages of the* Norman *Hiſtory, which he chiefly undertakes to write, that are not to be found elſewhere; his deſign being to continue the Chronicle of* Sigebert, *from* Anno Dom. 1100. *to the year* 1182. *being the* 28*th year of K.* Henry II.

I TAKE the more notice of this Author for his rarity, having never ſeen any more than two Copies, the one whereof is preſerved in the publick Library of the Univerſity of Cambridge, *which is very antient, and ſeems to have been written about the time in which the Author himſelf lived; and the other is in that of* Oxford, *but of a much more Modern hand.*

AND I muſt alſo let the Reader know, that this is the ſame Perſon who wrote the Chronica Normanniæ, *that are printed at the end of the* Scriptores Normannici, *and which in this printed Copy are very imperfect,*

beginning but at Anno Dom. 1139. *and ending at* 1168. *and tho they are continued by ſome other hand as far as the year* 1259. *being the* 43d *year of* Henry *the* 3d. *yet the Additions of this laſt Writer are very ſhort and trivial; whereas the Author whom he continues, gives a much larger account of the* Norman *Affairs, as far as he takes upon him to write them: So that I wiſh that the learned* Du Cheſne *could have had either of theſe Manuſcript Copies laſt mention'd communicated to him, when he publiſhed that* Norman *Chronicle from a Manuſcript Copy in the Library of* St. Victor *in* Paris; *which being imperfect, he was therefore fain to ſupply that defect from a far meaner hand. So that I ſhall only further take notice, that it is to this Chronicle that we owe a great part of the Hiſtory of* Normandy, *during the Reigns of King* Stephen, *and* Henry *the* Second, *which are not to be found elſewhere. I ſhould not have mentioned this Manuſcript of* Robert de Monte *among the printed Authors, were he not the ſame who wrote the* Norman *Chronicle, as I have already ſaid, and which being join'd with the Manuſcript in the Original, cannot be well parted from it in this Place.*

AS for the latter end of the Reigns of Henry *the* Firſt, *and the beginning of King* Stephen, *(beſides thoſe already mention'd) they are taken from the Continuators of* Florence *of* Worceſter, *and* Simeon *of* Durham; *the latter of whom calls himſelf* John *of* Hagulſtad *or* Hexham, *being a Monk of that Monaſtery, as was alſo* Richard *of the ſame Place and Name, who gives us a faithful account of many things done in the* North *parts of* England *in thoſe times, and particularly that of the great Battel between the King of* Scots *and the Barons of the* North, *called the Battel of the* Standard; *in which the King of* Scots *with his whole Army were put to flight, and many of them killed, or taken Priſoners, by a much ſmaller Body of* Engliſh: *which Action is alſo deſcribed ſomewhat more at large by* Alfred *Abbot of* Rievaulx *in* Yorkſhire, *in a Narrative entitled* de Bello Standardi, *printed among the* Decem-Scriptores.

A GREAT part of the reſt of this laſt King's Reign, is taken from Radulphus de Diceto, *Dean of St.* Pauls, *and* Brompton's Chronicle, *or elſe that of* Gervaſe *a Monk of* Canterbury, *who all follow each other in the ſame Volume, and lived in the ſame or the next Age; and of whom as well as the reſt of the Writers therein contained, ſince the ſhortneſs of this Preface will not permit me to ſpeak particularly, I refer the Readers to the Introduction before that great Work, written by the moſt learned Mr.* Selden.

BUT I muſt not omit taking notice of the great Aſſiſtance I have had in the Reign of King Stephen, *from an* Anonimous *Writer of his Actions, who flouriſhed in his time, and wrote his Actions under the Title of* Geſta Regis Stephani, *in which he gives us a more exact account of the Atchievements of that valiant Prince, till about* Anno Dom. 1147. *(being the* 11th *year of his Reign) than is to be found in any other Author: and it is pity that ſo great a part of this Hiſtory is loſt; for it wants both the beginning and the Concluſion: but what remains is to be found in the Volume of* Norman *Writers, publiſhed by* Du Cheſne.

Edit. Pariſ. 1618.

I MENTION this, becauſe neither Dr. Brady, *nor any other* Engliſh *Hiſtorian that I know of, have thought fit to take any notice of this Author, or to extract any thing out of him.*

AS for the Reigns of King Henry *the* Second, *and his Son* Richard *the* Firſt, *beſides* Rad. de Diceto, *and* Gervaſe *of* Canterbury, *I have chiefly*

chiefly made uſe of the elaborate Collections of Roger Hoveden, *who lived in the Times of thoſe Princes, and was one of King* Henry's *Domeſtick Clerks or Secretaries, and was alſo (as appears from* Walter *of* Coventry's *Manuſcript Chronicle, called* Memoriale Hiſtoriarum) *ſometimes imploy'd as an Agent or Commiſſioner from the King, and ſent by him to viſit the Convent of* Norwich, *and take an Account of their Receipts and Expences after the death of their Abbot, as likewiſe to confirm their Election of a new one; which Commiſſion he faithfully performed, not only in that Monaſtery, but in ſome others that were then vacant.* In Bibl. Cottonian.

BUT as for this laſt King's Voyage to the Holy Land, *beſides what I have borrowed from the Authors laſt mentioned, I have been beholden not only to* Roger Hoveden's, *but alſo to an exact Relation of it written by* Gaufridus de Vine Salvo, *that is,* Geoffrie Vineſauf, *an elegant Author of that Age, which has been lately printed from an antient Manuſcript in the publick Library of* Cambridge, *among other Writers of our* Engliſh *Affairs, by the very learned Dr.* Gale, *the preſent Dean of* York. Vol. II. Edit. Oxon.

AND I hope the Reader will not look upon it as tedious or impertinent to our Engliſh *Hiſtory, if I have from theſe Authors given a brief Account of King* Richard's *Expedition to the* Holy Land, *with the principal Actions which he there performed: ſince his Reign would ſeem imperfect without it, yet it is omitted by Dr.* Brady, *and ſome of our other Writers, or at leaſt they give but a lame Account of that Expedition.*

I HAVE likewiſe taken divers conſiderable Paſſages relating to the Reigns of thoſe Princes, from William *of* Newburgh, *a Chanon Regular of the Abbey of the ſame name in* Yorkſhire, *who was alſo (I ſuppoſe from the ſmallneſs of his Stature) called* Petyt *or* Parvus; *and he deſerves our notice, not only becauſe he was the firſt who undertook to write an Epitome of our* Engliſh *Hiſtory from the* Conqueſt, *as far as the latter end of the Reign of King* Richard *the* Firſt, *but withal diſcovered the Forgeries of* Geoffery *of* Monmouth, *and had the Courage to write againſt them, not many years after they were publiſhed, and when they were moſt in vogue. I have likewiſe in this Period borrowed divers material things from the Hiſtory of* Roger *of* Wendover, *augmented and continued by* Matthew Paris; *as alſo from* Matthew Weſtminſter's *Chronicle, in the Relation of ſuch things as are not to be found elſewhere; and I muſt not forget to add the* Scotiſh *Chronicle of* Mailroſs, *from whom I often borrow the Succeſſion of the Kings of* Scotland, *with other matters relating to that antient Kingdom.*

BUT as for thoſe Authors that remain ſtill in Manuſcript, either in the Cottonian *or other Libraries; I have in the Reign of King* Henry *the* Second, *chiefly taken an Account of the actions of* Thomas Becket, *Archbiſhop of* Canterbury, *from his Life written by* Fitz Stephens *a Clerk of* London, *who flouriſhed not long after; as alſo from the* Quadripartite *Hiſtory of the ſame Perſon's Life, commonly ſtil'd* Hiſtoria Quadriloga, *as being a Collection out of four ſeveral Writers of it; which (tho it was printed in* Germany) *I never ſaw, and is more rare than the Manuſcripts themſelves, for they are in ſeveral Libraries both private and publick.*

I HAVE choſen to confine my ſelf to theſe few Authors, who lived and wrote not long after his Death: for if I ſhould have made uſe of all thoſe Manuſcript writers of his Life, that yet remain in private or publick

lick Libraries; and who either tranſcribe from each other, or elſe add freſh Legends of his Miracles out of their own heads, there would be no end of it.

AND I muſt here moreover mention, as to Civil Affairs, the exact Chronicle of Benedict *Abbot of* Peterburgh, *who begins to write about the fourth year of* Henry *the* Second, *and carries his Hiſtory as far as about* Anno Dom. 1178. *being the* 24th *year of his Reign: and I wiſh he had continued it farther, he being a Judicious and a Faithful Writer, and from whom* Roger Hoveden *has borrowed a great deal of his Hiſtory word for word, tho without owning where he had it: which, by the way, is a fault in this Author, he having done the like by* Simeon *of* Durham.

BUT for other Manuſcript Hiſtorians, who have wrote of the Reigns laſt mentioned, I know of none conſiderable beſides Richard *of the* Devizes, *who begins his Hiſtory a little before the Conqueſt, and ends with King* Richard *the* Firſt's *Impriſonment, in his return from the* Holy Land. *In him I could obſerve little worth noting but what was related by others, until the Reigns of* Henry *the* Second, *and* Richard *the* Firſt, *in both which I have found divers remarkable Tranſactions, not to be met with elſewhere: and it is pity he did not draw down the Reign of this King longer; for he was ſo conſiderable an Author, that I find* Roger Hoveden *hath borrowed ſome things from him too. But I ſhall ſlightly mention ſome other Manuſcripts, ſince I have been but little aſſiſted by them, ſuch as* John *of* Tinmouth's Hiſtoria Aurea, *whoſe chief Deſign was to write the Lives of our* Engliſh *Saints: but there are intermix'd in it ſeveral curious Remarks of our Civil Hiſtory, collected from divers antient Manuſcript Chronicles, not now Extant; ſome of which I have inſerted into this Volume.*

I HAVE likewiſe borrowed ſomewhat out of the Manuſcript Chronicle of the Abbey of Cheſter, *a Copy of which is now in the Cuſtody of the Right Reverend and moſt Learned Dr.* Lloyd, *the preſent Lord Bp of* Worceſter.

AS for the Reign of King John; *the Three firſt years of it are almoſt wholly taken from* Roger Hoveden, *with ſome Additions from* Matthew Paris's *Hiſtory, which is chiefly owing to* Roger *of* Wendover, *as far as the end of the year* 1235. *being the* 19th *year of* Henry *the* Third. *But as to the remaining part of this King's Reign, it is of* Matthew Paris's *own compoſing as far as the latter end of the year* 1259. *being the* 43d *of this King, when our Author ceaſed to write, and indeed not long after to live. And it is much to be lamented that he did not live to finiſh that King's Reign, his Hiſtory being the moſt exact Collection of all Affairs, both Eccleſiaſtical and Civil, which happened in his time, that perhaps ever was wrote of any Kingdom, or State. To whom I may alſo add the Annals of the Monaſtery of* Burton, *publiſh'd in the firſt Volume of* Engliſh *Writers printed at* Oxford *by the care of the moſt Reverend Dr.* Fell *late Biſhop of that Place. And it is to theſe Annals that we owe ſeveral Tranſactions of great Moment, during the Reigns of theſe two laſt Kings.*

THE reſt of King Henry's *Reign is partly extracted from* William *of* Riſhanger, Matthew Paris's *Continuator, tho he was no ways equal to him whom he undertakes to continue, either in reſpect of the Exactneſs or Truth of his Collections; being guilty of a great many groſs miſtakes, beſides the omiſſion of divers material Actions, during the Years he takes upon him to write of: therefore I have ſupplied thoſe Defects and Omiſſions from the Chronicle of* Thomas Wikes, *a Chanon of* Oſney *near* Oxford, *as alſo from the Annals of the Abbey of* Waverly, *to which I may add the*

Chronicle

Chronicle of Walter Hemingford, *called* Walter *of* Gisbourn, *a Monaſtery in* Yorkſhire, *where he was a Chanon Regular, and flouriſhed till towards the middle of the Reign of King* Edward *the* Third.

BUT we owe the publiſhing of theſe three laſt Writers to the great Care and Charge of the Reverend Dr. Gale, *who caus'd thoſe Authors to be printed from ſuch Manuſcript Copies of them as are to be found in the* Cotton-*Library, or elſe in thoſe of* Trinity *and* Bennet *College in* Cambridge, *as alſo out of his own private Treaſury.*

BESIDES theſe great Acceſſions to our Engliſh *Hiſtory, which have been hitherto ſcarce made uſe of by our Modern Writers, I have alſo been beholden for divers choice Paſſages in the Reigns of King* John *and* Henry *the* Third, *to the Manuſcript Chronicle of* Radulph *Abbot of* Cogſhal, *who continued the ſhort Chronicle of* Radulph Niger *a Benedictine Monk, that flouriſhed in the Reign of* Henry *the* Second, *and upon whom when dead he was very ſevere; but as for this his Nameſake and Continuator, he began with the Reign of King* John, *and goes no farther than the beginning of that of* Henry *the* Third.

AND alſo for the firſt ten years of this King (beſides the Authors abovementioned) I own my ſelf much beholden to the Manuſcript Hiſtory of Walter, *a Monk of* Coventry, *who tho he borrowed moſt of his Collections of the former Reigns from* Henry *of* Huntington, Roger Hoveden, *and others, yet when he comes to write of his own time,* viz. *that of King* John *and* Henry *the* Third, *he relates ſeveral curious Paſſages of his own knowledg, not to be met with any where elſe. This Chronicle is extant in* Bennet *College Library, as I have already ſaid, under the Title of* Memoriale Hiſtoriarum; *and there is alſo a fairer Copy of it in the* Cotton-*Library, tho under another Title; but that it is one and the ſame Work, any one may find who will take the pains to compare them, as the learned Dr.* Gale *has remarked in a Note before it.*

BUT as for the briefer Chronicle which is in the ſame Library, that goes under the name of this Author, it is none of his; for beſides that his Name which is prefix'd to it, is of a very Modern hand, it likewiſe appears from Leland's *Hiſtory of* Britiſh *Writers, (which is in the publick Library at* Oxford, *and will ſhortly be publiſhed by the Learned Mr.* Tanner, *Fellow of* All-Souls *College there) that this Author died ſometime in the Reign of* Henry *the* Third, *and therefore what follows can be none of his; and I could further prove this from divers other Circumſtances, if they were needful to be here inſerted.*

BUT as for the laſt Thirteen years of the Reign of King Henry *the* Third, *beſides the printed Authors already mention'd, I have alſo been beholden to divers choice Manuſcripts, (particularly to the Annals of St.* Auguſtin *of* Canterbury) *whoſe Writers have given us a moſt exact Account of the* Barons *Wars during this King's Reign. Theſe Annals end with the Reign of King* Edward *the* Firſt, *being, I ſuppoſe, continued by another Hand.*

TO theſe I muſt alſo add an old Chronicle or Book that belongs to the City of London, *now in the Cuſtody of the worthy Mr.* Goodfellow, *the preſent Town-Clerk there, which is ſtil'd* Liber de Antiquis Legibus, *the peruſal of which I obtain'd by the eſpecial favour of the Right Honourable the Lord Mayor, and the Right Worſhipful the Court of Aldermen: where among the ſeveral By-Laws and Cuſtoms of that antient Famous City, are recorded divers particular Accounts of the Civil and Military Tranſacti-*

ons that happened in the Reigns of this King and his Son Edward *the* First; *and it is from these two last rare Manuscripts that I think I have been able to give a more particular account of what happened in the Reign of* Henry *the* Third, *especially relating to the Affairs of* London, *after the time that* Matthew Paris *left off Writing. And without this Assistance, as also of the printed Chronicles of* Burton, Wikes, Waverly *and* Hemingford, *the latter end of this King's Reign would have been very obscure and imperfect, as any one may see that will but take the pains to compare the History of that time contained in this Volume with any other of our Modern* English *Historians.*

* Vid. Sir *Will. Dugd.* Chronica Series, *p.* 23, 25, &c. *at the end of his* Origin. jurid.

TO all these I must likewise add the Annals of Nicholas Trivet, *Son of Sir* Thomas Trivet, * *whom we find to have twice rode One of the Justices* Itinerant, *in the latter end of the Reign of King* Henry *the* Third; *but this* Nicholas *was Prior of a Monastery of* Dominican *Friers in* London, *and died about the year* 1328. *This learned Frier wrote a General History of* Europe, *beginning* Anno Dom. 1136. *with the Reign of King* Stephen, *and ending* 1361. *being the* 35th *year of King* Edward *the* Third; *in which he gives us an exact* Synchronism *of Popes, Emperors, and Kings, in the Order in which they lived: but as he is more large and exact in the Affairs of* England *than of other Countries, I have therfore extracted from him divers curious Passages relating to our History, which are not to be found in other Authors. And tho this Chronicle is now printed at* Paris *in the* 8th *Tome of the learned Father* Dacherie's Spicilegium; *yet it being very scarce, I have made use of a choice Manuscript of it, that formerly belonged to the Abbey of St.* Edmunds-Bury, *and which is now in the hands of the Reverend Dr.* Halton, *Provost of* Queen's *College* Oxford, *who did me the favour to afford me the use of it.*

THERE are likewise some other Historians, who borrowing chiefly from those that wrote before them, I have only taken a few Passages from them, which I could not meet with elsewhere; such as are Ranulph Higden (*a Monk of St.* Werburg's *in* Chester) *in his* Polychron; *and* Thomas *of* Walsingham *his* Ypodigma Neustriæ, *who, tho he there has a more particular regard to the Affairs of* Normandy, *giving an Account at large of that Dukedom, from the time it first came into the hands of* Rollo *and his* Danes, *down to the sixth year of* Henry *the* Fifth; *yet the Reader will there find many other Occurrences not to be pick'd up from any Author besides: but as for these two last Writers, as also the History of* Henry de Knighton, *Chanon of* Leicester, *I hope they will prove more useful in my next Volume, in which Period they come to treat of the Affairs and Actions of their own times.*

I HAVE also omitted a great number of Manuscript Annals and Chronicles, some with, and some without names, which lie hid in the Libraries already mention'd; such as are the Annals of Hide *near* Winchester, John Castorius *alias* Fiber, *or* Bever, *a Monk of* Westminster, *who wrote a Chronicle that is still extant in some of our* English *Libraries*; John Shepshevet, *who wrote a Chronicle mostly relating to* Henry *the* Third's *time, which is in the Library of the* Heralds *Office, as also in that of Sir* John Cotton; *to these I may add* John Ross *or* Rous *of* Warwick, *who wrote a short History of our* English *Kings, to the end of the Reign of King* Henry *the* Sixth: *but of these last, being chiefly either short Accounts of Actions, or else brief Collections out of other Historians, I have made but little use, tho what I may do hereafter I know not.*

I SHALL now conclude with a ſhort Cenſure of one printed Hiſtorian, and that is Polydor Virgil, *whom for the ſame reaſon, as alſo for his great Ignorance and Miſtakes in our* Engliſh *Affairs, I have avoided citing as much as I could, unleſs it were in ſome particular things omitted by others, and which he may very well be ſuppoſed to have taken from Manuſcript Writers, tho now they are loſt: for beſides what he borrowed out of the Publick Library at* Oxford, *without taking any care to reſtore them; he likewiſe pillaged the Libraries of Religious Houſes at his pleaſure, and, at laſt, (as they ſay) ſent over a whole Ship-load of Manuſcripts to* Rome; *which if true, we are not like to be much the better for them.*

BESIDES the Authors abovementioned, I have alſo been as careful as I could, to look into thoſe who have written the Hiſtories or Annals of France, *during the Reigns of theſe Princes I have here treated of; ſuch as are* Sugerius *Abbot of St.* Denis, Rigordus, *and* Gulielmus Brito, *or* William *the* Breton, *and* Paulus Æmilius; *from all whom I have taken ſeveral conſiderable Paſſages, not only for the Augmenting, but Illuſtrating theſe Annals. And I have alſo endeavoured ſometimes to rectify their miſtakes, when I thought without any juſt Cauſe they differ from our* Engliſh *Hiſtorians.*

THE like I have done in reſpect of Scotland, *from* Johannes Major, Hector Boethius, *and eſpecially* Buchanan, *who tho he was juſtly a celebrated Hiſtorian, yet he often runs into the ſame miſtakes with thoſe that went before him, out of his too great partiality to his own Nation: ſo that who ever undertakes to write a General Hiſtory of the Affairs of this Kingdom, as they have a near Relation to, and Connection with thoſe of our Neighbours, either in reſpect of the Alliances or Wars that have happen'd between them, it is abſolutely neceſſary that they ſhould conſult the Hiſtories of thoſe Nations with whom we were then concern'd.*

AND the Reader may alſo take notice, that I have extracted the Affairs of Wales, *as far as they relate to our own, out of Dr.* Powel's Welſh *Chronicle, which is indeed but a tranſlation from* Caradoc *of* Lancarvan, *a much antienter Author; and he likewiſe extracted his Hiſtory from two antient* Welſh *Chronicles, the One of which belonged to the Abby of* Conway *in* North-Wales, *and the Other to that of* Stratfleur *in* South-Wales, *and are both extant, the one in the* Exchequer, *the other in the* Cotton *Library.*

BUT ſince the narrow limits of this Preface will not allow a larger Account and Character of the Authors, both in Print and Manuſcript, from whence this Volume is collected, I ſhall therefore refer thoſe that deſire farther ſatisfaction on this Subject, to a Modern Treatiſe, called the Engliſh *Hiſtorical Library, a Book I have already quoted at the beginning of this Preface, written by the Reverend Mr.* William Nicholſon *Arch-Deacon of* Carliſle, *who it muſt be confeſſed has been very diligent in his Collections, tho he hath not put down all that are extant, and which may be neceſſary for a Work of this nature; for I my ſelf have made uſe of ſome, which he has not had the good luck to light upon: but this I impute not to his want of Skill, but Opportunity, by reaſon of his living in the more remote parts of* England, *which has hindered his being perſonally converſant in the moſt noted Repoſitories of theſe kind of Rarities.*

HAVING now given you as brief an Account as I could of the Authors from whom I extracted my Materials, and where you may alſo find them, if you pleaſe; I think I need ſay no more, but that I hope theſe Collections

lections (for I will not preſume to give them the Title of a Complete Hiſtory) *being Regiſter'd in a due and exact Order of time, may at leaſt deſerve the name of Annals. And as ſuch may prove uſeful in time to ſome abler Pen to compile out of them a complete Body of* Engliſh *Hiſtory, at leaſt with the help of ſuch Additions and Alterations as may be judged neceſſary for ſo great a Work.*

BUT before I quit this Subject, I muſt ſay ſomewhat concerning the Abſtract of Laws at the end of each King's Reign, in which I have follow'd the Model propoſed by the Lord Bacon, *that learned Chancellor, and which I have added, to give the Reader a ſhort Hiſtory of our Laws, as alſo to excite our young Nobility and Gentry, who ſhall happen to peruſe this Work, to a more diligent Reading of our Antient, as well as Modern Statutes, without a competent knowledg of which it is impoſſible to underſtand the true antient Conſtitution of our* Engliſh *Government.*

I SHALL add to this an Appendix *at the end of this Volume, wherein I have given exact Tranſcripts of ſuch Charters of our Kings, as relate to the antient Privileges and Liberties of the Clergy and People of* England, *beginning at* William I. *and ending with the Great Charters of Liberties granted by King* John, *and confirmed by his Son* Henry *the* Third; *to which I have alſo added ſuch Charters, or Records, out of the Rolls in the* Tower, *as may any way ſerve to illuſtrate and confirm ſeveral material Paſſages in the enſuing Hiſtory.*

THE firſt of theſe, tho already printed, I have tranſcribed for two Reaſons; the One, to ſhew the Reader that I have fairly tranſlated thoſe Charters in my Collection of the Laws of thoſe Kings; the Other, to confute Dr. Brady's *raſh Aſſertion in the beginning of his Preface before his complete Hiſtory,* That all the Liberties and Privileges the People can pretend to, were the Grants and Conceſſions of the Kings of this Nation, and were derived from the Crown: *whereas it appears from* Matthew Paris, *as well as other Hiſtorians, that moſt of them were claimed before, as the Laws of King* Edward, *which* William *ſirnamed the* Conqueror, *did take a ſolemn Oath faithfully to obſerve; and in purſuance of which, there is this remarkable Clauſe in the Charter of Liberties granted by* Henry I. Lagam Regis Edwardi vobis reddo cum illis emendationibus, quibus Pater meus eas emendavit Conſilio Baronum ſuorum, i. e. *I reſtore to you the Laws of King* Edward, *with thoſe Amendments that were made by my Father with the Advice of his Barons.*

Pag. 252. *AND therefore* Matthew Paris *tells us, that when the Clergy, Nobility and People of* England *demanded the Reſtitution of their antient Liberties from King* John, *they did not ask them as new Favours, but as the antient Laws and Liberties of King* Edward, *together with ſome other Liberties granted by his Great Grandfather King* Henry *the* Firſt, *which* * Id. p. 254. *they then required to be confirmed; and therefore the ſame* * *Author ſays in the next Page, that the Heads of the Laws and Liberties, which the Great Men then required King* John *to confirm,* were partly contained in the former Charter of King *Henry* the *Firſt,* or were partly drawn from the antient Laws of King *Edward, as that Author ſays he will ſhew us in his following Hiſtory, that is, from the very Charter it ſelf which he there gives us. And that the People of* England *had divers great Liberties and Privileges under the* Saxon *Kings precedent to thoſe Laws, I think I have ſufficiently made out in my Introduction to the former Volume, and could alſo add more upon that Subject, were I not ſenſible that it would make this Preface too prolix.*

* BUT

BUT that these Laws and Liberties were never lost or forfeited by Dr. Brady's *pretended Conquest, I hope I have sufficiently proved in the ensuing Introduction, and therefore need say no more upon that head; nor yet prove that it was for more than a bare relaxation of the Rigour of the* Feudal *Laws, concerning Knight's Service, that the Clergy, Nobility and People took up Arms in the Reigns of King* John *and* Henry *the* Third, *as the Doctor would in both his* Prefaces *make his Readers believe; there being several other Clauses in those* Great Charters *relating to the Rights and Liberties of the Subject, that are of a much different, and more important nature, which being too long to be noted in this Preface, I refer the Reader to the Charters themselves, both in* English *and* Latin.

BUT as for the Doctor's next Assertion, concerning the Ordinary People, or Bulk of this Nation, that they were in most things of the same Condition, as well before the Conquest as after, and their Quality was not different, tho under the *Normans* they were obnoxious to greater Rigor, and more Severities in the same way of living, or as we now would call it, *Servitude.* Pref. to the Reader, p. 1, 2.

I MUST beg the Doctor's pardon, if I cannot come up to the heighth of his Notions: for, tho I grant, that the Condition of the Ordinary or Vulgar sort of People was not in all points so easy and Free as it is at this day, since Freehold Estates have become more common; yet that their condition (I mean of such as were Freemen, and not Villains) was never such as would bear the Title of Servitude, *either before or after his Conquest, I think I have sufficiently proved in my* Introduction *to the former Volume; and that they were not so afterwards, even before the granting of* Magna Charta, *will plain enough appear by divers Passages in this Volume; and I shall take occasion to say somewhat more concerning this Subject hereafter, and had not said so much of it in this Preface, but only to justify my self for inserting so many printed Charters in the Appendix; for I do not design to imitate the Doctor, who, besides Authorities from Manuscripts and Records, has for the most part stuft his Appendix with Epistles, Pope's Bulls, and Ecclesiastical Canons, with other pieces that are for the most part printed in* Eadmerus, Spelman's *Councils,* Roger Hoveden, Matthew Paris, *and other Authors not much harder to come by, than the Doctor's* Compleat History.

BUT as to the rest of the Collections in the Appendix *to this Volume, they are chiefly such things as relate to the antient Authority of our Great Councils or Parliaments, and the Members whereof they antiently consisted; concerning all which you will find sufficient references in the History it self: and I shall make further use of these Records, if ever it shall please God to give me another Opportunity of handling that Great and Noble Question, concerning the* Antiquity *of the* Commons, *their appearing and acting in Parliament, as a Constituent Part and Member thereof.*

BUT as for Transcripts of Leagues and Treaties, tho I could have given you a large Collection of that kind, yet I have rather chosen not to do it, because I would not intrench upon another Gentleman's Province.

AND I am very well inform'd, that the Learned and Ingenious Mr. Rymer, *his Majesty's Historiographer, designs to give the World a large Collection of Leagues, Treaties, and Articles of Peace between the Kings of* England *and other Foreign Princes, collected not only from printed Authors, but also from that hidden Treasure of Originals and Records, at this day deposited in the old Chapter-House of the Abbey of* Westminster; *and*

therefore I have not thought fit to tranſcribe any more than two pieces of this nature; the former of which contains the Charters of King Henry *the* Third, *and the* Barons *of* England, *whereby they bind themſelves to refer all their Differences and Diſputes to the final Judgment and Arbitrement of* Lewis *the* 9th *King of* France, *both which are recited* verbatim *in the Sentence, that That King gave on the behalf of his Brother-in-law King* Henry, *againſt the Confederate Earls and Barons; which, tho it is to be found in divers Manuſcripts in our own Libraries, yet I have choſe rather to tranſcribe it from Father* Dacherie's * Spicilegium, *or choice Collections from Manuſcripts in the* Benedictine *Libraries of* France; † *from whence I have alſo taken that Treaty or Agreement between the ſaid Kings abovementioned, concerning the perpetual Renunciation of the King of* England's *Title to* Normandy, *and his other Dominions in* France, *upon the* French *King's Conceſſion of* Guienne *under the Title of the Dutchy of* Acquitain; *which I thought fit to inſert at large, becauſe I have made a particular mention of it in the enſuing Hiſtory: and tho it be already printed, yet the Author's Collections conſiſting of many Volumes, they are very ſcarce to be had in* England.

* Tom. 12. p. 588.

† Tom. 9. p. 171.

AMONG theſe alſo, the Reader may ‖ *find an exact Tranſlation of King* John's Magna Charta *into the* French *of that Age, which juſtifies the Authentickneſs of thoſe few Originals that are yet left us of that Charter; ſo that to conclude this Subject, I ſhall only deſire the Reader to judg of the following Appendix, not by its* Bulk, *or the* number *of Pieces therein contain'd, but by their* Weight *and* Moment *in relation to the enſuing Hiſtory; eſpecially ſince the Records in the* Tower *do not furniſh us with very many things concerning Parliamentary Affairs, during the Period I now write of; moſt Records of that nature being loſt, as far as the fifth year of* Edward *the* Second. *And there are alſo great Chaſmes and Breaches, even in the Parliament Rolls, found after that time, as well as before it; which I purpoſely mention, that ſo the Reader may not wonder that there are ſo many old Charters and Records now wanting, they having been imbezelled and taken off the Rolls, perhaps ſome Ages ago; ſo that we are fain to be beholden to private men's Libraries and Collections, for the Originals of the Great Charters of K.* John *and* Henry *the* Third, *as alſo for Tranſcripts of ſeveral of our antient Statutes of that King, and of* Edward *the* Firſt; *for the Originals of them too have been for divers years wanting on the Rolls.*

‖ Tom. 12. p. 572.

BUT I expect it may be here objected, That if this be all I have done, to what purpoſe was it for me to undertake a new Collection of this kind, after what the learned Dr. Brady *hath already publiſhed in the ſame Method; ſince he ſeems not only to have made uſe of moſt of the Hiſtorians I have mention'd, but hath alſo conſulted the Records of the* Tower *for new matter, to render his Hiſtory more Intelligible and Advantageous, and that I my ſelf have been beholden to thoſe very Collections?*

IN anſwer to which I muſt freely acknowledge, that I do not go about any way to derogate from the Doctor's Performance, in whatever it may truly merit Commendation; I own his Induſtry in great part of his Hiſtory, which is written in a plain and eaſy Stile; tho I fear, not always with that correctneſs as the dignity of the Subject may require; but I ſhall not inſiſt upon this, for I do not pretend my ſelf to exact or elegant Writing. And tho I alſo grant, that the Doctor has taken a great deal of pains in furniſhing us with Records out of the Tower, *whileſt he was Keeper of them, to illuſtrate or augment his Hiſtory, yet I think they ſometimes ſeem of no great Moment:*

Moment: So that the whole conſider'd, perhaps I may without Offence affirm, that his Performance falls very ſhort of (what he calls) a Compleat Hiſtory.

BUT the things that are wanting to make it deſerve that Title, are chiefly theſe two, Sincerity *and* Diligence; *I ſay,* Sincerity, *in not fairly repreſenting the true ſenſe of his Authors, without wreſting and miſtranſlating their Words and Expreſſions; or omitting and paſſing by what he did not like, or thought would not ſute well with thoſe Notions and Opinions he deſign'd to advance; and indeed the Paſſages omitted, are often of great importance for the right underſtanding the antient Conſtitution of the Kingdom, and the true State of Affairs at that time.*

TO inſtance in particulars, they are moſtly ſuch as * *relate to the King's ſuppoſed Prerogative, in* raiſing Money *and* making Laws *during the Period he writes of; both which he would in effect make us believe our Kings could heretofore lawfully do by their* ſole Authority; *and that if it be otherwiſe now, it proceeds wholly from their gracious Condeſcentions:* † *And that as to the Charters of King* William *and* Henry *the* Firſt, *they were never meant or intended for the Benefit of the* Engliſh, *but only the* Norman *Biſhops and Noblemen; and for thoſe of King* John *and* Henry *the* Third, *none had any ſhare in them, but the* Community *of the Kingdom; and that (according to his Notion) only conſiſted of the Tenants in* Capite, *and their* Feudatory *Tenants by Knight's Service: to all which I ſhall ſpeak more at large in another Place, this being none fit for Controverſy; therefore will now only obſerve, that the Doctor takes all Occaſions, as well in his Prefaces, as in the Body of his Hiſtory, to ſhew his Partiality, whilſt he endeavours to repreſent the* Engliſh *Nation as Slaves by* Conqueſt, *thereby to advance an Arbitrary Power to an unreaſonable Heighth, and at the ſame time to depreſs the antient Rights and Liberties of the Subject, and diminiſh (as far as he is able) the antient Power and Authority of the Great Council, or Parliament, in making Laws, and redreſſing the Grievances of the Kingdom. And to this end he does all he can to conceal or excuſe the Faults and illegal Actions of our former Princes, and their Miniſters, eſpecially in the Reigns of King* John *and* Henry *the* Third.

* See Dr. *Brady's* Preface to the Reader, before his *Complete Hiſtory*, f. 1, 2.

† Gen. Preface, *f.* 30, 31, 34, 48.

THE Doctor likewiſe ſhews his Inſincerity, *as well as* Partiality *in omitting the greateſt part of thoſe Grievances and intolerable Oppreſſions under which the Nation then groaned, and which cauſed the greateſt part of the Clergy and Laiety to take up Arms againſt them, and by which means it muſt be acknowledged, they firſt obtain'd the Great Charter of* Liberties *and* Foreſts; *not that I will go about to vindicate all ſuch taking up of Arms from a juſt imputation of Rebellion, eſpecially in the War begun and carried on by* Simon Montfort, *and the Barons of his Party, in the latter part of the Reign of* Henry *the* Third.

YET whatever Hiſtorian does not fairly repreſent as well the Errors, Failings, and Violence of Princes, and their Miniſters, as the Wilfulneſs, Obſtinacy, and Rebellion of their Subjects, will never be able to render his Hiſtory ſo uſeful to Poſterity as it ought to be; ſince neither the Former can thereby receive any notice or warning, how to avoid the like Miſmanagements for the time to come; nor can the People learn what Breaches have been formerly made upon their antient Rights and Liberties, ſo that they may not think it a thing ſtrange and unheard of, if the like ſhould happen again in their Times.

AND

AND beſides all this, the Doctor hath conceal'd (whether ignorantly or wilfully I will not here determine) divers Paſſages in our antient Hiſtorians and Records, which may any ways ſerve to prove, that long before the 49th *of* Henry *the* Third, *there was another ſort or State of Laymen, which being neither Lords, nor Tenants* in Capite, *muſt be called* Commons; *and for whom I have collected ſeveral Authorities from our antient* Annals *and* Hiſtorians *in the enſuing Volume; as alſo from ſome Records in the* Appendix *to it, which I ſhall leave to the Conſideration of the Judicious and Impartial Reader.*

AND indeed the Doctor's wilful (I doubt) Omiſſions in this kind, as alſo in the points abovementioned, are ſo many and frequent, that tho I will not ſay he deſerves the Title of a falſe Witneſs *in Hiſtory, yet he has all the Artifices of an Advocate that writes or pleads for a Party; and who conceals and ſuppreſſes the main Evidence that makes againſt the Cauſe he maintains; or elſe wreſts and miſconſtrues the words that chiefly make againſt him. And for the truth of this, I need but refer the Reader to the following* Introduction, *as alſo to divers Paſſages which I have noted in the Hiſtory it ſelf, and are too many to be here particularly mention'd. And indeed the Doctor's faults in both theſe kinds are ſo conſiderable for* Weight *and* Number, *that I once deſign'd, before I undertook this Work, to have written ſome Animadverſions upon his Hiſtory; but finding it would be like to make a large Treatiſe, I thought it a more grateful (tho not an eaſier) Task to new write the whole as far as he had undertaken it.*

BUT I cannot paſs by another great Omiſſion of the Doctor's, eſpecially in the Reign of Henry *the* Third; *and it is of divers of thoſe great Grievances and Oppreſſions which the Nation lay under during his Reign, by reaſon of the Pope's uſurp'd Power in diſpoſing of Biſhopricks and Benefices at his pleaſure; or in exacting Money both from the Clergy and People, by new and unheard of Methods; or elſe in combining with the King in impoſing ſuch involuntary Contributions, upon condition that his* Holineſs *himſelf ſhould have a large ſhare out of them; many of which Frauds and Abuſes, together with the ſevere Reflections* Matthew Paris *(who then lived) makes upon them, the Doctor has for ſome Reaſons, beſt known to himſelf, thought fit to overlook: tho, whoever will take the pains to conſider the time when his Hiſtory was publiſhed, and the* Prince *to whom it is dedicated, may very well gueſs upon what grounds he did it: but I ſhall ſay no more upon that Head, becauſe I will avoid, as much as poſſible, all perſonal Reflections.*

THEREFORE leaving this ungrateful Subject, I ſhall now come to the next point of my charge againſt the Doctor, and that is, his want of Diligence *in Collecting all the Materials that may be neceſſary for ſo great a Work, to make it deſerve the noble Title it bears of a* Compleat Hiſtory. *And for proof of this, beſides the Omiſſions of ſeveral conſiderable Paſſages of great moment I could inſtance in, and which might have been neceſſary to the right underſtanding of the Civil and Eccleſiaſtical Affairs that happened during the Reigns he writes of, which he might have taken from thoſe very Authors he quotes; He has likewiſe omitted what he might alſo have added out of the Annals of* Mailroſs *and* Burton, *which are printed in the firſt Volume of* Engliſh *Writers publiſhed at* Oxford, *unleſs it be in one or two Paſſages in the latter, concerning the* Statutes *or* Proviſions *made there, and the manner how they were obtain'd; which, I ſuppoſe, he did put in, becauſe he thought it ſerved his purpoſe,* viz. *to ſhew the ſtubborn and reſtleſs*

reſtleſs Humour of the Engliſh Nobility and People at that time; but without fairly putting down the great Provocations which induced them to preſcribe that Remedy, which indeed proved more fatal to the publick Peace than the Diſeaſe it ſelf, they pretended to cure.

BUT as for thoſe Chronicles and Annals abovemention'd, which are publiſhed by the learned Dr. Gale, in his ſecond Volume of Engliſh Writers (printed at the ſame place with the former, and which I need not particularly name, having already mentioned them) Tho Dr. Brady may perhaps endeavour to excuſe himſelf, by ſaying that theſe Authors were not publiſhed when he wrote his Hiſtory; yet this excuſe will not ſerve him, ſince they were then extant in Manuſcript, and to be found in the Cotton or other Libraries in London, or elſe in thoſe in the Doctor's own Univerſity, to all which he very well knows he had free acceſs whenever he pleas'd; but as for ſuch Authors as remain ſtill in Manuſcript in the places laſt mention'd, the Doctor has given us ſuch a ſlender Account of them, that out of all that vaſt Treaſure which belonged to divers Monaſteries, or elſe thoſe compoſed by other Authors, he has made uſe of but three Writers, and thoſe only in the Reign of King Henry the Second, which are theſe that follow, Fitz-Stephens's Life of Thomas Becket, and the Hiſtoria Quadriloga or Quadripartite Hiſtory of the ſame Perſon's Actions; and Abbot Benedict's Chronicle of part of the Reign of Henry the Second, which are but a very few in Compariſon of many other Authors, from whom it ſeems the Doctor did not think it worth while to borrow any thing that might render his Hiſtory more compleat and uſeful, in which whether he has done well or ill, I muſt leave to the Judgment of the Readers.

I SHALL now conclude my Animadverſions upon the Doctor's Performance, and could have willingly been excuſed from ſo invidious a Task, had it not been to juſtify the Convenience, if not Neceſſity, of new writing this Volume of Hiſtory, which contains thoſe eight Kings, whoſe Reigns the Doctor hath ſo partially repreſented, that the Reader cannot without ſome better Light truly underſtand what ſort of men thoſe Princes were, what Alterations happened in their times, nor what were the true cauſes of them.

I WOULD not be thought to paſs this Cenſure out of any particular prejudice to, or diſlike of, either the Doctor's Perſon, or his Opinions, ſince as I have not the Fortune to be acquainted with the former, ſo have I no other diſguſt to the latter, but only as they are contrary to Truth, and not only derogatory to the antient Rights and Privileges of the whole Body of the Clergy and Laity of this Kingdom, (for both their Liberties are founded upon the ſame Bottom) but alſo may prove highly prejudicial both to the Prince and People, by inducing the former to believe that all the Rights, Privileges, and Liberties the People of this Nation enjoy, are but the Spoils of the Crown, and Encroachments upon the Royal Prerogative: and at the ſame time inducing unwary Readers to think, that it was a Sin to defend them when ever they happened to be illegally attacqu'd: and if both were once poſſeſſed of ſuch falſe Notions, I leave it to any indifferent Perſon to judg how long they were like to continue.

BUT I expect it may now be asked me, What courſe I intend to ſteer to avoid the like Rocks? To which my anſwer is very ſhort, That it ſhall be by going (as near as I can) between the two oppoſite extreams, of neither defending thoſe Kings whoſe Reigns I write, in their wilful and violent Breaches upon the antient Rights and Liberties of the People, nor yet in juſtifying the latter in their Encroachments upon the King's juſt Prero-

gatives, and rendring his Government wholly precarious and insignificant, as it proved in the latter end of Henry *the* Third's *Reign, by the factious Intrigues of* Simon Montfort *and his Accomplices.*

IN short, I shall endeavour strictly to observe that antient Rule, which comprehends the chief Duty of an Historian, Ne quid falsum audeat, ne quid verum dicere non audeat; *that is, neither to tell lies for a Party, nor yet to conceal any Truth fit to be known on that or any other Account. And I hope I shall have no temptation to do otherwise in this Volume, the Persons I write of being so long since gone off the Stage, that we need have no other Concern for them then what their own Merits, or the justice of the Cause may require.*

BUT as for the composition of this Work, since I chiefly designed to do it by way of Annals, in imitation of the Learned and Impartial Thuanus, *I have therefore taken the utmost Care I could to register Things and Actions in a due order of Time; and for this end, where our Historians differ about it, I have always followed the most approved Authors, when the Reason and probability of the thing will allow it; not that I blindly tie my self to any one in particular whenever I find them guilty of a mistake.*

AND therefore I have taken the pains to correct several Errors in Chronolgy, in our Modern English *Chroniclers, not excepting Dr.* Brady *himself, who has not bin so careful as he ought in this point; As for instance, when following the Authority of the* Norman *Chronicle, he places the Actions he relates from thence about a year sooner than they really happened, according to the Account of our best* English *Historians, whom I take to be much more exact in reckoning the years of our Lord; but from whence this mistake in this* French *Writer should proceed, I will not take upon me to determine, tho I am sure it could not be from beginning the year at our* Lady-day, *whereas the old* English *Chroniclers begin ours at* Christmas, *since according to this way of reckoning, it is not the* French *Account, but Ours, that would get the start of the other.*

BUT to say somewhat more concerning the choice of the Materials; as I have gathered them out of the most antient and authentique Writers I could find; so I have been as careful to peruse not only those that are printed, but whatever I could meet with considerable in Manuscript either in London, *or both the Universities, besides what I have borrowed of private Persons; but I can never sufficiently acknowledg the Obligation I have to that worthy Patron, as well as Master of all choice Literature, Sir* John Cotton *Baronet, to whose Library (that great Store-house of Antiquities) I have not only had the Honour of a free Access, but had also lent me whatever I wanted or desired to borrow from thence; and I hope this Volume will shew that I have made the best use I could of that noble Favour, as I have done also in other Libraries, whose Manuscripts I have had the liberty to peruse, without omitting any thing I thought might serve to render this Work either more pleasant or useful to the Readers.*

AND if any learned Person will do me the Kindness to shew me any considerable Error I have committed, or any Omission of any thing material and fit to be known in this Volume, I shall not only make a particular Acknowledgment of it, but I will cause it to be amended in the next Edition, if ever I live to see another come out; for I do not pretend to write without Faults, for that is almost impossible in so great an Undertaking; and

therefore all that can be required of Writers in this kind, is, that they take the beſt care they can, and when that is done, he deſerves beſt, who is found guilty of the feweſt Failings. And I hope I may ſay of this Performance, that as it is not without any at all, ſo there are none that are directly contrary to Truth; but only ſuch as may concern the names of Men, or miſtakes of Days or Months, or ſome ſmaller circumſtances of Actions, which may ſometimes happen, either through the careleſneſs of the Printers, or the inadvertenſy of the Amanuenſis, *and which will often eſcape, notwithſtanding the ſtricteſt Examination.*

AND as for the manner of the Compoſition, as I have not endeavoured at a lofty and florid Stile, which is not at all proper for an Hiſtorian; ſo I hope I have avoided a mean and abject way of Writing, below the dignity of the Subject. And becauſe meer Hiſtorical matter of Fact will not generally pleaſe alone, I have imbelliſh'd this Work with ſuch Relations, as may any way ſerve to make it more agreeable to the Reader; to which end I have alſo added ſhort Characters of the Kings, Princes, and other moſt conſiderable Perſons whom I have had occaſion to mention; which I have not taken at random, but either drawn them from the moſt exact Hiſtorians that lived in thoſe times, or elſe from the chief Actions they perform'd; which by the way is, I think, the trueſt method of judging the Tempers and Principles not only of Princes, but private men.

TO this I have alſo added here and there, as the Subject would afford, ſome political Obſervations, that may be of uſe to ſuch Readers, as not being converſant in State-Affairs, may perhaps not be able to make 'em themſelves; and without theſe two laſt mention'd Qualifications, Hiſtories, tho never ſo faithfully written, will prove but dry, and no more inſtructive than our ordinary News-papers and Gazettes.

TET the giving ſuch juſt Characters, is not ſo eaſy a Task as may be at firſt imagined, ſince writing the Actions of thoſe who lived many ages ago, I am forced to take their Characters, not from my own Obſervation, but the Relation of other Writers who often differ among themſelves in the Deſcriptions they give us of thoſe Princes and Great men; and this too frequently proceeds not ſo much from the partiality of the Hiſtorian, as from the uncertain and variable nature of thoſe Perſons they undertake to deſcribe; and therefore it proves very difficult to give a juſt Character of thoſe Prince, who tho they were endued with divers Vertues and good Qualities, yet were they alſo attended with no leſs, or perhaps greater Vices and failings: for there being in ſuch Perſons matter ſufficient, either to be praiſed and commended, or elſe juſtly blamed and cenſur'd; it often gives Hiſtorians a liberty of taking notice of the One, and paſſing by the Other, according to the particular Inclinations and Affections of thoſe who undertake to write their Lives.

THUS William *commonly called the* Conqueror, *is repreſented by foreign Hiſtorians, (ſuch as are* Willielmus Pictavienſis, *and* Gemiticenſis) *as alſo by our own* William *of* Malmesbury, *as a Prince of great Piety, Juſtice and Moderation; whereas divers other Monkiſh Writers of our own Nation, make him appear in many of his Actions (if truly related) as Sacrilegious, Cruel, and Avaritious, and no true obſerver of his Oaths and Promiſes, when contrary to his own private Intereſt. And both theſe Characters of him are in a great meaſure true, ſince that King was endued with many ſingular Vertues, tho allayed with as great Faults, and ill Qualities, as you may find at the end of his Reign, where both the one and the other are fairly,*

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and at once laid open to your view. The like I may say of his Son Henry *the* First, *and Great Grandson* Henry *the* Second, *who tho they were Great and Wise Princes, yet had the Fate either to be enveighed against, or else as immoderately praised according to the various Tempers of the Monks who wrote the Reigns.*

AND indeed had they always fairly represented their good as well as their evil Qualities; they had not done amiss, since we can scarce find a Great man, either in Antient or Modern Times, who was both Valiant and Ambitious, but was also endued with as many Vices as Vertues; since as it is hard for such men to be perfectly vertuous, so it is impossible for them to be wholly wicked, and yet to succeed in their Designs.

BUT to return to our own Princes: those have commonly been most favourably (if not partially) dealt with by the Monks (then almost the only Writers of History) who shewed themselves most indulgent to the Church (that is, the Clergy) by being wholly govern'd by them, and by confering on them the largest Privileges, or by building them the richest Monasteries: nor is this the fault of that Age alone, but would prove the same in ours, were the Talent of writing History possest, as it was then, by only one Sort or Order of Men.

I SHALL advertise the Reader but of one thing more, which is, That in great part of this History, especially in the two last Reigns, where Dr. Brady *and I have been forced to have recourse to, and translate the same Authors, I have made use of the Doctor's own Words and Expressions, only with some alterations in the Stile and connection of the Matter, which I did not out of lazines, or to shew my self a Plagiary of the Doctor's Labours, but rather for his as well as my own Justification: for his, to shew wherein he is not to be found fault with; and for my own, that the Reader, upon comparing them together, may find, that I have not only (as well as the Doctor) exactly followed the true sense of those Authors, but have also altered him in some places, and added to him in many more; divers Errors and Omissions of which kind, when of any considerable moment, I have made bold to take notice of; and therefore having all along compar'd his Performance with the Original, I hope in whatever we agree, the Reader may accept it as Money twice told; and wherever we differ, as we sometimes do, either in the sense of an Author, or a plain matter of fact, I leave it to his Judgment to follow which he pleases, provided he will first consult the Originals. And now I shall only desire him to take notice, that throughout all this Work I have shortned the military or fighting part as much as I could, unless it be in K.* Richard's *Expedition to the* Holy Land, *and in the rest of his Reign after his Return; and this I have done, that I may have the larger Scope for Civil and Ecclesiastical Affairs, which I look upon as the more necessary and instructive of the two; and to be equally large in both, would be more than what this Volume would well bear.*

TO conclude, That I may as little as can be, derogate from Dr. Brady's *laborious Work, I must own my self much beholding to him for the assistance he has given me in the Writing of this Volume, were it only, that by seeing those faults he has committed, I might the better avoid falling into the like; tho I must also acknowledg my self obliged to him for his industrious Collections out of the Records of the* Tower, *the Heads of which I have inserted in their proper places, but have forbore transcribing the Originals, unless it be one or two in his* Appendix, *or from the Introduction*

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to his Engliſh *Hiſtory, (and which I ſhall hereafter make uſe of for another purpoſe) becauſe I would enter as little as I could upon another man's Labours, and alſo deſire to leave his Work as beneficial as poſſible, for thoſe who ſhall think fit to make uſe of, or conſult it.*

AND I am ſo far from diſcouraging the Doctor's performances in this kind, that I hope we may e're long ſee the ſecond Volume of his Hiſtory, which (as I hear) he has given the World ſome hopes he will ſhortly publiſh; and which if it be written with that Faithfulneſs, Impartiality and Diligence as it ought, I ſhall then deſiſt from the further proſecuting my preſent Deſign of writing it anew. And as for what I have now ſaid of him, I hope he will pardon it, ſince it wholly proceeds from my zeal for Truth, and a tenderneſs for the antient Liberties and Government of my Country, which ought to be of the higheſt Concern to every honeſt Engliſh*man, and which in my Opinion his Writings have too much endeavoured to undermine.*

BUT if we ſhould both happen to write again upon the ſame Subject, I hope the World will only look upon it as a generous Emulation, who ſhall do the beſt and moſt faithful Service to his Country: and they may at leaſt reap this Benefit by it, that as the Doctor and I have different Notions of things, and conſequently different Proſpects in writing, which will alſo produce Collections of a different nature; ſo it may happen hereafter that ſome other Pen indued with a better Talent for ſuch a Performance, may out of both our Works, compile a compleat Body of Engliſh *Hiſtory; a Title, which tho I will not preſume to give to my own Endeavours, yet is a thing ſo much to be deſired by all Ingenious Men, that if what I have already written on that Subject may any ways contribute to ſo noble a Deſign, I would not grudg if both this and the former Volume ſhould happen to be eſteemed little better than waſte Paper, ſo that Poſterity might know that I had been any ways a Contributor to ſo great and publick a Benefit.*

BUT before I make an end of this Preface, I cannot forbear taking notice of a late imperfect endeavour towards an Epitome of Engliſh *Hiſtory, which tho written in the* French *Tongue, and conſequently cannot find very many Readers till it be tranſlated into ours, yet however I think fit to warn our* Engliſh *Gentlemen that they read it with Caution, and not to be ſo tranſported with the elegancy of the Stile, or the artificial Compoſition of it, as to ſwallow the Errors of the Author (who writes himſelf Father* D'Orleans, *before two Volumes of a Hiſtory of the Revolutions in* England) *as not to diſcover the malignity that lies hid under a ſmooth and taking piece of Oratory.*

BUT ſince the narrowneſs of this Preface will not permit me to make Animadverſions upon the whole, I ſhall only obſerve ſome of his groſſeſt miſtakes in this Hiſtory; paſſing by thoſe of leſſer Conſequence, and of which I could give you a great many inſtances, tho ſome of them are rather ridiculous than fatal to the Truth of the Hiſtory; ſuch is his calling King Edward *the* Elder, *Son to King* Alfred, Edward le Vieux, *(i.e.) the* Old, *becauſe (ſays this Author) he had White or Greyiſh Hairs from his Childhood; a reaſon, which, I believe, never any one thought of before Father* D'Orleans, *whereas indeed this Prince had this Sirname given him by after-Writers, only to diſtinguiſh him from two other* Edwards, *who were both his Deſcendents and Succeſſors, that is,* Edward *called the* Martyr, *and* Edward *ſirnamed the* Confeſſor. *But perhaps this Author thinking ſuch Miſtakes not to be of any great moment to the Truth of his Hiſtory, may*

commit them on purpoſe to render it more agreeable to Vulgar Readers, which if ſo, I ſhall not envy him that ſmall Satisfaction.

BUT we come now to the next Book, which begins with the Conqueſt, *wherein, as well as in thoſe that follow, I find ſome things that may better deſerve our Cenſure, as particularly, when he tells us,* * That *William* the *Conqueror* introduced the Laws of *Normandy* into *England*, yet nevertheleſs intermix'd with them ſome of the Laws of the antient *Saxon* Kings; and that out of this Collection he made one Body of Laws, to which he gave the Title of *Norman*.

* Pag. 74.

IN which Aſſertion each of the Propoſitions are either Falſe, or Miſtaken: for in the firſt place, tho I do not deny but that this King introduced ſome of the Laws of his own Country, yet that the greater part of them were ſo, I am ſure is a notorious Miſtake, and to which I ſhall ſay no more, than that the Reader may find it ſufficiently confuted in the following Introduction: but that he gave to this Collection the Title of Norman *Laws, is altogether falſe; for we neither have now, nor ever had any Body of Laws that were ſo called.*

I NOW come to the Second Book, wherein I ſhall not trouble my ſelf to confute what he ſays to prove Thomas Becket, *Archbiſhop of* Canterbury, *both a Saint and a Martyr; for that he could not be ſo, I need but appeal to the Original of his Troubles, and the cauſe and manner of his Death, as this Author himſelf has related them, and as they may be ſeen more at large in the following Hiſtory, being faithfully collected out of thoſe very Writers of his Life, who flouriſhed and wrote not many years after. But as for the great Teſtimony brought by this Author, to make this Prelat a Saint (to wit) the Miracles ſaid to be done at his Tomb, it is very well known that the Church of* Rome *has never wanted ſuch Teſtimonies, (whether Real or Pretended, it matters not) when ever ſhe had a mind to Canonize any Perſons who had loſt their Lives, I do not ſay for the* Chriſtian Religion, *but to advance her Temporal Grandeur, which was the caſe of this Prelate; and certainly his Gift of Miracle-working was grown very much out of Date in the Reign of* Henry *the* Eighth, *when this man's Miracles were declared to be* Impoſtures, *and his Bones burnt as a* Traytor's.

I CANNOT alſo omit taking notice, that this Author does all he can to detract from the Worth and Grandeur of ſome of our Greateſt and Beſt of Princes, as may be ſeen in the partial Account he gives of King Henry *the* Second, *and* Richard *the* Firſt *his Son, eſpecially the Latter, whoſe Actions he falſly repreſents in many Inſtances that I could give, but none ſo Remarkable as when he caſts all the fault of the War between him and King* Philip *of* France *upon the former, tho it plainly appears even by the Teſtimony of the* French *Hiſtorians of that time, that* Philip *began to make War upon our* Richard *during his Impriſonment with the Emperor, and that contrary to that King's own Oath and the Pope's Declaration againſt his Proceedings. So that the truth of the caſe was no more than this; King* Philip *had without any juſt Cauſe, or Demand of Satisfaction from King* Richard, *invaded his Territories, and taken ſeveral of his Towns and Caſtles, and yet it is repreſented by this Father as meer Obſtinacy and love of War, when he would not be contented tamely to ſit down a Loſer, but endeavoured to recover his juſt Rights by Arms; and therefore this Father's Reflection is very unjuſt, (and perhaps may better belong to a certain Prince now living ſome where in the World) † when upon King* Richard's *raiſing of great Taxes on the already too much oppreſs'd People,*

† Pag. 210.

People, to carry on the War against France, *he makes this Reflection*; That a false Ambition transported him more to ruin his Kingdom, than not to extend his Dominions; and that he chose rather to impoverish his greatest Towns, then to want one of the least of them.

BUT as for the Instance this Author gives us, to prove his obstinate Passion and Concern for War, it is, that Richard *having heard King* Philip *had taken a Town in* Normandy, *thereupon swore that he would never turn his Face from that Province, until he had arrived there, and given his Enemy Battel; and that to this end, he made the Wall in the Room where he then was, and which look'd towards* Normandy, *to be presently beaten down, that he might go out at the Breach, without turning his Back on that Province; which tho it be related but by one* * *Historian, and he too a Writer that lived long after this King's time, yet is it set down by this Author as an unquestionable Truth; however impossible it was for this Prince to have executed any such thing, tho he had never so much resolved, nay and sworn to do it.*

* Bromton's *Chron. Col.* 1259.

I COME now to the Reign of King John, *in which there are several Mistakes, tho of less moment*; † *as when he calls the Princess of* Wales *the Daughter of the King of* Scotland, *whereas she was indeed the natural Daughter of King* John *himself, as all our Historians agree.*

† Pag. 244.

BUT I confess I cannot find fault with this Author so long as he follows so good a Guide as Matthew Paris, *as he does pretty well, till towards the latter end of this King's Reign; and then, without the Authority of any Writer that I know of, he relates,* "*That* Lewis, *Son to* Philip *King* "*of* France, *having been sent for over into* England *by the Barons, in* "*opposition to K.* John, *he adds, that this Prince was received triumphantly* "*at* London, *and that some days after his Entry, every one being impatient* "*to see him mount that Throne to which he was called, he was thereupon so-* "*lemnly Proclaim'd and Crown'd King of* England, *with the accustom'd* "*Ceremonies.*

THIS is so remarkable a Transaction, that I could have wished this Father *would have told us where we might find it. As for my own part, I have search'd all the Historians, both* French *and* English, *to see if I could light upon this Passage, but all in vain; nor do I know where it may lie hid, unless it should be among that unknown Collection of Manuscripts in the* French *King's Library, from whence Monsieur* Varillas *had his Memoires for the writing the History of our* Reformation, *which hath bin so handsomly confuted and expos'd by a* ‖ *Learned Pen: but since it is inconsistent with the Volubility and Freedom of the* French *Writers, to cite any Authors in the Histories they compose, I think it may seem very suitable to our* English *Phlegme, not to be over-hasty to believe what they write in this kind, farther than we can find they are able to produce their Vouchers for what they say.*

‖ Dr. Burnet, *now Lord Bishop of* Salisbury.

AS for what this Father *has written concerning the Reign of* Henry *the* Third, *I have not much to object against it, so long as he follows the Author abovenamed, without adding any thing of his own, which whenever he does, it is most commonly false, or grounded upon no good Authority; as when he says in the beginning of this King's Reign,* That the greatest part of our Historians make him the Author of his own Misfortunes, by introducing the Institution of Parliaments: *whereas I know none of them that say any such thing; but indeed our Author will not shew himself altogether so credulous, and therefore acknowledges that the Assembly*

of

of the Barons (which in his Reign began firſt to be called a Parliament) *was often called by the greateſt part of his Anceſtors. But if he had ſaid by all of them ſince the* Conqueſt, *he had been much more in the right: But as for what immediately follows, he is as much in the wrong,* viz. That our Hiſtories make no mention of the *Chamber*, or *Houſe of Commons*, but ſo long after him, (that is, King *Henry*) that one cannot ſay who was the Author of it, *which (by the way) is a notable Reaſon, that the Original of a thing ſhould be more obſcure for its being Modern.*

BUT as to the matter of Fact, this Author ſpeaks like a Stranger; for had he lookt into our Statutes, Records, *and* Manuſcripts, *or even into our printed Hiſtorians, as he might have done, he would there have found the* Commons *mention'd in the Writs of Summons in this King's Reign, as alſo in ſome of our antient Statutes, both in his and in his Son* Edward *the* Firſt's *Reign, and I could produce ſeveral expreſs Teſtimonies for that purpoſe, which I ſhall recite in another place: but indeed this Author is not ſo much to be blamed in this Affair, as ſome of our own Nation, who I ſuppoſe gave him this falſe Information. But when he farther lays it down as his own Opinion,* That after having read what the moſt antient Hiſtorians have writ on this Subject, he is perſwaded that the *Parliament* of *England* is ſo far from being the Product of the *Royal Authority*, that it is a Tribunal inſenſibly erected by it ſelf to counterballance it, and to give it Bounds. *Which is ſo Falſe and Precarious, that if a man ſhould ſay ſo of the Aſſembly of the Eſtates of* France, *before the time of* Lewis *the* Eleventh, *I doubt not but any knowing and intelligent* Frenchman *would laugh at him for his pains: and I think it may be as eaſily proved, that our* Parliament *does not challenge to it ſelf any greater Power, either as to raiſing* Taxes, *and making* Laws, *than what was exercis'd by their Aſſembly of Eſtates, before that Kingdom became (inſtead of a Limited) an Abſolute Deſpotick Monarchy.*

BUT this Author is much more to be blamed for his Cenſure of their Good King St. Lewis, who (*he ſays*) rather hearken'd to the tenderneſs of his own Conſcience, then his true Intereſt in yielding up ſo many Rich Provinces (which his Grandfather had Conquer'd) to a Rebellious Vaſſal, (*viz. our* Henry *the* Third) and that *Lewis* can never be pardoned in Hiſtory this ſo ill grounded a Scruple; for none of their Kings have found the ſecret of putting *France* out of danger from the unquietneſs of the *Engliſh*, as that Prince who expell'd them thence, and made the Sea the Bounds between them and *France.*

THO I grant this may be a very good Reaſon in Policy, yet I am ſure it can be none in reſpect of Conſcience, and I doubt not but King Lewis *was then very well convinced, that his Grandfather* Philip's *Title to* Normandy, *and thoſe other Provinces he had wrongfully taken from King* John, *was grounded upon no better Right than that of the Sword; for as to the pretended Forfeiture of them by that Prince's non-appearance at the Court of Peers at* Paris, *to anſwer for the Murther of his Nephew Duke* Arthur, *I have ſhewn in the enſuing Hiſtory, that neither that King nor his Court of Peers had then any Right to paſs ſo ſevere a Sentence.*

BUT it is well this Author publiſhed his Hiſtory before his own ſo much admired King's late Peace with the Confederate Princes, *by the Reſtitution of ſo many large and rich Provinces: for if ever this Father is put upon writing his Hiſtory, he will do well to inquire, whether his Maſter's Con-*

ſcience was not well inform'd when he reſtor'd them to their juſt and antient Owners; for ſure it muſt not be ſuppos'd that ſo great a Monarch, who took upon him to give Peace to Europe, *ſhould act any thing from ſuch mean motives as Fear or Conſtraint.*

YET I ſhall eaſily pardon our Author this ſlip, ſince it may be ſo well turn'd upon himſelf, and it muſt be confeſſed, that in all the parts of this Hiſtory, he ſhews himſelf ſo true a Frenchman, *that he never fails upon all occaſions to extol the Valour, Juſtice and Conduct of the Kings of* France, *as well as of the People, above thoſe of* England; *and therefore I ſhall leave it to the conſideration of the impartial Reader, whether he truly obſerves thoſe Rules he has laid down in his Preface, as eſſential to a juſt Hiſtorian*; not to favour nor vilify one Nation or Party, only to flatter and oblige another.

TO conclude; Tho I will not diſſuade any one from reading this Hiſtory, as if it were time caſt away, yet I hope I may venture to adviſe him, not to truſt this Writer further than he is ſupported by good Authorities. And ſince he never cites any at all, I think I have given ſufficient Inſtances to prove that he is not to be truſted farther, than what he writes is confirmed by thoſe Authors from whom he borrows his Collections, or at leaſt by ſome of our beſt Engliſh *Chronicles that faithfully extract from them; otherwiſe you will never be able to diſtinguiſh Truth from Falſhood in his Relations; of which I ſhall ſay no more at preſent, (tho perhaps I may hereafter); for being come to the end of this Period, with which I conclude the enſuing Hiſtory, I will not follow him farther, but reſerve what I have to remark upon the ſucceeding Reigns to another Volume, if I find ſufficient Encouragement to proceed in this Undertaking.*

THE INTRODUCTION.

HAVING in the Introduction to my first Volume of the General History of *England*, laid down a large and true Scheme of the *English Saxon* Government, as it stood before the coming in of the *Normans*; and being now to commence a new Period of Time, and a Succession of Princes of another Race and Nation, I shall here pursue the like Method as before, and shew how far the same sort of Government was continued during the Reigns of these eight Kings, which I have here undertaken to write, except in such particulars as I shall in their due place take notice of.

THIS may perhaps seem unnecessary to some, upon a supposition that we are not to look beyond the pretended Conquest of King *William* the *First*, since (as they say) by his subduing of *Harold* and the whole *English* Nation at the Battel of *Hastings*, he thereby put an end to the old *Saxon* Government and Laws; so that no man at this day can claim any Right to their Liberties or any kind of Property, but what must be own'd as wholly derived from the Laws, Concessions and Charters, that have been from time to time granted by Him and the succeeding Kings of this Realm.

BUT I must beg these Gentlemens pardon, if I cannot rest satisfied with their Suppositions, since they being greater Friends to the Arbitrary Power of Kings, than to the Laws and Liberties of their Country, lay down this Hypothesis of a Conquest, thereby to confer on the Prince an absolute Power to break all our Laws, and seize upon our Liberties and Properties at his pleasure, and thereby reduce this Kingdom to the same miserable State of Slavery with some of our Neighbouring Nations; upon the aforesaid pretence, That all the Liberties and Privileges we now enjoy, being at first derived from the Concessions of former Kings (and those in great part wrested from them by Force) their Successors may, whenever they shall think it conducing to the greater safety of the Kingdom, (of which they are to be the sole Judges) reassume them, and thereby make themselves absolute Masters of the Lives, Liberties, and Fortunes of their Subjects, as they suppose their Conqueror and his Son *William Rufus* to have been during their Times. Nor may any body question or resist such Princes if they shall think fit so to do, since they have by this supposed Conquest of their Predecessors, an Absolute and Indefeasible Right to the Crown of *England*, paramount to all Laws, Compacts, and Coronation-Oaths, the Interpretation of which must lie wholly in their Breasts, as being responsible to none but God, if they either wrest, or wilfully break and transgress them.

BEFORE I come to answer directly the foregoing Pretences, I would here ask those Gentlemen, What Advantage can accrue to a

King by maintaining ſuch Opinions as reſolve his Right to the Crown into mere Force and Conqueſt; ſince then it may be as natural for the People likewiſe to inquire, Whether it be not lawful for them to repel Force with Force, and thereby to defend their Liberties and Properties (which from all times immemorial have belonged to them) whenever they find them invaded, or are like to be deprived of them, under the falſe Notion of an unbounded Prerogative.

AND when thoſe Bonds and Obligations of Oaths and Laws ſhall be once broken and diſannulled on the Prince's part, I doubt it will be a hard matter to perſuade the Subjects, that the Oaths they have taken to him, and the Laws that are made for his Advantage, muſt ſtill bind and continue in full force againſt them, notwithſtanding all the Breaches and Exorbitances committed by him. I ſhall not determine who is in the Right in this Diſpute, but it is moſt likely that this Doctrine is the ready way to make the People always to ſtand upon their Guard againſt their Prince; and whenſoever it comes to a *Civil War*, it has been found by too dear bought an Experience, that it has ſeldom ended to his Advantage, but rather to his Ruin; nor have we found thoſe ſo much cried up Doctrines of *Paſſive-Obedience* and *Non-Reſiſtance*, to have had that general Effect, even upon thoſe who pretended moſt to maintain them, of which I could give ſufficient Modern Inſtances were there occaſion.

NOW if any ſhall doubt, whether this *Hypotheſis* of their reſolving the King's Power and Prerogative into a Right by Conqueſt, have any juſt grounds, I deſire they would conſult not only the late Writings of Dr. *Brady*, Dr. *Johnſton*, and others, but thoſe that were written in defence of the Cauſe of King *Charles* the *Firſt*, againſt the long Parliament, by Dr. *Fern* and Mr. *Dudley Digs*: in both which latter it is laid down and maintained, "That the King's Power is ſuperi-
" our to all Others on the account of the Abſolute Conqueſt of *Eng-*
" *land*, made by King *William* I. whereby he acquired to Himſelf
" and his Succeſſors an Abſolute Dominion over all men's Perſons and
" Eſtates, which was not to be queſtion'd or limited any farther than
" he ſhould think good.

AND to the ſame End and Deſign ſeveral of Sir *Robert Filmer*'s Treatiſes were written and publiſh'd in thoſe times, as well as after in our own, by Perſons in love with ſuch Arbitrary Principles, tho they tended to the betraying and giving up of the Laws and Liberties of the Nation.

BUT ſince I do not take upon me to write as a Caſuiſtical Divine, I ſhall not much meddle with any Arguments that appertain to that Faculty, but confine my ſelf to what may be ſaid upon this Subject either from the Law of Nature or right Reaſon, or elſe as an Hiſtorian or an Antiquary, whoſe Buſineſs it is to look into the truth of matters of Fact, and the Original of Cuſtoms and Laws; in order to which I ſhall divide what I intend to ſay againſt this ſuppoſed Conqueſt of King *William* I. and that Abſolute Deſpotick Power pretended to be from thence derived to him and his Succeſſors, into theſe three Heads.

FIRST, I ſhall examine the Right on which the Gentlemen of this Opinion found this Title by Conqueſt.

SECONDLY,

SECONDLY, I ſhall look into the matters of Fact, and from thence obſerve how far King *William* by his Actions and Dealings with the *Engliſh Saxon* Nobility and People, either actually did, or intended to claim and exerciſe an abſolute Dominion over the Lives and Liberties of all his Subjects.

AND *Thirdly*, I ſhall anſwer the chief Arguments and Objections that are or may be urged by Dr. *Brady*, and others, in maintenance of this Opinion.

BUT before I proceed further, I deſire the Reader to take notice, that it is not my Intention, neither will the narrow limits of this Introduction permit me, to treat of the Rights of Princes to ſuch Kingdoms or Territories as they have gain'd by Right of War or Conqueſt, as it is now commonly called; or what Power ſuch Princes may, by the Law of Nature and Nations, exerciſe over the Perſons of a vanquiſh'd Nation or People: but I ſhall refer thoſe who are deſirous to inquire into the determinations of theſe Queſtions, to the learned *Grotius*, *de Jure Belli & Pacis*, and the ſagacious Author of the late two Treatiſes concerning Government; in the * former of which he will find, that the Victors or Conquerors in an unjuſt War acquire nothing, but are bound to make Reſtitution of all they have thus unjuſtly ſeized upon, or taken away from the conquer'd and ſubdued Prince or People.

* L. 3. c. 10. ſ. 3, 4, 5.

BUT tho it is not my Buſineſs here to determine how far an Unjuſt War may give the conquering Prince or State a Right to detain the Dominions ſo unjuſtly acquired; or how far the Vanquiſh'd Prince or State are obliged to ſit down contented with their Loſſes, without endeavouring to be reſtored; or how long their Right ſhall laſt and continue to them and their Poſterity; or what ſhall be allowed to be ſuch a perfect Conqueſt or Acquiſition, as that the Subjects ſhall have no longer any Right to reſiſt or endeavour to eſtabliſh the former Prince or his Poſterity, ſuppoſing they have ſufficient Protection and Security under the preſent Poſſeſſor; yet thus much I think I may ſafely affirm, (ſince *Grotius* himſelf admits this Diſtinction) that whatever Rights abſolute Princes or Commonwealths by Conqueſt, may claim over each others Subjects and Dominions, where a Prince poſſeſſes one ſhare in the Government or Legiſlature, and the Clergy, Nobility, and People, have a Right of granting Taxes, and of joining in the making and enacting of Laws; in caſe ſuch a King ſhall enter into a War with any Neighbouring Kingdom or Commonwealth, without the Conſent of his Great Council, or Eſtates, who repreſent the whole Body of the People, tho he himſelf may be vanquiſh'd in that War, and be outed of his Dominion; yet do not the People thereby loſe their Right to thoſe Liberties and Properties which they before had and enjoyed; ſince thoſe were not derived from the Prince at firſt, nor have the People done any thing againſt the Conqueror whereby to forfeit their Right to them.

L. 3. c. 8. ſ. 1. & in *Annot.*

AS for Inſtance, in the Second *Dutch* War, in the Reign of King *Charles* the *Second*, which he began with the States of *Holland* without any juſt Provocation, and before he had taken the Advice, Approbation or Aſſiſtance of the Parliament, that was then in being; let us ſuppoſe that the *State's* Fleet had not only beaten us at Sea, but landing upon *England* and totally routing the King's Forces, had either expell'd or kill'd him: I think no reaſonable man will affirm, that this

 Conqueſt

Conqueſt had given the *Dutch* an abſolute indefeiſable Right over the Lives, Liberties and Fortunes of the *Engliſh* Nation.

I HAVE given this Inſtance, becauſe it will very much influence and govern this Caſe of the pretended Conqueſt of *England* by *William* Duke of *Normandy*, in his conquering *Harold* and his Army, at the Battel abovemention'd: Therefore I ſhall now come to the firſt Queſtion propoſed, and conſider how far the Duke could claim any Right by Conqueſt to this Kingdom; in order to which, it will be requiſite to ſtate the Caſe, and to give a ſhort Account of his Pretentions, as I have laid them down in the former Volume of my Hiſtory.

KING *Edward* called the *Confeſſor* dying without Iſſue, there were no leſs than three Competitors that laid claim to the Crown; the Firſt was *Edgar Atheling*, as next Heir by Blood, being Grandſon to King *Edmund* ſirnamed *Ironſide*, by his Son *Edward*, called the *Out-Law*, and Great Nephew by the Half Blood to the *Confeſſor*; but this Prince being under age when his Uncle died, there was no great Account then made either of Him, or his Title.

THE Second was *William* Duke of *Normandy*, as being *Edward*'s neareſt Kinſman by Queen *Emma* his Mother, Siſter to *Richard* the *Second*, Duke of *Normandy*, Grandfather to Duke *William*; and from this match between King *Ethelred* and this Lady, *Henry* of *Huntingdon* ſays, the *Normans* claim'd, and obtain'd the Crown of *England* according to the Law of Nations. Yet this Title, if examined, could ſignify nothing, for *Edgar Atheling* was more nearly related to the Crown of *England*, than He by the Male ſide; whereas Duke *William*'s Relation being only by the *Mother's* ſide, he could lay no claim to it by Right of Blood; ſo that the Duke's *beſt* Title was a *Teſtament* or *Will*, (ſaid to be made by King *Edward* long before his Death, by which he conſtituted him his Heir) and the *Election* of the Great Council of the Kingdom in perſuance thereof.

THE Third was *Harold*, Son to Earl *Godwin*, being after his Father's death highly in the King's Favour, and alſo a Man very powerful, popular and valiant; and his Siſter *Edithe* being married to King *Edward*, it is very probable that by her Perſuaſions, as well as his own Inclinations, he might upon his Death-Bed bequeath the Kingdom to him; by virtue of which, and his being alſo *elected* by the Clergy and Nobility, and then ſolemnly Crown'd, he had for the preſent the ſtrongeſt Title, *viz.* poſſeſſion of the Throne.

YOU may alſo read in the former Volume, the Story of Earl *Harold*'s going into *Normandy*, his being there kindly received by Duke *William*; and how the Earl promiſed him to marry his Daughter, and ſecure the Kingdom for him, when-ever King *Edward* ſhould deceaſe; and that upon *Harold*'s taking it to himſelf, Duke *William* thought he had a good Title to the Crown by King *Edward*'s Will or Deſignation, or at leaſt a much better than *Harold*, who was no way related to it. And you may add to this, that the Duke had alſo a juſt perſonal Quarrel againſt *Harold*, for breach of his Oath, who, inſtead of ſecuring the Crown for the Duke, had put it upon his own Head.

WHEREFORE Duke *William* appeal'd to the Pope, and having received his Approbation, rais'd an Army, came over into *England*, fought *Harold* and kill'd him, with the total rout of his whole Army; and ſo was ſhortly after *Elected* and *Crowned* King. This being the

caſe, it is plain, that the Duke could have no juſt cauſe of War againſt any Body but *Harold*, and his Adherents, ſince they only had injured him: As for the *Engliſh* Nation, or People, admitting they did elect *Harold* King, yet could not the Duke have any juſt cauſe of War againſt them on that Account; ſince it does not appear that they were ever made acquainted with his Title to the Crown, much leſs of *Harold*'s ſecret Agreement to ſecure it for him, after King *Edward*'s deceaſe; and therefore had King *Edward* on his Death-bed appointed *Edgar Atheling* to ſucceed him, and the *Great Council* of the Kingdom actually made him King, (as they ought to have done) I cannot ſee how Duke *William* (notwithſtanding any former Will and Deſignation of King *Edward*) could have had any juſt cauſe of making War upon *England*, ſince he could have no Right to the Crown by Inheritance; and as for the Will or Deſignation of the late King, the Law of *Nations*, as well as the *Civil Law*, declares, that it may be alter'd and revoked at any time during the Life of the Teſtator.

SO that, I ſay, this being the caſe, it is evident that Duke *William* could obtain no Right to *England*, and conſequently to the People's Allegiance, but by the abovemention'd Teſtament or Deſignation, confirm'd and ratified by the People's *Election*, and his ſubſequent Coronation: for (as I have already proved) theſe were the ſolemn and eſſential Forms of making a King according to the antient *Engliſh Saxon* Conſtitution: ſo that the Duke by his Victory only conquering *Harold* and his Adherents, (who were very far from being the whole Body of the Nation,) it was They, and They alone, that could juſtly *forfeit* any thing by this Conqueſt. For we do not find that he ever conſulted the People of *England* in any *Wittena-Gemot*, or publick Council, or ſo much as deſired their Approbation and Aſſiſtance to carry on the War againſt the *Norman* Duke, and therefore (according to the Diſtinction already laid down) *Harold*, not having the ſole and entire Power or Dominion over the Kingdom of *England* in his own Perſon, as an abſolute Monarch, could not loſe or forfeit any thing but what belonged to himſelf; and that therefore the Duke upon his Victory, could obtain no Right by *Conqueſt* over the whole Nation or People, ſo as to ſeize their Eſtates, and annul their Liberties; for the greater part of them immediately after his Victory coming in, and being received by him upon Terms of Pardon and Protection, he thereby renounced all Right of Conqueſt; as appears by this Paſſage in *Florence* of *Worceſter*, where he relates that Archbiſhop *Aldred*, with *Edgar Atheling* and the two Earls *Edwin* and *Morchar*, with moſt of the chief Citizens of *London*, waiting upon Duke *William* at *Barkhamſted*, ſubmitted themſelves and ſwore Fealty to him; and that upon their delivery of Hoſtages, *he made a League* or *Covenant* with them, (for ſo I underſtand thoſe words *fœdus pepigit*, made uſe of by our Author, to ſignify;) and granted or agreed, that they ſhould be no longer treated like Enemies, but as Friends and Subjects: and if ſo, he was no more a Conqueror but their lawful Prince. And I conceive this is a far more natural Interpretation of the ſenſe of theſe words, than what the * Doctor will have them to ſignify, *viz.* no more than, that *he made a Truce* with them.

* *Anſw. to* Arg. Antinorman.

BUT what more certainly fixes this matter, and muſt, I think, for ever bar not only King *William*, but all his Succeſſors under his Title,

Title, from any Claim by Conqueſt, is, That at his Coronation he took the ſame Oath as *Edward* the *Confeſſor*, and the former *Engliſh Saxon* Kings had done before him; the ſubſtance of which was, *That he would defend the Church, with its Governours or Rulers; and juſtly and with Royal Prudence govern the People ſubject to him; and make and obſerve juſt Laws; and prohibit Rapines and unjuſt Judgments.*

TO which *William* of *Malmesbury* alſo adds, *quod æquo Jure* Anglos & Francos *tractaret*, that he would treat both the *French* and *Engliſh* with equal Right or Juſtice. And farther, (ſays our Author) ſo long as he obſerved that Temper towards his Subjects, *Aldred* Archbiſhop of *York* (who put the Crown upon his Head, and adminiſtred that Oath to him) loved him as his Son, and honoured him as his King; but when this Archbiſhop afterwards ſaw he broke it, and impoſed an inſupportable Tax upon his Subjects, he curſed him; which I only mention here, becauſe I have related it more at large in the following Hiſtory. De Geſt. Pontif. p. 154.

BUT I cannot here omit * Dr. *Brady*'s trifling Objections againſt the validity of the abovementioned Coronation-Oath; as firſt, That neither *William Pictavienſis*, *Ordericus Vitalis*, *Henry Huntington*, nor *Matthew Paris*, make mention of any ſuch Oath taken by him at his Coronation; and yet at the ſame time the Doctor owns it to be related by *Simeon* of *Durham*, and *Roger Hoveden*, who here tranſcribes it from him; but yet he leaves out the Teſtimony of *Florence* of *Worceſter*, who wrote firſt, and relates this Oath in the ſame Terms as *Simeon* alſo gives it us, who was an Author cotemporary with the former. But why the Doctor in his Hiſtory omits the Teſtimony of *Florence*, and *William* of *Malmesbury* above-cited, tho of better Authority than thoſe he has made uſe of, as writing their Hiſtories before either of them, I know not; only I think I may ſafely affirm, that he cannot pretend Ignorance or Forgetfulneſs of thoſe Paſſages; for that he muſt needs have read them both in *Florence*, and *William* of *Malmeſbury*, appears, by his there citing divers things from the former; and that this very place of *Malmesbury* lay before him, when he wrote this Reign of King *William* the *Firſt*, is plain, becauſe in the very next Leaf but one, * the Doctor repeats the ſame Paſſage concerning Archbiſhop *Aldred*'s curſing King *William*; which manifeſtly ſhews, that he wilfully conceal'd theſe words of the Oath immediately precedent, *viz. Quod ſe modeſtè erga ſubditos ageret, & æquo Jure* Anglos *quo* Francos *tractaret:* which is a full Evidence that by this Oath he was no more a *Conqueror* over the one than the other; and the Doctor is the leſs to be excuſed for this wilful Omiſſion, becauſe he ſo ſeverely charges thoſe he writes againſt with the like unfair dealing. *Complete Hiſtory*, p. 190. * Pag. 193.

BUT as for the Doctor's laſt Evaſion, whereby he would excuſe King *William* from Perjury, in dealing with the *Engliſh* as a *Conqueror*, *becauſe* (forſooth) *there is not one word mentioned of King* Edward's *Laws in the Coronation-Oath*, this ſeems very frivolous and trifling; as if there had been any neceſſity for the inſerting that Clauſe there, before it was certainly known whither he would break them or not; but when it was found he did, then Abbot *Frederic* taking up Arms againſt him, made him, ſome few years after, ſwear upon the Relicts of St. *Alban*, faithfully to obſerve thoſe Laws. And as to what the Doctor adds, that the Oath he took was the ſame with that when he was inſtall'd Mat. Paris, *in vit. Abbat. St. Alban. p.* 48.

* Vid. Script. Norman. p. 1050.

ſtall'd Duke of *Normandy*, * the place he cites for it will not prove it; the Oath there mention'd being ſet down without any Date when it was made, and not being word for word with that uſed in *England*, it ſeems more likely to be borrowed from This, than Ours from That.

BUT admitting it had been as the Doctor ſuppoſes; What good will this do him, unleſs he could prove that the Duke was an abſolute Sovereign in *Normandy*, before he came over hither, and might break their Laws, and take away their Liberties at his Pleaſure? The direct contrary to which was true, as farther appears in the next page to that above cited, (*viz.* p. 1051. of the ſame Volume,) where the Duke of *Normandy* at his Entrance into *Roüen*, is among other things to ſwear, *That he will guard and defend the Church and its Miniſters, with the Nobles and People of his Dutchy of* Normandy, *in* their *Rights and Privileges, Liberties, and Franchiſes.*

NOW that a Prince who has ſworn to *govern his People juſtly, to eſtabliſh good Laws, and to prohibit Rapines and unjuſt Judgments, and alſo to treat the* Engliſh *and* French *Subjects by equal Law or Right*, can afterwards have any Right to claim as a *Conqueror*; and, contrary to that Oath, take away all their Laws, and the Engliſh-men's Eſtates, and give them to *Frenchmen*, for no other Crime but becauſe they were *Engliſh*: whither, I ſay, he could do all this, and not be guilty of Perjury, I leave it to the Judgment of the unprejudiced Reader to determine.

THIS may be, I think, ſufficient to ſhew the Doctor's Partiality as an Hiſtorian, whoſe Duty it is not only to write nothing but Truth, but alſo to conceal nothing that is fit to be known. Tho indeed (to give the Doctor his due) when he cannot evade the matter of Fact, that King *William* took the Coronation-Oath, the ſubſtance of which is abovemention'd, it being urged ſo home by the Ingenious Author of *Argumentum Antinormannicum*, that he cannot conceal nor deny it; he has, in his Anſwer to that Treatiſe, no way left to excuſe his *Conqueror's* Perjury, but by downright confeſſing it; and which (ſays he) † "May receive this eaſy Anſwer, from an Engliſh Proverb, that "there is *never an Oath but is either broken or kept*; and ſo his Adverſarie's "Proof from the Conqueror's taking an Oath ſignifies nothing, unleſs he can alſo prove that he kept it. More Conquerors than one "have uſed fair Pretences, and made ſmooth Promiſes, and dealt cunningly with the People to carry on their Deſigns, and have at firſt "taken plauſible Oaths, and broken them afterwards; nay took them "when they intended not to keep them, and knew they could not: "And for Oath-breaking, *Harold* in his Anſwer to him, (*viz.* Duke "*William*,) when he demanded the Kingdom, had given him an Example, that ‖ *Stultum Sacramentum eſt frangendum*, a fooliſh Oath "is to be broken; and that is (ſays he) the reaſon that this Author, "*viz.* his Antagoniſt, omitted theſe words in the Anſwer of *Harold* "to Duke *William*, leſt it ſhould have defeated the Force and Conſequences of the Duke's Oath, which he made uſe of in favour of "his Aſſertion.

† *Anſwer to* Arg. Antinorman. p. 241.

‖ *This is part of* Harold's *Anſwer to Duke* William, *as it is related by* William *of* Malmesbury.

"MANY ſpecious Oaths, Proteſtations, Vows, and Covenants "were contrived and taken by Crafty and Deſigning men, in the "times before mentioned, and impoſed upon the People contrary "to the Oaths of Allegiance they had before taken, for no other

"ends

" ends than to cheat them into Rebellion, and make them the Authors " of their own Slavery; which was diſcovered too late, and when " they were under the power of an Army, and could not help them- " ſelves.

WHICH Paragraphs I have here tranſcribed *verbatim*, that ſo the Reader may ſee how miſerably the Doctor is put to it, when he finds he has no way to evade the Breach of a juſt, lawful, and ſpontaneous Oath, but by this mean ſhift, *that many Conquerors have broke their's, and that* (as it ſeems) *without any blame, provided they did not intend to keep them.* And now I leave the Doctor himſelf in cold Blood to judg, whither this might not be as good an Excuſe for a certain modern Prince's breaking his Coronation-Oath to protect and defend the Church of *England*, and obſerve the Laws of the Nation, as any *Jeſuit* about him could furniſh him with; nor can I ſee in the preſent caſe of King *William*, how *Harold*'s Anſwer of *Stultum Sacramentum eſt frangendum*, could take off the Force and Obligation of King *William*'s Oath to his People, ſince it was not his after-Breach of it, but the Obligation he lay under by it, that was, and is the main Subject of the Diſpute between the Doctor and thoſe of the contrary Opinion: for If the Non-obſervance of a Coronation-Oath may give Princes a Right of Conqueſt, I cannot ſee what Nation (where ſuch an Oath is taken) can be ſecure from their Prince's ſetting up for a Conqueror, whenever he has Power, or thinks he may ſafely put it in Practice.

BUT the Doctor has no way left to amuſe the Reader, and extenuate the Perjury of his Conqueror, but by falling into a long and impertinent Digreſſion (which takes up no leſs than eight Pages) in ſetting forth the Falſhood and the Perjuries of *Oliver Cromwel*, the *Scotiſh* Covenanters, and the long Parliament's Ordinances and Declarations, only to make out this wonderful Myſtery, *That deſigning men will often Promiſe, Proteſt, Vow, and Covenant, and all falſly, that ſo they may cheat the People into Rebellions, and at laſt make them Slaves to their own arbitrary Power and Dominion*: all which being nothing at all to the purpoſe, I ſhall not trouble my ſelf to tranſcribe, ſince I need make no other Anſwer to it, than that I do not ſee how the Perjury of *Cromwel*, and the *Long-Parliament*, can be any Excuſe for the like Proceedings of King *William* the *Firſt*, above ſix hundred years before, or of any after him: for either the Actions he inſtances in were lawful, or they were not; if the former, then the ſame pretences will juſtify *Cromwel* and the *Rump*, as well as his *Conqueror*; but if the latter, to what Purpoſe does he make uſe of this Argument, unleſs he can prove, that Monarchs have a Diſpenſation to break their Oaths, which Subjects have not? This indeed would prove very comfortable Doctrine to a Friend of his, but I hope to no body elſe.

THE Doctor, after this long Digreſſion above mention'd, returns to King *William*'s Coronation-Oath, and to leſſen the validity of it, he urges firſt, " That neither *Gulielmus Pictavienſis*, *Eadmerus*, *Ordericus Vitalis*, *Henry Huntingdon*, nor *Matthew Paris*, do write of any " Oath taken by him: *Florence* of *Worceſter* is the firſt (ſays he) who " mentions it, and *Simeon* of *Durham*, and *Roger Hoveden* tranſcribed " it from him. Then the Doctor ſets down the Account given of the Ib. p. 250.

" Oath, *Se velle Sanctas Dei Eccleſias*, &c. Which ſince I have already given you in *Engliſh*, I need not here repeat.

BUT in anſwer to this, he tells us, The Oath was conceived in general words, and ſuch as were of a great latitude, and he might by the power and help of his Sword expound, or interpret them in almoſt what ſenſe he pleaſed, and make them far more eaſily correſpond with his Actions, than if it had conſiſted of many ſtrict particulars.

BUT the Doctor's Objections, both againſt the reality of this Oath, and againſt its Obligation (in the ſenſe in which the words ought naturally to be taken) may be eaſily anſwered. As to the firſt, That no antient Author but *Florence* mentions it: this, if true, is but a *negative Argument*, and proves little, ſince the Oath might be taken, and yet none of thoſe Authors he mentions, thought fit to record it; and as for *Eadmerus*, and *Ordericus Vitalis*, they being Eccleſiaſtical Hiſtorians, their chief buſineſs was to relate Church-Matters, and Civil-Affairs only by the by: and one main end of the Coronation of Princes being to oblige them by an Oath to govern juſtly, it was look'd upon as a matter of Courſe, and which was ſo generally known that it might be thought unneceſſary by ſome of our Hiſtorians to record it: but *Florence* was an Author too diligent and near thoſe times, to be deceived, or impoſed upon in a matter of that Moment; and lived long before the three laſt Authors mention'd by the Doctor. And the ſame I may ſay of *Simeon*, who, tho he often copied *Florence*, yet lived at the ſame Time; nor would ſo judicious an Author as *Hoveden* have tranſcribed from one of thoſe, what he had not lookt upon as an undoubted Truth.

AS for the Doctor's next Objection, The general Terms in which this Oath was adminiſtred, and which his Conqueror might, by the power and help of his Sword, interpret in what ſenſe he pleaſed, *&c.* It is well the Doctor has added *the power of the Sword*, which I grant is a notable Interpreter, not only of Laws, but Scripture too in ſome Countries; and we ſee thoſe Princes that exerciſe it to the heighth, have in our Times expounded their own Leagues, confirmed by ſolemn Oaths, in what ſenſe they pleaſed: and I could bring Inſtances of the like in Coronation Oaths too; and that in our own or Father's Memories; but I ſuppoſe this will not give ſuch Princes a Right to perjure themſelves, or make them Conquerors by their ſo doing.

THEREFORE I think I may ſtill affirm, that King *William* was as much bound by this Oath to obſerve the antient Laws and Cuſtoms of the Kingdom, both Eccleſiaſtical and Civil, as were the *Engliſh Saxon* Kings his Predeceſſors; the Oath above mention'd being no more, but the ſame that was taken by them, tho in other words, as any body may ſee, that will compare the ſubſtance of that King's Oath with the form ſuppoſed to be taken by King *Ethelred* and his Son *Edward* the *Confeſſor*, which is cited by Mr. *Selden* in his *Titles of Honour*, and which I my ſelf have tranſcribed from a very antient Manuſcript in the *Cottonian*-Library, and is inſerted in the *Introduction* to my former Volume. So that if the *Engliſh Saxon* Kings were thereby bound to preſerve and defend the Liberties of the Church, ſo was King *William*; if they were bound to govern all their Subjects juſtly, ſo was he; and if they were bound by their Oath to prohibit all Ra-

pines

pines and Injuſtice in all ſorts of men, ſo was he: were they obliged to preſcribe Equity and Juſtice in all their Judgments? ſo was he. And if all this be true, I deſire to know (granting the matters of Fact, as the Doctor will have them) what Right King *William* had to alter the antient Laws of the Kingdom, both Eccleſiaſtical and Civil, by his own ſingle Authority; or how it could any ways conſiſt with the genuine and literal ſenſe of this Oath, to take away the Lives, Liberties and Eſtates of his *Engliſh* Subjects for no fault at all, but becauſe they were *Engliſh*? Nothing but the Doctor's great Interpreter, *the Sword*, can cut this *Gordian* Knot; which Inſtrument, tho I am ſenſible it too often ties up men's Tongues and Pens from either ſpeaking or writing Truth; yet I am ſure can never alter the nature of things, and make Right and Wrong, Juſtice and Injuſtice, to be all one.

BUT to proceed; The Doctor confeſſes that his Author (*viz.* the Gentleman he writes againſt) hath added one extraordinary neceſſary Article at that time, from *William* of *Malmesbury*, which is, *Quod æquo Jure* Anglos *quo* Francos *tractaret*: and the Doctor has no way to take off the force of this Authority, but by confeſſing it; yet thinks he wholly deſtroys it, by ſhewing from the ſame Author, that when Archbiſhop *Aldred*, who crown'd King *William*, and adminiſtred the Coronation Oath to him, heard how ſeverely he uſed the *Engliſh* (in laying a great Tax upon them) he curſed him and his Progeny for it. This Paſſage being omitted by his Adverſary, the Doctor thereupon triumphs, as if it had been done on purpoſe, becauſe (as he thinks) it would have deſtroyed the whole Argument from King *William*'s Coronation-Oath, as being a pregnant Teſtimony he never kept it: whereby the Doctor runs into the ſame Error as before, in making the Obligation of the Oath to conſiſt in the Taker's keeping, or not keeping it; which is not the matter in Diſpute, but whither he did not ſtand oblig'd to keep it, and was barr'd by it from ever claiming as a *Conqueror*?

BUT his *Antagoniſt* having taken upon him demonſtratively to evidence, that it was not ſo much *Conqueſt*, or the *Sword*, that King *William* firſt relied upon when he was ſettled in his Throne, as his Claim to the Crown of *England*, *Jure Hereditario*, by Right of Inheritance, and proves this from ſome of his own Charters, as well as from others of his two Sons, *William Rufus* and *Henry* the *Firſt*. But the Doctor thinks to evade this Argument by *confeſſing and avoiding it* (as we ſay in a *Law-plea*) and affirms, "That this Hereditary Right was "only the Donation of *Edward* the *Confeſſor*, as Mr. *Selden* explains it, "who thereby admits and approves it as a Lawful Title: yet that by this the *Conqueror* was no more than an Epiſtolary or Teſtamentary Heir by Queen *Emma* his Aunt. And then the Doctor produces a Clauſe from a Charter of King *William* (cited by his Adverſary) wherein he calls *England*, *Regnum mihi cum providentia Dei deſtinatum, & Beneficio Cognati mei Glorioſi Regis* Edwardi *Conceſſum*: the Kingdom deſign'd him by the Providence of God, and granted to him by the Beneficence of his Kinſman, the Glorious King *Edward*; and the Doctor himſelf cites divers other Charters of this King, wherein he calls himſelf Heir, and adoptive Heir to King *Edward*.

FROM whence (ſays he) it is plain, that whatever his *Hereditary Right* was, yet whither he relied more upon that than his *Sword* and

Conqueſt,

Conqueſt, is left to the indifferent Reader to judg by what hath been ſaid, and ſhall be further deliver'd in his inſuing Anſwer, *viz.* to *Argumentum Antinormannicum* above mention'd.

BUT the Doctor would have done well to have ſhewn us any Charter or Law of this King, wherein he ſtiled himſelf *Conqueror* of the *Engliſh*, or that he ever pretended to claim by the *Sword*; whereas he himſelf cannot deny but that in all his own, as well as his Son's Charters, which are yet extant at this day, his Title to the Crown is ſet forth quite another way; which, whither he ever waved, and only claimed by the *Sword*, (as the Doctor here ſuppoſes) ſhall be farther inquired into by and by: for it is not King *William*'s great Severity, or indeed the Cruelty which he ſometimes uſed towards the *Engliſh*, or his bare and open ſeizing their Eſtates, that can ſhew he acted as a *Conqueror*, ſince he might inflict this as a juſt Puniſhment upon Rebels and Traytors: as when he deſtroy'd the Inhabitants of *Yorkſhire* and *Northumberland*, for killing Earl *Robert* and Biſhop *Walcher*, and took away the Eſtates of a great many of the chief Nobility for their actual Rebellion, or (at leaſt) conſpiring againſt him. But I do not find the Doctor to give us any ſufficient proof, that he diſpoſſeſt any of the *Engliſh* of their Eſtates, only becauſe they were ſuch; but of this I ſhall ſay more hereafter.

THE point of Right being now (I hope) fully ſettled, that King *William* by his Victory over *Harold* and his Army, could acquire no juſt Title either to himſelf or his Succeſſors, over the Perſons, Eſtates and Liberties of the *Engliſh* Nation; I come in the next place to the matter of Fact: and ſince I find the Doctor, and thoſe of his Opinion, divide their Arguments for it into theſe following Heads, I ſhall perſue their Method, and examine each of them in this Order.

1. THE firſt is, That King *William*, ſome time after his Entrance, took away all the Lands of the *Engliſh* Nobility and Gentry, and gave them to his *Normans* and other *Foreign* Followers; and in ſhort diſtributed almoſt all the Lands of *England*, then in Lay-hands, to thoſe that had ſerved him in his Conqueſt, according to their Deſerts, and his own Will and Pleaſure.

2. THAT upon this Diſtribution, he introduced a new Military Tenure from *Normandy*, called *Knight's Service*, with all its Dependences, of Wardſhip, Marriage, and Relief of the Heir; and this upon all the Lands of *England*, except ſome ſmall matter that was held by *Soccage* Tenure, which was but a ſmall part in compariſon of the reſt: all which could not have been done had he not acted like a *Conqueror*; and that at one time or other he thus diſpoſed of moſt of the Lands of *England*.

3. THAT not only in this, but in divers other Points he alter'd the old *Engliſh* Laws, called the Laws of King *Edward*, and introduced divers others more ſevere and rigorous, and that by his *ſole Authority*, without the Conſent of the *Great Council* of the Kingdom.

4. THAT, as another Badg of this *Conqueſt*, he drew up and made his firſt Body of Laws in the *French* or *Norman* Tongue, and conſtituted *Normans* to be Judges in his Courts, and ordered all Pleadings there to be in that Language, which continued till the 35*th* year of *Edward* the *Third*.

THAT

THAT, as an *Abſolute Conqueror* over this Kingdom, he at his Death bequeathed it to *William Rufus*, his Younger Son, paſſing by *Robert* his Eldeſt, which all Writers agree may be done in *Patrimonial* Kingdoms that are conquer'd by the *Sword*, and do not deſcend by Right of Blood, unleſs the Conqueror pleaſe ſo to appoint.

TO begin with the firſt Inſtance in relation to the Lands; In anſwer to this, I think I may poſitively aſſert, that no Perſon, during this King's Reign, was outed of his Eſtate, meerly becauſe he was an *Engliſh* man, without any other Crime laid to his Charge: not but that it is certain, and very natural to ſuppoſe, that after ſuch a Victory, and before things could be ſettled, there were great Outrages and Oppreſſions committed by the Conqueror's Officers and Soldiers, as likewiſe many falſe Accuſations laid againſt innocent Perſons, for being of *Harold*'s Party, or for being concerned in thoſe other Plots, Conſpiracies, and Rebellions which were frequently raiſed by the *Engliſh* Nobility during this King's Reign; whereby ſeveral of them poſſibly might be thrown out of their Eſtates, as alſo many Uſurpations made upon other men's Rights, which might be afterwards again recover'd by the true Owners; and this was done not only in the Lands and Poſſeſſions of private Perſons, but in thoſe of Biſhops, Abbots, and other Eccleſiaſticks, over whom that King could pretend no Right by *Conqueſt*; as appears by thoſe Relations of the Tryals and Recoveries of ſeveral of their Lands and Mannors (which we ſhall mention by and by) when things grew more ſettled, and that the Laws came again into their Old Channel.

AND as for the Poſſeſſions of private Perſons, we have the unqueſtionable Authority of *Gulielmus Pictavienſis*, who, in his Hiſtory of the beginning of this King's Reign, ſays expreſly concerning his rewarding his *Norman* and *French* Followers, *Nulli tamen* Gallo *datum eſt, quod* Anglo *cuiquam injuſtè fuerit ablatum*: "Nothing was given "to any *French* man, that was unjuſtly taken from any *Engliſh* man.

AND if *Ingulph*, Abbot of *Croyland*, complains of the Violence and Invaſion of the Rights and Lands of his Abbey, by *Ivo de Talboys*, and which could never be fully recover'd, notwithſtanding all his Complaints; this is to be imputed to the Iniquity of the Times, and the great Power which ſeveral *Norman* Lords had in ſome Counties.

BUT ſuch Inſtances as theſe are not ſufficient proofs of *Conqueſt*; for there are few Countries in the World, where Favourites and men in Power, having the King's Ear, and repreſenting men's Perſons and Merits falſly to him, do not ſometimes oppreſs and injure others, and that often without any Redreſs; and thereby make good that old *Engliſh* ſaying, that *Might overcomes Right*.

BUT the Doctor being urged with theſe Authorities, in his Anſwer to *Argumentum Anti-normannicum* * above mention'd, is fain to diſtinguiſh, that the Queſtion is not there fairly put by his Antagoniſt, *viz.* "Whither Duke *William* obtain'd the Crown of *England* by "the Sword, and made an Abſolute Conqueſt of the Nation at his "firſt Entrance; *but that it ought to have been thus*: Whither, in proceſs of Time, and by degrees, he did not, by Force and Artifice, "make an Abſolute Conqueſt of the Nation. For we are not ſo much "to conſider (*ſays he*) what he did upon his firſt Invaſion of *England*, * Pag. 252.

" or ſome ſhort time after, as to take notice of the manner of his Eſta-
" bliſhment and Government when it was wholly under his Power,
" and that by the daily Acceſſion of *Normans* or other *Foreigners*,
" and by building very many Caſtles and Forts in all parts of the Na-
" tion, and placing Gariſons in them, he had ſecured himſelf and thoſe
" that came with him. For *(proceeds the Doctor)* we ſeldom or never
" read of any one, who deſigned to Conquer a Nation or People, who
" told them before hand, that he would deprive them of their Eſtates
" or Fortunes, and give them New Laws, or abridg their Antient Li-
" berties; and eſpecially if he had any pretence of a Title, as Duke
" *William* then had to *England*.

" HENCE it is that *Gulielmus Pictavienſis*, and *Ordericus Vitalis*,
" do ſometimes mention *William* the *Conqueror*'s ſmooth Behaviour to-
" wards the *Engliſh*, and his equal and juſt Dealings with them upon
" his firſt entrance into the Kingdom, and for four or five years after-
" wards. And, to give the Doctor his due, he is ſo fair as to repeat the former of thoſe Author's own words, when he ſays, " That after
" this King's Coronation at *London*, he ordered many things prudent-
" ly, wiſely, and juſtly, *&c.* And he adds from the ſame Writer, this remarkable Paſſage above mention'd, *Nulli* Gallo *datum eſt quod* Anglo *cuiquam injuſte fuerit ablatum:* ſo that tho the Doctor allows all this to be true for the firſt Four years of this King's Reign (*viz.* till the year 1070.) yet he excepts againſt this Author laſt mention'd as an incompetent witneſs, concerning the means King *William* made uſe of for his Eſtabliſhment; that being for the greateſt part finiſh'd and perfected after the time that *Gulielmus Pictavienſis* left of writing his Hiſtory, which ended with the year 1070. as appears from the Teſtimony of *Ordericus Vitalis*.

I SHALL, in anſwer to the Doctor's Inſtances and Objections, make bold to begin with the laſt in the firſt place. As for his Exception againſt the Teſtimony of *Gulielmus Pictavienſis*, it is not material; for we have no more than one year and half of his writing of this King's Reign, *viz.* as far as his firſt return out of *Normandy* into *England*, the reſt being loſt; which if we could recover, perhaps we might draw from thence ſome other Arguments, that he never intended to ſet up for a *Conqueror:* tho what we have left of this Author is ſufficient to prove it; ſince if he had intended to Claim by that Title, he ought to have done it at firſt, and not after he had barr'd himſelf from it by ſo many ſolemn Oaths to the contrary.

P. 104, 105. BUT however, the Doctor cannot except againſt *William* of *Malmeſbury*'s Teſtimony, who all along imputes King *William*'s ſeverity to the *Engliſh*, not to any Right by the *Sword*, but to their frequent Plots and Rebellions againſt him. And ſure the Doctor cannot deny, but during the firſt Four years of his *Conqueror*'s Reign, he had brought the whole Kingdom under his Subjection, and that there was no place left but what was in his Power; for as to the Rebellion in the Iſle of *Ely*, that was not till the *Fifth* year of his Reign: ſo that one would believe, that if he ever had any Right to claim as a *Conqueror*, he would then have exerted it; ſince a *Conqueror* (as far as I can obſerve from all Hiſtorians) is One, who, having no Right to a Kingdom or Country but by the *Sword*, as ſoon as he is once poſſeſt of it, deals with

with the Inhabitants as his Slaves and Vaſſals, and immediately makes himſelf Maſter of their Eſtates and Liberties, without any precedent Oath or Compact; as the *Saxons* dealt with the *Britains*.

BUT indeed the Doctor hath found out a nice diſtinction between Duke *William*'s Conqueſt of *England*, and his Settlement in it; ſo that, it ſeems, according to his pleaſant Notion, a Monarch is never well ſettled in his Throne, till he has made himſelf maſter of the Liberties and Eſtates of his Subjects; and thus the moſt Rightful King, if he had found any Reſiſtance from the People in his obtaining the Crown, might upon this pretence, ſet up for a *Conqueror*; and notwithſtanding his Coronation-Oath to obſerve and maintain the Laws of the Kingdom, might take away the Eſtates, not only of his Enemies, but of all others; and ſo King *Edward* the *Fourth*, upon this Author's Principles, might have ſet up for a *Conqueror*, as well as *William* the *Firſt*.

BUT tho the Doctor does not pretend to aſſert that King *William* took away all the *Engliſh* men's Eſtates at once, and made them abſolute Vaſſals during the firſt Four years of his Reign: however he ſtill inſiſts, That whatſoever thoſe Hiſtorians may ſay of him in the beginning of his Reign, yet whoever attends to his Actions, as his drawing his Army about *Weſtminſter*-Abbey at the time of his Coronation, his building Fortreſſes within the City of *London*, and placing *Norman* Gariſons and *French* Governors in divers Caſtles in the Country, his carrying the chief of the *Engliſh* Nobility with him as Hoſtages into *Normandy*, (which was but an Honourable Impriſonment) and his dictating new Laws; cannot but believe he intended to rule as a *Conqueror*, and by the *Sword*, from the very beginning. And ſome Pages after, to obviate the Objection of Duke *William*'s Quarrel to *Harold*, as being rather Perſonal than National, and tho he was victorious over him, yet he was no Abſolute Conqueror, the Doctor here puts ſome Queſtions to his Adverſary, and asks him, why, after *Harold* was ſlain, he did not then disband his Army? *&c.* and why he ſo often ſent for freſh Forces out of ſeveral Nations? why he appointed *Odo* Biſhop of *Bayeux*, and *William fitz Osberne* (both great *Normans*) his Lieu-tenants, to govern the Nation, when he return'd into *Normandy*, and carried with him all the prime *Saxon* Nobility within leſs than ſix Months after this Battel of *Haſtings*?

Arg. Antinorman. *p.* 237.

Ib. *p.* 241.

I HAVE already ſhewn from the manner of King *Harold*'s coming to the Crown, that Duke *William* could have no juſt Quarrel againſt the *Engliſh* Nation, for crowning his Competitor, and therefore could not upon that account have any Right to take away their Eſtates: But ſince the Doctor has been pleaſed to make uſe of theſe Inſtances, to ſhew his Claim and Intentions to act as a *Conqueror*, from the very beginning; I ſhall deſire that he would be pleaſed to ſhew us any Seal of this King, wherein he ſtiles himſelf *Willielmus Conqueſtor*, or any of his Charters wherein he ſets forth his Title by *Conqueſt*; whereas I can produce ſeveral Charters, wherein he claims as Heir, *Jure Hereditario*, to King *Edward* the *Confeſſor*.

BUT to come to the Doctor's Queries, concerning the matters of Fact in order. To the firſt I anſwer, that there was no reaſon for him to disband his Army ſo long as the Earls *Edwin* and *Morchar* continued in Arms againſt him.

TO

TO the Second, that his building Fortreſſes in *London*, might be very well juſtified without any pretence to *Conqueſt*; ſince that City had ſo lately ſhewn it ſelf very averſe to give him Entrance, and would alſo have ſet up *Edgar Atheling* againſt him. And the ſame diſtruſt he could not but have of moſt of the *Engliſh* Nation; of whom ſo great a number had lately fought with, and near overcome him: and this might very juſtly make him truſt the command of his Gariſons only in the hands of *Normans* and *Frenchmen*. The like diſtruſt of the *Engliſh* Nobility (the greateſt part of whom had been againſt him) might very well juſtify his leaving only *Normans*, as his Lieu-tenants in his Abſence; as alſo his prevailing with the prime *Engliſh-Saxon* Nobility to go over with him; for all Princes will ſecure the quiet poſſeſſion of what they have once obtain'd by all the wiſe and politick Methods they can. And if King *William* was then their lawful Prince, he might alſo very well require their Attendance upon him into *Normandy*, and that without making them Priſoners, as the Doctor will needs have it.

AS for his giving the *Normans* great Eſtates, that might likewiſe very well be anſwer'd for; ſince perhaps it was done out of the confiſcated Fortunes of ſuch as had fought againſt him at the Battel of *Haſtings:* all which he might juſtly do, ſuppoſing his Title to be Juſt. As for his ſending for freſh Forces from other Nations, I do not find he did ſo during the firſt Four years of his Reign, to which the Doctor confines this preſent Inquiry; tho if he had done ſo, he might very well have juſtified it, without intending to make an *Abſolute Conqueſt* of the Kingdom; for ſeveral of his *Norman* Souldiers left him, and returned home at the beginning of his Reign, and therefore it was neceſſary that he ſhould ſend for freſh Recruits either from *Normandy* or other Countries.

THESE Anſwers, I hope, may ſerve to prove, that what King *William* acted in the beginning of his Reign for his own Security, and the common Peace of the Nation, might very well be defended upon thoſe Grounds; without reſolving the Actions into *Conqueſt*, or *abſolute Arbitrary Power*. As for his dictating new Laws, I know of none, but ſuch as were made by him with the common Conſent of the *Great Council* of the Kingdom, as his own Laws themſelves ſet forth.

HAVING thus diſpatched the point of *Right*, I come to thoſe of *Fact*, and ſhall now examine the truth of his firſt Aſſertion, "That King *William* took away all the Lands of the *Engliſh* Nobility "and *Gentry*, and gave them to *Normans* and other *Foreigners*; and, "in ſhort, diſtributed almoſt all the Lands of *England*, then in Lay-"hands, to thoſe that had ſerved him in his *Conqueſt*, according to his "Will and Pleaſure.

IN the firſt place therefore it is allowed on all hands, that King *William* never took away the Lands of the Biſhops and Abbots of *England*, much leſs thoſe that belonged to Deans, and Chapters, or to private Churches; and if his Nobles or Followers had unjuſtly diſſeized any Biſhop or Abbot of their Eſtates, we find that upon Complaint, the King cauſed them to be reſtored, as appears by many Precedents of this kind, which are to be found in *Ingulphus*, and *Eadmerus*; beſides the old *Leiger-Books* of the Churches of *Rocheſter*, *Ely*, and other Monaſteries.

THIS being premiſed, let us ſee in the next place what proportion the Lands that then belonged to the Church did bear to the reſt of the Lands in *England*: now you may find in the old *Leiger-Book*, cited by Mr. *Selden* in his *Titles of Honour*, and particularly from a Manuſcript Leiger call'd *Secretum Abbatis* (formerly belonging to the Abbey of *Glaſtenbury*, and now in the Library of the Univerſity of *Oxon*) that there were, ſome years after the ſuppoſed Conqueſt, ſixty thouſand two hundred and fifteen Knight's Fees in *England*, of which the Biſhops, Abbots, and other Churchmen then enjoyed twenty eight thouſand and fifteen. Yet ſince we are not ſure but that this Account might not be taken till above 150 years after the *Conqueſt*, during which time a great deal of Land might be beſtowed upon the Church by King *William* and ſeveral other Kings, as alſo by divers Biſhops and Noblemen's founding of ſeveral Religious Houſes endow'd with great Revenues, I will not reckon the Church-Lands of *England* to have amounted (not long after the ſuppoſed *Conqueror*'s Entrance) to above twenty thouſand Knight's Fees; which nevertheleſs will make near a third part of ſuch Lands, as were then held by Military Tenure, the number of which was about ſixty thouſand Knight's Fees, as *Ordericus Vitalis* reckons them to have been. Now if King *William* did not diſpoſſeſs the Biſhops and Abbots, *&c.* of their Lands, you may ſay the ſame of their Tenants, whoſe Eſtates the King had nothing to do with, and the better ſort, and greater number of theſe then came to hold their Eſtates by Knight's Service, in Fee, or at leaſt for Lives (Leaſes for years being not then in uſe) and many of thoſe Tenants were great and powerful men in their Countries; hence we read in the antient Hiſtories and *Leiger-Books* of Abbeys and Cathedrals, of the many Barons and Knights that held of the Biſhops and great Abbots, ſeveral Examples of which you will find in Sir *Henry Spelman*'s Gloſſary, Title *Baro*: as alſo in the *Leiger-Books* of *Ely* and *Abingdon*, of which I ſhall make further uſe by and by.

ALL that I know can be urged to the contrary, is, that many of the Tenants of theſe Biſhops and Abbots, *&c.* might either take part with *Harold* at the Battel of *Haſtings*, or elſe rebell'd afterwards againſt the King, who might ſeize thoſe Lands (as forfeited) for Treaſon; to this it may be anſwer'd, that ſuppoſing it to be ſo, yet they could not be very many, for we read of no Biſhops, and not of above three or four Abbots, who were with King *Harold* at that Battel; and if they were not there in Perſon, it was not likely that many of their Tenants ſhould, contrary to their Lordſhip's deſires (who moſt of them privately ſided with King *William*) without any neceſſity, concern themſelves in ſo dangerous a Quarrel.

BUT to counterballance theſe, it is alſo certain, that few of the Tenants in *antient Demeſne*, and *Gavel-kind* in *Kent*, (which in thoſe times made above two thirds of the Lands of that County) were diſpoſſeſt of their Eſtates at the *Conqueror*'s Entrance, ſince they were not in thoſe times forfeitable for Treaſon.

AND to theſe we may alſo add all ſuch *Norman* Noblemen and Gentlemen, who having ſettled themſelves in *England* during the Reigns of King *Ethelred* and his Son *Edward*, would not ſide with *Harold* againſt Duke *William*; and theſe were ſo numerous and conſider-

able that we find amongſt the Laws of this King, one particularly inſerted for their enjoying all the Rights and Privileges of Natural *Engliſh* men; by all which (when reckon'd up together) it will appear, that King *William* could not diſpoſſeſs ſo much as one Half of the *Engliſh* Gentry and ordinary People of their Eſtates; ſo that the matter will amount to no more than this, that this King, for ſome years after his firſt Entrance, diſpoſed of no more Lands than what were thought legally forfeited to him by the death or flight of thoſe who were at the Battel of *Haſtings*, or elſe had rebelled againſt him by ſeizing the Iſle of *Ely*, or had joined with the *Danes* in the *North*, or were concern'd in the Rebellion of *Ralph Guader* and *Roger Bigot*: in all which, tho I grant a great many Noblemen and Gentlemen loſt their Eſtates, yet he took them not away upon pretence of *Conqueſt*, but as a Lawful Prince may deal with thoſe that he ſuppoſes either had conſpired, or elſe had actually rebelled againſt him.

HAVING thus ſtated the matter of Fact, as it really was during this King's Reign, I ſhall now ſay ſomething to the Authorities which Dr. *Brady* and Others produce, to make good the contrary Aſſertion; and I ſhall begin with that famous Paſſage in the black Book of the *Exchequer*, ſuppoſed to be written by *Gervaſe* of *Tilbury*, about the 23d of *Henry* the *Second*, which the Doctor ſo much inſiſts upon, and therefore I ſhall give you a true Tranſlation of it (for the Doctor's is not ſo exact as it ſhould be) leaving the Reader to compare it if he pleaſe with the Latin Original. The Engliſh runs thus:

Cap. 27. "† AFTER the *Conqueſt* of the Kingdom, and the juſt ſubverſion
" of the Rebels, when the King himſelf and his Great-men had view-
* *Loca.* "ed their new * Acqueſts, there was a ſtrict Enquiry made, who they
" were that had fought againſt the King, and ſaved themſelves by
† *In Bello.* "flight; from theſe and the Heirs of ſuch as were ſlain in the † Field,
" all hopes of enjoying either the Lands or the Rents they before poſ-
" ſeſs'd were cut off; for they counted it a great Favour to enjoy their
" Lives under their Enemies; but ſuch as were called out to fight a-
" gainſt King *William*, and did not, being hindred by their own, or
" other Affairs, if in proceſs of time by an humble Submiſſion they
" could gain the favour of their Lords, they then had the liberty of
" poſſeſſing ſomewhat in their own Perſons, but without any hope of
" leaving it in Succeſſion; their Children enjoying it only at the Will of
" their Lords; to whom when in after times they became odious, they
" were driven from their Eſtates, neither would any reſtore what
" they had taken away.

" WHEREUPON, when a general Complaint of the Natives
" came to the King, informing him that being hated by all, and ſpoiled
" of their Fortunes, they muſt be forced to go over to Strangers:
" At length, upon Conſultation about theſe matters, it was order'd
" that what they could obtain of their Lords by their deſerts, or by
" way of Bargain, they ſhould hold by an inviolable Right; but they
" ſhould not claim any thing from the time the Nation was conquer'd,
" under the Title of Succeſſion, or Deſcent. Upon how great Con-
" ſideration this was done, is manifeſt, (ſays *Gervaſe*) for they being
" obliged for their Intereſt, by Complyance and Obedience to pur-
" chaſe their Lord's favour, therefore whoever of the conquer'd Na-
" tion

" tion poſſeſs'd Lands, or ſuch like, obtain'd them not as if they " were their Right by Succeſſion, or Inheritance, but as their Merits " acquired, or elſe by ſome intervening Agreement.

FROM whence we may obſerve, that according to this Author, the *Engliſh*, who thus forfeited their Eſtates, are divided into three Claſſes, or Diviſions. The *firſt* is of ſuch who had actually fought againſt the King; and as for theſe, both they and their Heirs loſt all their Eſtates. The *Second* is, of thoſe, who tho they did not fight againſt him, yet the former Propriety and Dominion of their Lands were taken from them, and they were only allowed to enjoy ſome part of their Eſtates, and that only for term of Life. The *Third* is the Children of theſe, who were turn'd out of their Eſtates at the will of their Lords, and that without any Redreſs, till at laſt they were allowed to enjoy what they could obtain from their Lords by Purchaſe, Favor, or Money; ſo that, according to this Author's Account, by the latter end of the *Conqueror*'s Reign, few or none of the *Engliſh* were Tenants *in Capite*, or had any more than ſome ſmall Eſtates left them, which were held of *Norman* or *French* Lords.

AND the Teſtimony of this Author is farther confirmed from the Catalogue of all the Tenants names * who held Lands of this King in every County of *England* when it was ſurveyed, and the whole Nation was then divided between the *Conqueror* and his Followers, ſo that whoſoever held any Lands, Mannors, or Towns, held them of the Perſons there named, who were all Strangers, except ſome very few Biſhops, Abbots, or Church-men, who had their Lands reſtored to them by the Mediation of Archbiſhop *Lanfranc*, or elſe ſuch *Taini*, or *Miniſtri*, Rural Servants, or other ſmall Officers that had ſerved *Edward* the *Confeſſor*, and were afterwards retain'd by the Conqueror.

* *Dr.* B's *Anſw. to* Arg. Antinorman. *p.* 270. *and Append.* n. 10. *from* Doomſday-Book.

HAVING thus fairly given you a juſt Tranſlation of the Doctor's two Principal Authorities, and which (if true) ſeem very ſtrange; I ſhall, ſince they are of ſo great weight, make bold to conſider them. In the firſt place, As to this famous Paſſage cited from the Black-book of the *Exchequer*, I have theſe things to object. Firſt, I find it much doubted by ſome of our Antiquaries, whither this Book was really written by *Gervaſe* or not, for in a Tranſcript of this Paſſage made by Sir *William Dugdale*, in a certain Volume of Hiſtorical Collections which is now in the Muſæum at *Oxford*, over againſt it in the Margin is ſet this note of Sir *William Dugdale*'s own hand-writing, *Ex Codice nigro penes Theſaurarium & Camerarios Scaccarii, vulgaritèr* Gervaſii Tilburienſis *nuncupato, ſed falsè*. The like note I alſo found in certain Extracts out of this very Book, made by that Learned Antiquary Sir *Simonds D'ews*; tho what reaſon they had for this Opinion I cannot tell, yet ſure it was ſufficient to ſatisfy them that it was ſpurious, or elſe they would never have made ſuch a Note upon it. But ſuppoſing I ſhould grant this Treatiſe to have been written by him, who is the reputed Author, yet I can have but very little reſpect to his Authority; for what ever the Doctor may pretend concerning this Author's receiving his Memoirs from *Henry* Biſhop of *Wincheſter*, younger Brother to King *Stephen*: However if he were no more careful of what he ſays in this Treatiſe, than of what he has wrote in his Geographical and Hiſtorical Collections, entitled, *Otia Imperialia*, which he dedicated to the Emperor *Otto* IV. and is ſtill extant in Manuſcript

In *Doomſday-Book.*

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in the *Cottonian* Library, as alſo in that of *Bennet* College, in both which there is a ſhort Hiſtorical Account concerning the Kings of *England*, from *Edward* the *Confeſſor* to his own time, no Credit would be given to him; for in that Treatiſe there are ſuch groſs Errors concerning the Hiſtory of thoſe Princes that had flouriſh'd not an Age before his own time, that no man who underſtands any thing of *Engliſh* Hiſtory, but will conclude him to have been very Ignorant or at leaſt Careleſs of what he wrote concerning the Affairs of his own Country.

And that I have good Warrant for what I ſay, the Reader may find this fragment I now mention, printed in the Third Volume of the
P. 371, 372. old *French* Hiſtorians, publiſh'd by *Andrew Du Cheſne*, after certain *excerpta* out of the ſame Author concerning the Kings of *France*. And that I may further give the Reader a taſte of this Writer's Ignorance in our *Engliſh* Hiſtory, as to the Pages above cited, he there ſays that K. *William* the *Firſt*, after his being made King, married *Harold*'s Siſter, when as K. *William* had a Wife of his own then alive; He alſo ſuppoſes *William Rufus* to have been the Elder Brother, and Duke *Robert* the Younger; and that *Stephen*, Earl of *Boloigne*, was by his Uncle King *Henry* appointed to be King, during the Minority of his Grandſon *Henry*, Son to the Earl of *Anjou*; a Title which no Body ever knew or heard of, before this Author; beſides divers other groſs Miſtakes, of which I have only given theſe for a Taſte, that ſo he may be as little credited as to what he here ſays concerning the *Engliſh* their being turn'd out of their Eſtates by their *Norman* Lords: tho as to what relates to thoſe that took part with *Harold*, I ſuppoſe may be true enough; but I deny that it was ſo with all the reſt, who had never join'd with him, nor had given him any Aſſiſtance: but admitting the whole matter of Fact ſhould be granted to have been as this Author ſuppoſes, yet would not this make King *William* a *Conqueror*, ſince he took away the Eſtates of the *Engliſh*, either becauſe they were Traytors to him, or elſe becauſe they were *Engliſh*-men. Now if it were for the former cauſe, it might be very well juſtified, it being no more than what all Princes do at this day; but if for the latter, he could not act as a *Conqueror*, but as an *Uſurper* of the Rights of his Subjects, and in direct violation of his Coronation-Oath, by which he ſtood obliged to treat both the *Engliſh* and *French* with equal Law or Right, as has been already ſaid.

YET it cannot be denied but that he uſed the *Engliſh* too ſeverely, and ſometimes might take away their Eſtates without any juſt Cauſe.
P. 659. Accordingly *Ordericus Vitalis* makes this King, (as being touched in Conſcience upon his Death-bed for his Cruelty and Injuſtice) to have begg'd God's pardon (among his other Sins) that he had too much hated the natural-born Subjects of this Kingdom; that he had cruelly oppreſſed both the Nobles and vulgar People; had unjuſtly diſinherited many, and put to Death vaſt multitudes in *Yorkſhire* by the *Sword* and by *Famine*. The truth of which dying Speech, tho I will not take upon me to aſſert, ſince it looks as if it were made out of this Monk's Fancy, yet it gives us a true *Idea* of what the indifferent men of that Age thought of theſe Actions, as no way juſtifiable by Law or Equity.

BUT as to the Authority of the *Doomeſday*-Book, I confeſs that would be undeniable, were it as the Doctor cites it: for tho I grant that

that at the time of the making of that Survey, the *Norman* Lords and Gentlemen held a great part of the Lands of *England*, yet that there were divers very conſiderable men of *Engliſh* Extraction, who were Owners of conſiderable Eſtates at the time of the making this Survey, appears by that Catalogue the Learned Mr. *Atwood* has given us of them in his *Jus Anglorum ab Antiquo*, extracted out of *Doomſday* Book, and that only in running over fifteen Counties of the Thirty ſurveyed in that Book, moſt of which Perſons by their names, and want of Sirnames, ſeem to have been *Engliſh*: and They or their Anceſtors held their Eſtates T. R. E. which ſignifies *Tempore Regis Edwardi*, that is, held the ſame Eſtates in the time of King *Edward* the *Confeſſor*. And I doubt not but that there were many more *Engliſh* Proprietors, who having Sirnames with *De* put before them, cannot be now diſtinguiſhed from *Frenchmen* or *Normans*: as for Example, it appears from the ſame Survey in *Surrey*, that *Hugo de Port* was a very great Proprietor, as may be ſeen under the Title *Terra Hugonis de Port*; many Mannors he had, as appears, in this as well as other Counties; and yet it is certain he was ſettled here before the *Conqueſt*. Vid. Jus Anglor. per W. A. p. 80.

TO whom I may likewiſe add, from the Authority of Sir *William Dugdale* in his Deſcription of *Warwick-ſhire*, *Turckil* of *Warwick*, who was ſo called from being Governor of that Caſtle under the Earl: This Man, having never given any Aſſiſtance to *Harold*, held a great many Mannors in this County immediately of the King, for which I appeal to *Doomſday*-Book it ſelf; and I could give ſeveral other Inſtances of the like nature, in this as well as other Counties, would the narrowneſs of this *Introduction* allow me to be more particular. P. 302.

THEREFORE I ſhall take notice but of one more, that is allowed by the Doctor himſelf, and that is of the famous *Hereward*, who notwithſtanding all his oppoſition of King *William* in the Iſle of *Ely*, yet was afterwards reſtored to his Eſtate, which conſiſted of divers Mannors in *Lincolnſhire*, all which he held till he long after died in Peace, as *Ingulphus* himſelf informs us: and of this *Hereward*'s Actions, there is at this day a large Hiſtory ſtill extant in Manuſcript in an antient *Leiger-Book*, which formerly belonged to the Abbey of *Peterborow*, and is now in the keeping of the Dean and Chapter of that Church, wherein he is called *Hereward Le-Wake*; and this I take notice of, that the Reader may ſee, how far the Cuſtom of the *Norman* Sirnames then prevail'd in that Age; ſo that it is difficult to diſtinguiſh by that Mark the *Engliſh* from the *Norman* Nobility.

THESE being the moſt conſiderable Authorities alledg'd by Dr. *Brady*, to prove, that King *William* took away far the greateſt part of the *Engliſhmens* Eſtates; his other Quotations are of leſs moment, and may be more eaſily anſwered; as firſt that of *Ordericus Vitalis*, who relates, that King *William* having circumvented *Edwin* and *Morchar*, the two great Earls of *Northumberland* and *Mercia*; after the former was ſlain, and the latter impriſoned, he began to ſhew himſelf, and gave his Aſſiſtants the beſt and moſt conſiderable Counties in *England*, and made rich Colonels and Captains of very mean *Normans*: to which the Doctor adds, "That he thus diſpoſed of whole Counties "to divers Great Men, appears by *Doomſday*-Book, wherein it ſeems "as if the whole County of *Cheſter* was beſtowed by the *Conqueror* on "*Hugh Lupus* a *Norman*: as that of *Yorkſhire* was to *Alan* Earl of

" *Bretaign*, and ſo likewiſe the greateſt part of *Shropſhire* to *Roger de* " *Montgomery*.

" AND that further he took away from the *Engliſh* their Eſtates, and " gave them to his *Normans*; even from his firſt Entrance: for *Fitz-* " *Osbern* was made Earl of *Arundel* and *Hereford* at his firſt coming " in; and being Lord of *Bettiville* in *Normandy*, eſtabliſhed the Laws " of that Town at *Hereford*: the ſame Earl *Alan* had all Earl *Edwin*'s " Lands given him at the Siege of *York*, about three years after the " *Conqueſt*. And the Doctor further mentions the 795 Mannors which " *Robert* Earl of *Moreton* held in *Normandy* and *England*; and that " *Geoffrey* Biſhop of *Conſtance* had 280 Mannors given him by the " *Conqueror*, beſides many other Lands of the *Saxon* Earls, Thanes, " *&c.* which were all given to *Normans* or *French-men*, who had no " other Title than King *William*'s conquering Sword.

SO that the Doctor thinks it very evident, that this King had diſtributed moſt of the Lands of the Nation to his *Normans* long before the Survey was begun; and that by that infallible Record it is clear that he gave near all the Lands of the Nation to his Followers, and very little or none to the *Engliſh*, who held what they had by a new Title and new Services from the Conqueror or his great Lords, or became Tenants or Drudges upon their own Lands; as we learn from *Bracton* and *Fleta*, who expreſly tell us, that divers old *Engliſh* Proprietors being thrown out of their Eſtates, by powerful men, preſently after the Conqueſt, were fain to take them again upon performing Villane Services, tho they themſelves remain'd Freemen.

HAVING thus fairly repreſented Dr. *Brady*'s Arguments and Authorities, I think they may be eaſily anſwered. In the firſt place, I ſhall not deny the matter of Fact to be in great part true, but not as the Doctor has laid it; for *Ordericus* does neither ſay, that King *William* diſpoſed of the Lands of ſeveral whole Counties to the *Norman* Lords there mention'd; nor yet does he date thoſe large Grants from the time the Doctor ſuppoſes, as you will ſee more at large in the enſuing * Hiſtory. However it will not follow, that becauſe King *William* beſtowed great Eſtates upon the *Norman* or *French* Noblemen above mentioned, he therefore diſpoſſeſſed far the greater part of the *Engliſh* of their Eſtates, much leſs that therein he always intended to act as a Conqueror. For in the firſt place the Lands here inſtanc'd in, will not amount to a tenth part of thoſe of *England*; and as for the 795 Mannors, which the Earl of *Moreton* had in *Normandy* and *England*, the Doctor ſhould have told us how many of theſe he held in *England*, for as to thoſe in *Normandy* they ſignify nothing to the matter in Diſpute; and it appears by *Doomſday*-Book in *Surrey*, *Quod ipſe Comes (ſcil. Moretoniæ) tenuit Eſtreham* T. R. E. *viz.* That this Earl held this Mannor of *Eſtreham* in *Tenrige* Hundred in the time of King *Edward*: and tho he had very great Poſſeſſions granted him by King *William*, yet I believe that if this Book were diligently ſearch'd, we ſhould find that the ſame Earl held alſo other Lands in K. *Edward*'s time. Nor is the Doctor leſs miſtaken when he ſuppoſes, that *Hugh Lupus*, and *Roger de Montgomery*, and thoſe other *Norman* Lords on whom King *William* is ſaid to have beſtowed whole Counties, had by thoſe Grants a right to quſt all the *Engliſh* Proprietors, and that they beſtowed thoſe whole Counties among their *Norman* Vaſſals and Te-

* P. 44.

Vid. Jus Anglor. p. 81.

* nants;

nants; ſince it is evident by the manner of thoſe great Earldoms falling to the Crown, *viz.* by the attainder of their Owners, that only they themſelves, and not their under Tenants or Feudataries forfeited their Eſtates: and it appears by the very time of King *William*'s beſtowing them, that he did it not as a Conqueror, but as a lawful Prince, ſince the Lands of *Edwin* were not diſpoſed of till after his Rebellion at *York*; and thoſe of *Morchar* could not be beſtowed, till after his laſt Defection, *A. D.* 1071. which was in the 5*th* year of this King's Reign. And as for the other great Conſpiracy of the Earls *Ralph de Guader*, *Waltheof*, and *Roger Bigot*, That did not happen till five years after, *viz.* in the 10*th* year of this King, whoſe Lands being likewiſe forfeited for Treaſon, he might lawfully diſpoſe of them without claiming them by Conqueſt.

AND as Dr. *Brady* in his Hiſtory ſets forth, it appears that he did not then act as a Conqueror: for when the Doctor, tho falſly, dates this King's diviſion of the Lands of the whole Nation among his Aſſiſtants and Followers from the 5*th* year of his Reign; it plainly appears that he did not do this as a Conqueror; for then he ſhould have taken away the Engliſh men's Eſtates at his firſt entrance. And it is plain by many Paſſages in *Doomſday*-Book it ſelf, that divers of them are there mention'd to have forfeited their Lands for Treaſon againſt the King; which had been altogether needleſs, had he claim'd a general Right by Conqueſt over the Lands of the whole Engliſh Nation. But indeed the Doctor's main Miſtake lies in ſuppoſing, that when King *William* ſeem'd to beſtow whole Counties, or the greateſt part of them to his Favorites, that they had preſently all the Lands in theſe Counties to diſpoſe of at their pleaſure, and that they turned out all the old Proprietors. But that it is certain they did not, I could prove to you by ſeveral Inſtances of antient *Engliſh* Families, who have to this day held their Lands, and enjoyed the ſame Seals they had in the *Conqueror*'s time: So that there is a great deal of difference between the Grant of all the Lands of a whole County, and that of the County: what is meant by the former is plain, but as for the latter, it generally implys nothing elſe than the Government of that County; or at leaſt no more than thoſe Demeſnes and Mannors that were annex'd to that Dignity. P. 197.

THUS whereas the Doctor would have it, that the greateſt part of *Shropſhire* was given to *Roger de Montgomery*, yet *Doomſday* Book only ſays, that He had the City of *Shrewsbury*, *& totum Comitatum*: but that is ſoon explain'd by what follows, *& totum Dominium, quod Rex ipſe tenebat*; where it is plain, that by *Dominium* is meant no more than that Power to govern it, which King *Edward* had, for otherwiſe the Grant of *totum Comitatum* had been ſufficient.

BUT the Reader may take notice, that in this Controverſy I have not made uſe of the famous Inſtance of *Edward* of *Sharnburn*, tho inſerted by Sir *Henry Spellman* in his *Gloſſary*; and alſo recited by Sir *William Dugdale* in his *Baronage of England*, who both give credit to it: For upon the peruſal of the Hiſtory of that Family, I find it to have been of no great Antiquity, and that *Sharnburn*'s name is not to be found in *Doomſday* Book: and the Owners of *Sharnburn* are there only *William de Warenna*, *Odo* Biſhop of *Bayeux*, *Bernerius Arbaliſtarius*, and *William de Pertenac*, without any mention of *William de Albiney*,

biney, under whom *Sharnburn* was ſuppoſed to hold. There is likewiſe another Authority made uſe of by the Doctor from *William* of *Malmesbury*, and *Henry Huntington*, who both poſitively affirm, that in their times, *viz.* in the Reign of *Henry* I. and King *Stephen*, there was no *Engliſh* man, Biſhop, Abbot, or Earl in *England*, but that Strangers gnawed and devoured its Bowels, that is, enjoyed its chiefeſt Riches and Preferments.

THIS being ſo expreſs a Teſtimony, and that alſo of two ſuch grave Authors of that very Age, I will not go about to deny it; but however it does not prove the Point in queſtion: for tho admitting that at that time when they wrote, there had been no *Engliſh* man in any Great Office either in Church or State, but the *Norman* Nobility were then poſſeſt of the chief Honors and beſt Eſtates of the Kingdom; yet this does not prove that there were no *Engliſh* men of Note, who then poſſeſt Eſtates of any conſiderable value; much leſs that this Alteration proceeded from *Conqueſt*; ſince *William Rufus* and *Henry* the *Firſt* (who both perſued this Method of Government) ſucceeded to the Crown; the One partly by his Father's Teſtament, and partly by *Election* of the Biſhops and Nobility; and the Other without any Right at all but that of their *Free choice*, as I ſhall ſhew further by and by. But that even in the Reign of King *William*, until the Rebellion of Earl *Waltheof*, divers *Engliſh* men continued, or elſe were created Earls, I have already hinted, and may be further ſeen at large in the following Hiſtory: and the *Engliſh* might have continued longer poſſeſſed of that Honour, had not the Rebellion of the Earls *Ralph* and *Waltheof* ſo provoked him againſt the *Engliſh*, that (as *William* of *Malmesbury* relates) *he was to be excuſed, if he were more ſevere to them than otherwiſe he would have been, becauſe he ſcarce found one of them faithful to him.*

BUT what if the *Normans* did injoy the chief Dignities and Offices in Church and State? what is this to their poſſeſſing all the Lands of the Kingdom? As ſuppoſe King *James* the *Firſt* had made none but *Scots* men Earls, Barons or Biſhops, and that his Son and Grandſons had taken the ſame courſe; I ſay, would this have taken away the Lands of all the *Engliſh* Gentry?

BUT the Doctor has alſo urged another notable Authority from *Matt. Paris*, in his Life of *Frederic* Abbot of St. *Albans*, where, after he has related how that Abbot, joyning with *Edgar Atheling*, and a great Army of *Engliſh*, had compell'd King *William* (ſore againſt his will) to ſwear upon the Relicts of St. *Alban*, that he would for the future obſerve King *Edward*'s Laws; they thereupon being all very well ſatisfied, departed to their own homes. See what follows in the ſame Author.

" THEN the King craftily concealing his Intentions, within a " few days, privily and ſuddenly ſurprized them, when ſingle and " diſperſed, whom being united in a Body he could not overcome; " many he put to death, from others he took their Eſtates, and many " more he baniſhed; violating the Law he had ſworn to obſerve, " taking away their Eſtates at his own pleaſure, without any Judicial " Proceedings, thereby impoveriſhing the natural *Engliſh*, and en- " riching his *Normans*: And as for *Edgar Atheling*, he was forced to " fly into *Scotland*, and Abbot *Frederic* into the Iſle of *Ely*, where he " ſoon after died.

I WILL not much diſpute the truth of this Story, tho it is found in no other Author, and indeed does not well agree with the Time of *Edgar Atheling*'s going into *Scotland*, whither, according to the *Saxon* Chronicle, and *Florence* of *Worceſter*, he retired in the year 1068. and continued there for four years, and did not return into *England* till 1072. which was the year after the Surrender of the Iſle of *Ely*; and ſo conſequently he could not be in *England*, when himſelf and Abbot *Frederic* are ſuppoſed to have made this Reſiſtance in the year 1069. nor could the Abbot have taken Refuge in that *Iſland* at all. Not, I ſay, but that the ſubſtance of the Story may be true for all this; and yet the Monkiſh Writers may too much aggravate this King's Severity towards the *Engliſh*: But *William* of *Malmesbury* is more favourable, who makes him to have dealt *gently with his Subjects, and ſharply only with thoſe that had rebelled againſt him.*

BUT let the Doctor make the beſt of this Authority of *Matthew Paris*, and ſay that this King diſpoſſeſs'd a great many *Engliſh* of their Eſtates; yet will not his Perjury, and Breach of his Coronation-Oath, as alſo this laſt, which he had ſo ſolemnly taken, make him a *Conqueror* over the Nation, but rather a *Tyrant* and *Uſurper* of the Antient Rights and Liberties of his Subjects.

I HAD not dwelt ſo long upon this Subject, were it not for the Doctor's improving even King *William*'s Violence and Perjury into a Right by *Conqueſt*, and that he had a juſt Pretence to do ſo: and I wonder the Doctor does not by the like reaſon draw an Argument, from this King's robbing of the Monaſteries of their Plate, Money and Ornaments, as our Hiſtorians relate he did in the 4*th* year of his Reign, to prove that his *Conqueſt* would likewiſe give him a Right to commit Sacrilege, and that he deſign'd to do it from his firſt Enterance into *England*; for I know no more Right he had to turn his Subjects out of their Eſtates, without any Crime, and without any legal Tryal, than it was for him to plunder Monaſteries and Churches.

AND that the *Engliſh* Nobility and Gentry had a conſiderable ſhare in the Lands of *England* in *William Rufus*'s Reign, appears from the *Saxon Chronicle*, lately publiſh'd at *Oxford* by the Learned Mr. *Gibſon*, the Writer of which liv'd (as he himſelf ſays) at that very time, who after he has related the Treaſon and Rebellion of the *Normans* againſt *W. Rufus*, headed by *Odo* Bp of *Bayeux*, and *William* Bp of *Durham*, and the miſchief they did in *Kent* and other places, proceeds thus; That then K. *William* ſent for the *Engliſhmen*, and declar'd to them his neceſſity, and promiſed them, if they would give him their Aſſiſtance, better Laws than ever they had had before, and granted to his Subjects their Woods, and free hunting in them. But this did not hold long; nevertheleſs the *Engliſh* aſſiſting the King their Lord, marched towards *Rocheſter*, intending to take Bp *Odo* Priſoner, *&c.* Which Story is alſo related by *Florence* of *Worceſter* to the ſame effect, tho much ſhorter; *viz.* that the King hearing of theſe things, gathered together as many as he could of the *Normans*, but moſt of the *Engliſh*, and with an Army of Horſe and Foot marched towards *Rocheſter*. But *Simeon* of *Durham* is more particular than either, and ſays, that King *William* hearing of theſe things, call'd together the *Engliſh*, and declaring to them the Treaſon of the *Normans*, deſired them to help him, and in this his neceſſity to ſtand by him; and if they would do ſo, they ſhould have what

Chron. Sax. P. 194.

Laws they would chuſe; and he alſo would forbid all unjuſt Taxes, and grant them their Woods and Hunting, and upon theſe terms the *Engliſh* faithfully helped him: which is almoſt the ſame words as the *Saxon* Chronicle hath given us before, from whence I ſuppoſe it was borrowed.

BUT *Will.* of *Malmesbury* relates this matter more briefly, and ſays, that this King finding moſt of the *Norman* Lords to have conſpired againſt him, and taken part with his Brother D. *Robert*, ſent by his Letters for the honeſt and ſtout *Engliſh* (men of Eſtates) * who yet remained, to whom he complained of the Injuries done him by the *Normans*; and by promiſing them good Laws, eaſe from Taxes, and free hunting in their Woods, he gained them to his party. From all which plain Authorities it appears, that the *Engliſh*, notwithſtanding all the Oppreſſions they had lain under in this King's Father's time, had ſtill Lands and Woods left them in which they might hunt; and that they then made a conſiderable Figure and Intereſt in the Nation.

* Qui adhuc erant reſidui.

BUT the Doctor finding himſelf gall'd by theſe ſo plain proofs, has no way left to evade them, but inſtead of untying, to cut this *Gordian* knot; and therfore in his *Gloſſary* at the end of the Introduction to his *Engliſh* Hiſtory, he has found out a very notable way of doing it, by confounding theſe Names, *Angli*, *Angligenæ*, *Normanni*, and *Franci*, which, notwithſtanding the plain different import of the words, muſt all (in the Doctor's ſenſe) ſignify only *French*-men or *Normans*, and not an *Engliſh*-man among them; ſo that theſe *Engliſh* and *French*, tho put under as diſtinguiſhing Characters in theſe our Hiſtorians, as words are able to expreſs them, yet (if the Doctor's word may be taken) they were all of them no other than ſuch Perſons as were born in *Normandy*, or other places beyond Sea: But by the *Angli* and *Angligenæ*, were meant only ſuch *Normans* and *Frenchmen*, as were either born here, and ſo enjoy'd their Father's Eſtates, or elſe were the very ſame who firſt came over with the *Conqueror*, and had Eſtates given them for their good Service and Merits.

P. 8, 9, 10.

I SHALL now fairly give you the Doctor's Reaſons and Authorities for thus ſtraining the literal Conſtruction of theſe words, beyond what our Dictionaries can teach us. However in the firſt place I cannot deny, but the Doctor has truly ſet down in his *Gloſſary* the very ſame Quotations in Latin out of thoſe very Authors whom I have now made uſe of; but yet to blind the eyes of the ignorant or unwary Readers, he takes care not to tranſlate them fairly, for then his impoſing upon them would be eaſily diſcovered. Thus, when he cites the paſſage above-mentioned out of *Simeon* of *Durham*, *Convocari fecit Anglos, & oſtendit eis traditionem Normannorum*; theſe laſt words he omits in his Tranſlation, and only renders it, The King (meaning *Rufus*) call'd together the *Engliſh*, and asked help of them, *&c.* and yet at the ſame time fairly tranſlates the Paſſage of *Florence* of *Worceſter*, already cited, *Congregato quantum potuit ad præſens Normannorum, ſed tamen maximè Anglorum, equeſtri ac pedeſtri exercitu, tendere diſpoſuit Roucceaſtream*; *i.e.* he gathered together as many as he could of the *Normans*, but chiefly of the *Engliſh*, and with an Army of Horſe and Foot marched toward *Rocheſter*. By which the Doctor allows that this Army conſiſted moſt of mere natural *Engliſh*-men, becauſe theſe being lookt upon as only mean mercenary Fellows, cannot do his Nation any great harm.

P. 6, 7, 8.

YET notwithſtanding this his Civility to the Common Souldiers,

however as to the Chief Men of the *Engliſh*, whom as the *Saxon* Chronicle, *Simeon* of *Durham*, and *W.* of *Malmesbury* relate, he cauſed to be aſſembled; and whom the laſt Author ſays, he ſent for by his Letters; theſe the Doctor will not allow to be really *Engliſh*-men; and tho he truly tranſcribes the Paſſage in *Malmesbury* already cited, yet he does not think fit to put theſe words into *Engliſh*: *Rex videns Normannos pænè omnes in unâ Rabie conſpiratos, Anglos probos, & fortes viros qui adhuc Reſidui erant invitatoriis ſcriptis arceſſit.* "The King ſeeing almoſt all the *Normans* "conſpired together in the ſame madneſs, by invitatory Letters ſends "for the honeſt and valiant *Engliſh*, who yet remained. Since this Author here makes ſo plain a diſtinction between the *Normans* that had conſpired againſt the King, and the honeſt *Engliſh* men whom he ſent for, therefore the Doctor takes care to leave this Paſſage untranſlated, and only gives us in ſhort what immediately follows concerning the King's drawing off from his Enemies, *Roger* Earl of *Shrewsbury*, by which he broke the Party; becauſe this *Roger* being a *Norman*, it would help to countenance his preſent Fancy, which you will ſee by and by.

FOR the Doctor finding the *Engliſh* Authors not at all favorable to his Notion, flys off from them to a *Norman* Writer, *viz. Ordericus Vitalis*, whoſe words he indeed fairly gives us both in *Latin* and *Engliſh*, becauſe he hopes to pick ſomething out of them that may ſerve his preſent purpoſe: the paſſage ſtands thus, That King *William*, ſo ſoon as he ſaw the *Norman*'s contrivance againſt him, *Lanfrancum Archiepiſcopum cum Suffraganeis Præſulibus, & Comites, Angloſque naturales convocavit, & conatus Adverſariorum & velle ſuum, expugnandi eis, indicavit*; *i. e.* He call'd together *Lanfranc* the Arch-Biſhop with his Suffragan Biſhops, and the Earls and natural *Engliſh*, and ſhewed them the Deſigns of his Adverſaries, and his intention to fight them: but as for the next paſſage from the ſame Author (being much to the ſame purpoſe) I ſhall only give it you in *Engliſh*; then all the Biſhops of *England*, with the *Engliſh* faithfully aſſiſted the King; *Hugh* Earl of *Cheſter*, *William* Earl of *Warren* (in *Normandy*) *Robert Fitz-Haimon*, and others, too many to be here recited; only it is certain that they were all *Normans* by birth or extraction. From which two places put together, the Doctor hopes to make out, that this Author muſt here needs mean by *Naturales Anglos*, meer *Normans* and *French*-men, diſguiſed under the name of *Engliſh*, and therefore in the next page he proceeds thus with great confidence; F. 668.

"ACCORDING to the Sound of the word *Angli*, and a ſuper- Gloſſ. p. 8.
"ficial reading of the Authors here cited, moſt men would think
"they were only *Saxon Engliſh* intended, and expreſſed by that
"word; but upon due obſervation of the Hiſtorians and Perſons
"who were by them call'd *Angli*, it cannot be ſo; for the *Primates*
"*Angliæ* on both ſides, the Chief men of *England*, who favour'd both
"the Duke and the King, were *Nobiliores Normanni*, the more Noble
"*Normans*; and as it is clear by the particular enumeration of the
"Perſons, that they were ſo on the Duke's ſide; ſo it is evident they
"were *Normans* who aſſiſted King *William*, and kept the Crown
"upon his Head: He called together the *Engliſh*, ſays *Malmesbury*,
"and *Simeon* of *Durham*, and promiſed them the beſt Laws they
"ſhould chuſe, and eaſe in their Taxations, the enjoyment of their
"Woods or Foreſts, and the Privilege of Hunting.

NOW

" NOW certainly (ſays the Doctor) theſe were Great Men " that He called together, *Engliſh* Earls and Barons, and not men of " the middle or ordinary Rank; for *They* could never have met in ſuch " numbers, as was requiſite for them to do, to protect and defend " King *William*, had *They* not been headed by ſuch, as if they had " either Arms, or Power, or Eſtates that depended not upon the " *Normans*: and if any man (ſays he) can ſhew me an *Engliſh Sax-* " *on* that was either Earl or Baron, or that had any Power or Share " in the Government, or many that had conſiderable Eſtates, " that did not hold them of the *Normans*; or that at this time had " great Woods, Foreſts, and Privilege of Hunting in them, I will " confeſs I am miſtaken: 'Tis true, *Malmesbury* ſays, *Rufus* called to- " gether *Anglos probos, & fortes viros qui adhuc Reſidui erant*, &c. " But by theſe were meant none but the *legitimi, & maturi Barones*, " ſuch as *Ordericus* tells us of, that came in with his Father, ran many " hazards with him, and firſt ſetled themſelves here after the Con- " queſt; ſuch as petition'd King *William* for favour toward their " Country-men ſhut up in *Rocheſter* Caſtle; as many of theſe (that " were alive) as he could, he fixed to his Intereſt by the Promiſes be- " fore mention'd, *&c.*

I HAVE here given you the Doctor's own words, tho ſomewhat prolix, becauſe I would not be thought to curtail or miſrepreſent ſuch doughty Arguments; to confute which there ſcarce needs any more than the bare repeating them, ſince all their force lies either in wreſting or miſapplying the words of the Authors he makes uſe of: for if the Doctor allow that they, *viz.* the *Engliſh*, of mean or ordinary Rank, could meet in ſuch numbers as to protect and defend King *William*; he is to prove that thoſe *Engliſh* the King then alſo wrote to, or ſummon'd to come to his Aſſiſtance, were of another Nation from thoſe that made up this Army, fought for him, and kept the Crown upon his Head; and for this I appeal to the Authors themſelves already cited.

FOR can any one believe that the Writer of this part of the *Saxon* Chronicle (who was himſelf an *Engliſh* Monk) ſhould in all this Relation concerning his Country-men's aſſiſting King *William*, mean no other than meer *Normans*, for whom he always expreſſes a great averſion? The like I may ſay for the reſt of thoſe Hiſtorians, which both the Doctor and I have made uſe of; for ſure no men that ever underſtood Senſe or Grammar, would all agree to relate this Story after ſuch a rate, as that no body without the Doctor's learned Notes could underſtand, whither they meant *Engliſh* or *French*-men when they ſpeak of them.

NOW I leave it to any unprejudiced Reader to judge, whither when *William* of *Malmesbury* ſays, *Rufus* called together *Anglos probos, qui adhuc Reſidui erant*, &c. Theſe here meant were only ſuch loyal and grave *Norman* Barons as *Ordericus* tells us came in with his Father, and ſtill remain'd alive? *&c.* And as for this laſt Writer, on whoſe Authority the Doctor moſt relyes, I might juſtly except againſt him, (tho an *Engliſh* man by Birth) for he was a *Norman* by Affection, and alſo lived and wrote near eighty years after this Action; yet for all this, any man that conſiders the Paſſages the Doctor cites from him, may ſee, that he plainly diſtinguiſhes the *Natural Engliſh* from thoſe Biſhops and *Norman* Lords who then alſo adhered to the King.

* BUT

BUT I am ſenſible the Doctor may have one ſhift ſtill left to evade the plain words of this Author, *viz.* That theſe natural *Engliſh* were no other than young *Norman* Noblemen born in *England* ſince the *Conqueſt*, and might by this time be about twenty years old. But yet this Interpretation will do him little or no good, for had this Author meant only *Engliſh Normans*, he would never have called them *Natural Engliſh*, but rather *Indigenas*; in the ſame ſenſe, as I grant *Henry* the *Firſt* is ſuppoſed by *Matthew Paris* to have made a Speech to the Nobility of *England* of both Nations: neither could ſuch Young men be properly called the *Maturi Barones*, who the Doctor ſays came in with the *Conqueror*. P. 62.

BUT there is ſtill another greater Difficulty, if theſe words are to be taken in this ſenſe; for how could a few young *Norman Engliſh* Gentlemen (moſt of whom were little better than Boys) give the King ſuch an Aſſiſtance, as to make him able to reſiſt and overcome a far greater Number of *Normans*, who then took part with Duke *Robert*? But indeed the Doctor himſelf has ſufficiently ſettled this Matter, by his own relation of this Affair, in his *Compleat Hiſtory*, from *Ordericus Vitalis*; for he ſays, that K. *William*, reſolving to ſuppreſs their Inſurrections *(viz.* of the *Normans)* to that purpoſe convoked ABp *Lanfranc*, and all the Biſhops, Earls, and Natural *Engliſh*, ſhewing them his Intentions, *&c.* Now I would fain know if any Man, without the help of the Doctor's forced Paraphraſe, could ever find out that here by Natural *Engliſh* were meant *Engliſh Normans*; and immediately after in the ſame Page, could convert all theſe *Normans* into an Army of *Engliſh*, only from *Florence* of *Worceſter*'s words already cited. But he ſhould have done well to have added a Marginal Note from his own *Gloſſary*, to have ſhewn his Readers, that tho the Army might be for the moſt part *Engliſh*, yet that their Leaders muſt be all *Engliſh-Norman* Lords and Gentlemen. But if we examine the Doctor's Reaſons for this forced Interpretation, they conſiſt, as you will obſerve, either in the falſe repreſenting or wreſting the words of his Authors, who, becauſe they all agree in ſaying, *That King* William *promiſed the* Engliſh *better Laws, eaſe from Taxes, and injoyment of their Woods or Foreſts, with privilege of Hunting*; therefore *theſe muſt certainly be Great men that he called together*, Engliſh *Earls and Barons, and not men of ordinary Rank.* Now I deſire the Doctor to ſhew me which of his Authors calls theſe *Engliſh*, who then aſſiſted King *William*, either Earls or Barons, but only plain, honeſt, brave *Engliſh* men? and why might not theſe have met in ſuch numbers as was requiſite to protect and defend the King, without being headed by any of his *Engliſh-Norman* Earls or Barons? But the Doctor indeed begs the Queſtion that is to be proved, *viz.* that the *Engliſh* had neither Arms, Power nor Eſtates left, but what depended upon the *Normans*: for he ſhould *firſt* have proved that they had no Arms, and conſequently no Power; and *ſecondly*, that tho many of their Eſtates might depend upon ſuch *Normans* as were then againſt the King, yet their *Engliſh* Military Tenants could never have taken Arms againſt their own Lords in hopes of better Terms, and an eaſier Government. And the Doctor muſt grant, that the *Engliſh* then met in ſuch Numbers, as ſerved to defend this King, or elſe he muſt contradict *Florence* of *Worceſter* whom he has cited to that purpoſe.

THEREFORE as to the Doctor's Challenge, wherein he defies any man to ſhew him any *Engliſh-Saxon*, that was either Earl or Baron, or that had any Power or Share in the Government, or many that had conſiderable Eſtates (it then ſeems however there were ſome) who did not hold them of the *Normans*. To this I anſwer, That I hope he will one day be ſo ingenuous as to perform his Promiſe, and confeſs himſelf miſtaken; for moſt of theſe Queries he here makes, are either falſe or impertinent: for the Queſtion is not, Whether there were any *Engliſh* men Earls or Great Peers of the Realm at this time, or whether they were Privy Counſellors? But that divers of them were Tenants *in Capite*, and conſequently Barons of leſs Degree, if not of the Superior, at the end of the Reign of *William* the *Firſt*, I have already in part proved from *Doomſday*-Book, and ſhall prove it farther anon; and if they were Barons, they had alſo a Voice in the Common Council of the Kingdom, and as ſuch had a ſhare in the Government.

BUT the Doctor makes it a great Buſineſs, that this King granted the *Engliſh* their Woods and Foreſts, and Hunting in them, and deſires to know what great Woods or Foreſts the *Engliſh* then had: and I ask him how he can prove that his *Normans* had then any Foreſts? for he is but meanly skill'd in our Foreſt-Law, that does not know that a Foreſt can only belong to the King; and if any ſuch be granted to a Subject, it loſes both its Name and Privileges, and becomes a Chaſe. But indeed the Doctor impoſes upon himſelf as well as his Readers, by tranſlating the words *ſuas Sylvas*, in our Authors, *their Foreſts*; whereas by thoſe words there is no more meant, than *ſuch Woods* adjoining to Foreſts that then belonged to *Engliſh* Subjects, ſuch as we now call *Purlieus*, which were, till King *John* granted the Charter of Foreſts, as much under the *Foreſt*-Laws as thoſe places themſelves. And as for ſuch Woods as theſe, why the *Engliſh* might not then be Proprietors of them as well as the *Normans*, I deſire the Doctor to ſhew me any ſufficient reaſon.

BUT that many of the *Engliſh* Gentry in *W. Rufus*'s Reign, had Eſtates ſufficient to enable them to hunt, not only in their own Woods, but in the King's Foreſts too, appears by a Paſſage in *Eadmerus*, who giving us an account of this King's harſh and cruel Nature, relates, that about Fifty of the antient *Engliſh* Gentry, who enjoy'd ſome of their old Eſtates, were taken and accuſed for killing the King's Deer; and having for this undergone the trial of * *Fire* and *Water*, and were clear'd, he fell into a great Rage, and uttered ſeveral blaſphemous Expreſſions, as needleſs as it would be profane here to repeat them.

Lib. 2. p. 48.

* i. e. *Ordeal.*

THIS is ſufficient to ſhew you, that there were at this time many *Engliſh* Gentlemen left, of ſufficient Eſtates, to be capacitated for Hunting, either in their own, or the King's Woods.

BUT as for the reſt of the Doctor's Authorities, they being more ſlight and trivial, need not any long deſcant upon them: And *firſt* for that Paſſage of *Eadmerus* in his Life of Archbiſhop *Anſelm*, who, as this Author relates, was invited over by *Hugh* Earl of *Cheſter*, and other Earls and Chief Men of the *Engliſh*. Now, ſays the Doctor, theſe were all *Normans*, and yet are here called *Engliſh*; but ſure he believes that no body but himſelf can diſcover the true ſenſe of theſe words, or elſe he would never go about ſo palpably to impoſe upon

Gloſſ. p. 89.

 his

his Readers: for tho this Author calls theſe Noblemen *Principes Anglorum*, that is, Earls of *England*, yet he does no where call them *Anglos*, *Engliſh*-men, as the Authors above-cited ſtile thoſe *Engliſh* that aſſiſted *William Rufus*. And the ſame Sophiſtry the Doctor makes uſe of in two other Authorities in the next Page, which therefore require no particular anſwer.

BUT here alſo he takes out two Paſſages from *Matthew Paris*'s Hiſtory of King *Henry* the *Firſt*, where that Author ſays, that before he was Crowned, he convened the Clergy and all the People, or Laity, to *London*, and promiſed them an amendment of the Laws, if they would receive him as their King. In ſhort, the Clergy and Great Men unanimouſly agreed to make him ſo upon thoſe Conditions; and he was then crowned by the Archbiſhop of *York* and Biſhop of *London*. P. 55.

NOW (ſays the Doctor) both theſe Biſhops that Crown'd him were *Normans*, as alſo were all the other Biſhops of *England* at that time (ſee Bp *Godwin* de Præſul.) and likewiſe all the Earls, Barons and Great men were *Normans*; and yet in the next page, *Matt. Paris* ſays, King *Henry* was crown'd *de Communi Conſilio gentis Anglorum*. I cannot here deny, that the Biſhops, Earls, and a great many of the Barons, were at this time *Normans*, either by Nation or Extraction; and that ſuch of them as were born here, and had ſucceeded to their Father's Earldoms and Baronies, might very well be called *Engliſh*-men; but neither Biſhop *Godwin* (whom the Doctor here cites) nor any other Author ſays (what he adds I ſuppoſe out of his own head) that all the Barons, as well of the Greater as Leſſer ſort (and whom I ſuppoſe to be preſent at this Council) were all *Normans*, and none of them of *Engliſh* extraction; for otherwiſe, had they been all Foreiners, why ſhould they ſo unanimouſly agree to make *Henry* King, upon condition, that he would grant them thoſe antient Liberties and Cuſtoms which were uſed in *England* in the time of the Holy King *Edward*? P. 56.

BUT this Clauſe the Doctor thought fit to conceal, becauſe it would have helped to lay open the weakneſs of the Concluſion he would fain draw from this Story.

THIS Artifice being thus diſcovered, will alſo ſhew another piece of the like Sophiſtry in wreſting another Paſſage of the ſame Author, *viz.* That this King *Henry*, fearing the Title of his Brother *Robert*, and the Revolt of the *Engliſh Normans*, called the *Magnates* or Great men of the Kingdom together, and in a flattering Speech beſpoke their Aſſiſtance. Now theſe Great men he ſpoke to were all *Normans*, and yet, becauſe moſt of them might be born in *England*, in that reſpect he calls them *Indigenas*, Homebred, or born in the ſame Country with himſelf, and *Natural Engliſh*. Gloſſ. p. 9. Mat. Par. p. 62.

I HERE grant indeed that King *Henry* might very juſtly call thoſe Young *Engliſh Normans* of about the ſame Age with Himſelf, Countrymen and *Natural Engliſh*; but that theſe were the only *Magnates* or Great men of *England* he then ſpoke to, and that none of them were *Engliſh* men by Extraction, as well as Birth, the Doctor has not yet proved, nor I believe ever will be able.

BUT becauſe the Prefaces of ſo many Charters of the five firſt Kings of the *Norman* Race lie acroſs in his way, and are againſt this Notion of the Doctor, which are directed commonly *Omnibus Baronibus*

nibus ſuis Francis & Anglis; or elſe *Omnibus Fidelibus, Francis & Anglis*, of which the Doctor himſelf has given us indeed a large Catalogue, where theſe Words are inſerted: yet notwithſtanding the words *Francis & Anglis* are ſo often diſtinctly made uſe of, not only in the Charters of thoſe Kings, but alſo in thoſe of their Earls and great Barons, which were ſent to their Tenants or Feudataries with the ſame directions; yet however the Doctor thinks to get over this by the like ſlight of hand, as he did the former, and will needs have this great variety of Directions in all thoſe Charters to be "mere forms and no-"thing elſe, and that they were never deſigned to diſtinguiſh the Ex-"traction or Countries of thoſe to whom they were directed, ſeeing "the *Engliſh* were no ways concern'd in them as to their Contents, "either in point of Intereſt, or any advantage they were to receive "by them.

Gloſſ. p. 10, 11.

ALL which is merely *gratis dictum*, and without any manner of proof: for can any Man that underſtands common ſenſe believe, that theſe Kings, or their Chancellors, or even thoſe Clerks that drew theſe Earls and Baron's Charters, would in an Age that ſo much abhor'd multiplying Words and unneceſſary Forms, cumber their Patents and Charters with thoſe idle Directions of *Francis* and *Anglis*, had there not been ſome real ground for them at firſt? And that there was ſo in ſome of thoſe Charters cited by the Doctor, he himſelf grants, and particularly in that of King *William* the *Firſt* to the City of *London*, which being in old *Engliſh Saxon*, he thus tranſcribes, "*William* King "greets *William* the Biſcop, and *Godfrey Portrefan* et calle ya *Burghwaren* "binnen *London Frenciſſe & Engliſce*; That is, King *William* greets *William* the Biſhop, and *Godfrey* the Port-Reve, and all the Inhabitants of the Burgh within *London*, *French* and *Engliſh*. Here, I ſay, the Doctor grants, that theſe words *French* and *Engliſh* are to be underſtood in their natural and proper ſignification; "For, ſays he, "at King *William*'s firſt entrance, many *Engliſh* enjoy'd their Eſtates, "and Titles, as they had done before his coming; and it may be "ſome of them until he had wholly ſubdued the Nation: ſo that "by *French* and *Engliſh* in this Charter, the *Saxons* and *Normans* are "to be underſtood as diſtinct; and indeed in Burghs and Trading "Towns thoſe words may be ſo underſtood at all times.

Ib. p. 10.

SO likewiſe in that Charter of *Roger* Earl of *Warwick*, cited by the Doctor, directed *Omnibus Baronibus ſuis & Burgenſibus, & Omnibus Hominibus ſuis Francis & Anglis, ſalutem.* By which Charter he confirm'd divers Lands, *&c.* to the Churches of *St. Maries* and *All Saints* (I ſuppoſe in *Warwick*:) whence it is plain, that this being directed to all his Barons and Burgeſſes of *Warwick*, and to all his men or Tenants, both *French* and *Engliſh*, theſe laſt words muſt refer to all that goes before; and if there were *Engliſh* Burgeſſes in that Town, which I ſuppoſe the Doctor will not deny, I cannot ſee any reaſon why he ſhould not have had alſo *Engliſh* Barons or Tenants under him, as well as *Frenchmen* or *Normans*, eſpecially if the word *Baron* be taken in the ſenſe the Doctor himſelf allows it in his Preface to the *Norman* Hiſtory; when citing a Charter of King *Henry* the *Firſt* directed * *Samſoni Epiſcopo, & Urſoni de Abitot, & Omnibus Baronibus* Francis & Anglis de *Wirceſtreſcira, Salutem:* Upon which word *Baronibus*, the Doctor at the very bottom of this leaf has this note; "That by theſe *Barones* here,

Ib. p. 15.

P. 143.

* i.e. *Biſhop of* Worceſter.

"are

" are to be underſtood *Milites*, ſuch as held by Military Service, or " *Barones Minores*, Lords of Towns or Mannors, or perhaps Free- " holders, which, if any, were then of better account, before Town- " ſhips, Mannors and Lands were parcell'd out into ſmall Diviſi- " ons.

NOW I deſire the Doctor to give me any tolerable good reaſon, why theſe *Barones*, the ſmaller ſort of Barons or Freeholders, might not have been Native *Engliſh*-men, as well as Foreigners, ſince they might ſtill have been dependent upon other Lords, whither *Engliſh*-men or *Normans* it matters not? But perhaps he will ſtill urge, " That the words in many of thoſe Kings Charters cannot be taken " in that general ſenſe, they being often directed, not only *Omnibus* " *Baronibus*, or *Fidelibus* in general, but *Omnibus Baronibus & Fideli-* " *bus ſuis*, by which none elſe can be underſtood but the King's own " Barons or Tenants *in Capite*; ſo that, ſays he, if theſe Directions " were made with intention of a diſtinctive Note, between the Old " *Engliſh Saxon*, and new *French* or *Norman* Barons, 'tis ſtrange " that after the *Conqueror* was firmly eſtabliſhed in the Throne, and " at the very time of making ſome few of theſe Charters in and to- " ward the end of his Reign, and of the others in the Reigns of " *William* the *Second*, and *Henry* the *Firſt*, &c. not one *Engliſh Saxon* " Baron ſhould be found or heard of: from whence he concludes 'tis " evident, if real Barons were meant or intended by the words *Barones* " *Franci & Angli*, the *Engliſh* Barons cover'd under thoſe Expreſſi- " ons, could be no other than ſuch as had been born in *England* of " *Norman* Parents, or ſuch as came in with the *Conqueror*, that had " great Eſtates given them, and made their conſtant abode in *Eng-* " *land*; and the *Norman* Barons no other than ſuch as had great " Eſtates and Baronies in *England*, as well as they had in *Normandy*, " where they either altogether, or for the moſt part reſided, and were " not in *England* but upon extraordinary Occaſions, and extraordi- " nary Summons; and differ'd not from the others by National Pa- " ternal Deſcent, or Extraction, but only by National Reſidence, or " Nativity; from whence they had their Denominations of *French* " and *Engliſh*. So far the Doctor.

THEN at laſt this whole diſpute may be reduced into this ſingle Aſſertion, That tho the Leſs Barons, or Lords of Mannors, who held of *French* or *Norman* Lords, might be *Engliſh*, and ſo hold their Eſtates of them; yet that under theſe words *Baronibus*, or *Fidelibus ſuis*, ſo often uſed in King *William* and his Succeſſors Charters, no real Barons, or Tenants *in Capite* could be meant, becauſe no ſuch men of the *Engliſh Saxon* Extraction were then to be found or heard of; and therefore only *Normans*, or of *Norman* Race, who had great Eſtates in *England*, muſt be here intended, under the Titles of *Francis & Anglis* above-mention'd. This is indeed a meer begging of the Queſtion; for I think I have already ſufficiently proved, that not only in the beginning of King *William*'s Reign, but alſo at the very time when *Doomſday*-Book was made, there were a competent number of Native *Engliſh* Tenants *in Capite* in all or moſt Counties of *England*, ſufficient to juſtify the Direction of theſe Charters to have been ſome-what more than mere matter of Form: and therefore the Doctor's Suppoſition is altogether airy and groundleſs, when he will needs have

the words *Norman* or *French* Barons mentioned as well in our Hiſtorians, as in theſe Charters, to mean only ſuch as had Eſtates, both in *England* and *Normandy*; for if this had been all the difference, it would not only have been a very confus'd, but alſo a very needleſs and impertinent way of writing; for why ſhould theſe be called *Norman* Barons, only becauſe they had Eſtates in *Normandy* as well as in *England*, ſince no man in the Laws, or Charters of this Kingdom, is ever called an Earl or Baron of a *Foreign* Country, when his chief Title and Eſtate lies in this? And I deſire the Doctor to tell me, when after King *James* the *Firſt* (who was alſo King of *Scotland*) became King of *England*, he had created the Duke of *Lenox* Duke of *Richmond*, and advanced ſome Earls and Barons of *Scotland* to the like Titles in *England*, in which (as well as in *Scotland*) they then had Eſtates; if that King ſhould have iſſued out a Charter or Proclamation concerning ſomething to be done or obſerved by them in *England*, and had directed it to all his *Engliſh* and *Scotiſh* Dukes, Earls and Barons, whither any man would at this day underſtand by theſe Titles, that the King meant only ſuch *Scotiſh* Noblemen as had Eſtates no where but in *England*, and by *Scotiſh* Barons only ſuch Noblemen of that Nation as had Eſtates in both Kingdoms. Now if it were abſurd to underſtand a Charter of our own Age in ſo forced a ſenſe, it is much more ſo to think it could have been ſo underſtood in Charters made above ſix hundred years ago, when they were much plainer in their own Expreſſions, and not ſo much given to needleſs Formalities and empty Tautologies, as we often find in the Charters and other Writings of later times.

I HAVE dwelt the longer upon this Head, becauſe the Doctor has taken ſo much Pains, by all the Artifices that forc'd Interpretations, and wreſting of Words could afford him, to evade the moſt plain and evident Teſtimonies which either Hiſtorians or Records can afford us, to prove, that the old *Engliſh Saxon* Nobility and Gentry had ſtill ſufficient Eſtates left them during the Reigns of the four or five firſt Kings of the *Norman* Race, as to give them the Title of Barons of the Kingdom, as well of the Superior as Inferior Order; but whither the Doctor has handled this Queſtion as becomes a Perſon of that Candour and Ingenuity he deſires to be thought Maſter of, I ſhall leave to the indifferent Reader to judg.

I COME now to the next Point in Controverſy, *viz.* Whither King *William* alter'd the moſt conſiderable part of the Old *Engliſh Saxon* Laws, and introduced New ones from *Normandy*, which he impos'd upon the Nation by his own ſole Authority: and the Doctor's Reaſons for this Aſſertion I will here examine, and ſhall begin with his Anſwer to Mr. *Petit*'s Book, intituled, *The Rights of the Commons*, &c. *Aſſerted*; where the Doctor gives this, as a main Reaſon for
P. 14. his pretended Conqueſt, That it appears, firſt, by his (*viz.* King *William*'s) bringing in a *New Law*, and impoſing it upon the People; and 'tis clear he did ſo: The Juſticiaries or Chief Juſtices, the Chancellors, the Lawyers, the Miniſterial Officers, and Under-Judges, Earls, Sheriffs, Bailiffs, Lords of Mannors, and Hundredaries, were all *Normans*, and that from his firſt coming, until above a hundred years after, as he pretends to make it out by particular Inſtances, and unde-

niable

niable Reaſons, were not the Catalogues too long to be inſerted: "If therefore, ſays he, the Officers above-mention'd, *viz.* all ſuch "as heard Cauſes, and gave Judgment, were *Normans*; if the Law-"yers and Pleaders were alſo *Normans*, the Pleadings and Judgments "in their ſeveral Courts muſt of neceſſity have been in that Lan-"guage, and the Law alſo, the *Norman* Law; otherwiſe they had "ſaid and done they knew not what, and judged they knew not "how; eſpecially when the Controverſies were determined by Mi-"litary men, Earls, Sheriffs, Lords of Mannors, *&c.* that under-"ſtood not the *Engliſh* Tongue, or Law: or when the chief Juſtici-"ary himſelf was a *Military* Man, as it often happen'd, and under-"ſtood only the *Norman* Language.

IN anſwer to theſe Arguments brought by the Learned Doctor, tho it ſhould be granted that the Chief Juſticiaries, the Chancellors, Chief Juſtices, and other Great Officers of the Crown, were all, or the greateſt part of them, *Normans*, during the Reigns of the four or five firſt Kings of the *Norman* Race; yet does it therefore follow that theſe made a change in the very Subſtance of our Laws? tho in Matters of Form, as in Pleadings, or other Judicial proceedings, they might have introduced great Alterations: For as to the Body of the Municipal Laws of this Kingdom, concerning the Deſcent and Conveyance of Eſtates, they remain'd the ſame after the coming in of the *Normans*; and Lands held by Military Service deſcended to the eldeſt Son before the *Conqueſt*, as Lands in *Free Soccage*, and *Gavel-kind* to all the Sons alike, as at this day. So likewiſe there were Eſtates in Tail, and Fee-Simple, as now: And there were alſo the like Cuſtoms of the Courteſy of *England*, *Burrough-Engliſh*, as there are at this day, which I can prove by ſeveral Paſſages out of our *Engliſh-Saxon*-Laws. So likewiſe for Conveyance of Eſtates, thoſe of the better ſort of People, which were called *Bockland*, were conveyed by Deeds, with *Livery* and *Seiſin*, either with or without Warranty, as now: But that which was called *Folkland*, and held by the meaner ſort, were only by *Livery* of *Seiſin* without any Writing. And admit I ſhould grant that the Cuſtom of ſealing of Deeds is derived from the *Normans*, yet that is an Alteration only in matter of Form; and however, it was in uſe before the pretended *Conqueſt* among Perſons of the beſt Rank, as *Ingulph* expreſly tells us, being a Cuſtom brought in by *Edward* the *Confeſſor* out of that Country.

AS for Goods and Money, they were bequeathable by a Man's laſt Will, as well before as after the *Dr*'s *Conqueſt*; and if the Reader can have the opportunity to peruſe a *MS.* Treatiſe of Sir *Roger Owen*'s upon this Subject, he will find it there ſufficiently proved, that *Livery* of *Seiſin*, Licenſes, or Fines for Alienation, Daughters to inherit as Copartners, Trials by Juries, Abjurations, Outlawries, Coroners, diſpoſing of Lands by Will, Eſcheats, Wrecks, Warranties, Forfeiture of Felon's Goods, and many other parts of our Common Law, were in being long before the time of King *William* the *Firſt*.

NOW if this was ſo as to the Municipal Law, let us ſee what Alterations there were made in the Criminal, or Crown-Law: Firſt, as to Treaſon and Wilful Murther, they were puniſhed with Death in the *Saxon* times as well as after; as were alſo Robbery and Burglary in the Night-time. And as to leſs Offences, ſuch as Batteries, Maihems,

hems, Robberies, and other Breaches of the Peace, they were puniſhed by *Fine*, as well before the *Conqueſt* as after: but as for the Law of *Engleſcherie*, which was, that if a Man were found murthered, it ſhould be preſumed he was an *Alien* or *French*-man, and the Town where the Body was found was to be fined, unleſs *Engleſcherie* was made out, *i. e.* that the Perſon was an *Engliſh*-man: this Cuſtom laſted to the Reign of *Edward* the *Third*, and then it was taken away by a Statute made on purpoſe: And tho this may ſeem a Badg of the *Norman* Conqueſt, yet it was indeed a Law introduced by King *Knute* in behalf of his *Danes*, who being often found killed, and none could tell by whom, he got this Law to be made to prevent it, as you will ſee at large in * *Bracton*, and the *Mirrour* of *Juſtices*. But as for the Trial of all Offences, whatever it was, either by Juries, Fire, or Water-*Ordeal*, or elſe by Witneſſes or Compurgators upon Oath, as well before as after King *William*'s Entrance; I can find nothing material touching the Alterations of the Criminal Laws as to the manner of Trials, from what they were in the *Saxons* time.

* Lib. 3. de Coron. c. 15.

ALL this being ſo, it may eaſily be made out how the Juſticiaries, and other Great Officers mention'd by the Doctor, might be *Normans*, and yet the main Body of the Laws continue *Engliſh* ſtill: For, firſt it is certain (and the Doctor himſelf grants it) that for four or five years in the beginning of King *William*'s Reign, he made no great alteration in the Judges, Sheriffs, and other Officers of the Kingdom; and then thoſe whom he was afterwards pleaſed to put into the rooms of ſuch *Engliſh*-men as either died or were turned out, might very well be ſuppoſed to underſtand the Laws of *England*, as far as they differed from thoſe of *Normandy*, which was not in very many particulars, as the Doctor himſelf likewiſe admits, and very well obſerves, that the *Saxons* and *Normans* being both *Northern* People, had many of the ſame Laws and Cuſtoms common to both; ſo that the *Norman* Judges in three or four years time, might very well have learned *Engliſh* enough to have underſtood the Evidence of the Witneſſes, without any Interpreter, I mean in Inferior Courts in the Country.

BUT ſuppoſe all the Pleadings and Judgments were in *French*, it does not therefore follow that all the Lawyers and Pleaders muſt be *French*-men too; for why might not the *Engliſh* Lawyers have learn'd *French* enough, to be able to plead Cauſes in that Language in four or five years time? which muſt neceſſarily be required before ſo great an Alteration could be made, or that Pleaders enough could be brought out of *Normandy*, and ſufficiently inſtructed in our Laws and Cuſtoms, ſo as to be fitted for their Employments. Again, ſuppoſing the Pleadings and other Proceedings to have been in *French*, it does not follow that this Practice could have obtained in all the Courts of *England*: for tho I ſhould grant that 'twas ſo in the King's Courts at *Weſtminſter*, where many of the Judges were *French*-men or *Normans*; yet this could only have effect either in that Great Court, or *Curia Regis*, where the King often ſate in Perſon, together with his Chief Juſticiary, and other Juſtices his Aſſiſtants (for as for the Court of *Common-Pleas* it was not then ſeparate from the *Kings-Bench*) or elſe in the Court of *Exchequer*, where in thoſe days Matters concerning the King's Debts, Lands and Revenues, were chiefly heard and

* diſpatched.

diſpatched. But as for the Court of *Chancery*, it was not then uſed as a Court of *Equity*, nor long after, not until the Reign of *Henry* the *Sixth*: and then it aroſe by degrees, as you will find in Sir *William Dugdale* his *Origines Juridiciales*.

SO that I ſay, granting all the Proceedings in theſe Supreme Courts to have been in *French*, for the Reaſons already given, yet was this of no great importance in compariſon of the far greater number of Suits and Cauſes which were firſt begun, try'd and determined in the Inferior Courts in the Country, before ever they could be brought up to *London* by Writ of Error, or other Writs of like nature, and which could only be in Cauſes of great moment, or between the King's Tenants *in Capite*: for I think it can be well enough made out, that moſt Law-Suits in thoſe times were begun in the Court-Barons, or elſe in the Hundred or County-Courts, and were there diſpatched, and were very rarely (unleſs between Great and Eminent Perſons) removed to *London*.

THE like I may ſay of all Criminal Caſes, as Treaſons, Murthers, and Felonies, which were then commonly tried before the Sheriff at the *County-Court*, or elſe within the particular Juriſdictions of Biſhops, Abbots, or Great Lords; Or, laſtly, of ſuch Citys and Towns as had the Privileges of *Infangthief* and *Outfangthief*, together with *foſſa* and *furca*, that is, a Pit to drown in, and a Gallows to hang Malefactors upon, before their own *Seneſchal*, or other Officer; Juſtices Itinerant not being aſſigned for theſe purpoſes till long after, in the Reign of *Henry* the *Second*.

BUT Dr. *Brady* is either ſo ignorant, or unmindful of this, both in his Anſwer to Mr. *Petyt*, as alſo in his *Gloſſary*, that he will not allow any Free-men to owe Suit or Service to the County-Court, but only Tenants *in Capite*, or other Tenants by Military Service: which he endeavours to prove from the 58*th* Law of King *William* the *Firſt*, whereby it is ordain'd, *That all Earls, Barons, Knights, and their Servants or Eſcuyers, and all Freemen of our whole Kingdom, be always fitted with Horſe and Arms as they ought to be, and always ready to perform the whole Service to us* (viz. *the King*) *when there ſhall be need; and which they ought to do according to, and by reaſon of, their Fees and Tenures.* Tit. Liberi Homines, Liberi Tenentes.

AND theſe (ſays the Doctor) were the only Legal men that named and choſe Juries, and ſerved on Juries themſelves, both in the County and Hundred-Courts, and diſpatched all Country buſineſs under the ſaid Great Officers, as will (ſays he) appear by the next Law, with his Explication upon it: Yet farther grants in the next Paragraph, that beſides the Tenants *in Capite*, ſome of the greateſt of their Military Under-Tenants were often Sheriffs, Hundredaries, and other Judges, and Miniſterial Officers in their ſeveral Counties; and the Judgment they were to give, and the Juſtice they were to do by this Law (beſides that in their own Courts and Juriſdictions) was principally, as they were Jurors or Recognitors upon *Aſſizes*, &c. As may be ſeen in *Glanvil* almoſt every where, but eſpecially *Lib.* 2. *c.* 10, 11. *Lib.* 9. *c.* 7. *c.* 13. and *Lib.* 13. throughout. And that this, of being Suitors to the County and Hundred-Courts, *&c.* was a Service incident to their Tenures.

Chief and Honeſt men, the Jurors, be whom the Doctor pleaſes, that they could have been none other but down-right *Engliſh*, appears from the Iſſue joyn'd between the Arch-Biſhop the Plaintiff, and Biſhop *Odo* the Defendant, which was, Whither *the Church of* Canterbury *was ſeized of thoſe Lands or not at the time when King* Edward *was alive and dead?* as appears by all the Circumſtances of the Caſe, tho the Writ it ſelf is not extant: but that all or the greateſt part of theſe Jury-men were *Engliſh*, is plain, by a more particular Relation of this matter in the Antient *Manuſcript* of the Church of *Rocheſter*, called *Textus Roffenſis*, which was written by *Ernulph* who was conſecrated Biſhop of that Church, *A. D.* 1115. not fifty years after the ſuppoſed Conqueſt, and is thought to have wrote this Hiſtory but a few years after his Conſecration; and it does not only contain a Hiſtory of this Church, but alſo many things relating to that of *Canterbury*, and particularly this great Trial above mention'd, in theſe words, *Præcipit Rex Comitatum totum abſque morâ conſidere, & homines Comitatus omnes, Francigenas, & præcipuè Anglos in antiquis legibus & conſuetudinibus peritos, in unum convenire*: i. e. the King commanded the whole County to meet, and all the men thereof, *viz.* the *French*, but chiefly the *Engliſh* skill'd in the antient Laws and Cuſtoms, to aſſemble together. Then this Author proceeds further to inform us of the Iſſue of this Great Cauſe which took up the whole County no leſs than Three days, in which time the Arch-Biſhop ** recovered by pleading* many Lands which Biſhop *Odo* and his Tenants at that time held; and then concludes with telling us who were preſent beſides the Judges or Commiſſioners, *viz.* divers other Biſhops, *Algeric* Biſhop of *Chicheſter* a very old man, *& Legum Terræ ſapientiſſimus, moſt learned or skilful in the Laws of the Land*, who was carried thither in a *Waggon* by the King's Command, *ad ipſas antiquas Leges & Legum conſuetudines diſcutiendas & edocendas*; to inſtruct them, *viz.* the Judges, in the antient Legal Cuſtoms: and he adds farther, that there were alſo there as Auditors or Spectators, many Barons of the King and of the Arch-Biſhop, beſides divers others of ſeveral other Counties, being men of great Authority, both *French* and *Engliſh*.

*Dirationavit plures terras.

NOW what can be more expreſs than that not only moſt of the Jury-men of this County were *Engliſh*, but that alſo the Law they judged by was the *Engliſh* Law? or elſe what need was there for this old Biſhop to be brought ſo far, to inſtruct them in it?

NOW that theſe *French* and *Engliſh* could be no other than *Primores & Proli viri* (mention'd in *Eadmerus*) the Suitors to this County-Court, who were ſummon'd to try this Great Cauſe, I ſuppoſe the Doctor himſelf cannot deny, tho in his Anſwer to Mr. *Atwood* he ſlighly paſſes over this part of the Authority, becauſe he knew it was not to be anſwered; nor do I know what he can ſay to it, but that theſe *Engliſh*-men might appear as Suitors to this County-Court, becauſe it being held within the firſt Four years of King *William*'s Reign, the *Engliſh*-men of *Kent*, and thoſe other Counties mentioned by the Doctor, were not then turn'd out of their Eſtates. But this Subterfuge will not help him neither; for it is certain, that *Lanfranc* was not conſecrated Arch-Biſhop till *An. Dom.* 1070, being the Fourth year of this King's Reign; and all the reſt of that year he was taken up in the Diſpute between him and *Thomas* Arch-Biſhop of *Tork*,

Anſwer to Mr. Atwood's Hiſt. of the Engl. &c. p. 193.

York, and could not then have any time to begin a Suit about thoſe Lands detain'd from this Church: and the year following he went to *Rome* to fetch his Pall, and ſpent moſt of it in his Journey and ſtay there; ſo that it could not be ſooner than two or three years after his Election, *viz.* about *A. D.* 1072, or 73. that he had this Trial with Biſhop *Odo*, which falls out as many years after the time the Doctor ſuppoſes the *Engliſh* to have already been turn'd out of their Eſtates by his *Conqueror*, and the whole Kingdom divided among his Followers.

BUT I now come to our next Authority from the Antient Manuſcript Book of *Ely*, which was written in the time of King *Henry* the *Firſt*, and is at preſent in the *Cottonian* Library; as is alſo another antient Copy in the Hands of the moſt Learned Doctor *Gale*, Dean of *York*; in the Second Book of which Hiſtory *Cap.* 91. that Author tells us, " That in the Second *Indiction* that fell in this King's Reign, " there was a Diſcuſſion of the antient Rights and Liberties of the " Abby of *Ely*; which thro the King's Prohibition, and the un- " juſt oppreſſion of his Miniſters, had now layn * 14 years neglected " and ſtifled; but at laſt the King being touched with the hope of " Divine Mercy, commanded by the Biſhop of *Bayeux*, theſe matters " to be diſcuſſed. Whereupon there was a meeting or Trial of the next adjacent Counties aſſembled at *Kenetford*, at which were preſent the Abbots of St. *Edmonds-bury*, *Chertſey*, *Croyland* and *Holme* (their Names I omit) who appeared together with their *French* and *Engliſh* Tenants: There were alſo the King's Commiſſioners, whoſe Names being mentioned in the following Writ, I likewiſe paſs by: There were beſides preſent the Sheriffs of four Counties, *viz. Eſſex*, *Hereford*, *Huntington*, and *Bedford*; with very many approved Knights (or *Military* Tenants) both *French* and *Engliſh*, who put an end to this Diſſenſion, and gave Sentence for the Abbey in theſe words; *That Queen* Etheldreda *(the ſuppoſed Saint or Patroneſs of this Abbey) ſhould enjoy all that was Hers, according to the Privileges of the Kings*, Edgar, Ethelred, *and* Edward, *free from all Servitude.*

* i.e. *from the beginning of this King's Reign.*

AND that this Judgment was alſo for Lands, as well as Liberties, appears by this Writ of Poſſeſſion, which the Doctor himſelf hath tranſcribed from Mr. *Atwood*'s *Janus Anglorum*; *Willielmus Anglorum Rex, Omnibus Fidelibus ſuis & Vicecomitibus, in quorum Vicecomitatibus Abbatia de* Hely *terras habet, ſalutem. Præcipio quod Abbatia de* Hely *habeat Omnes Conſuetudines ſuas*, &c. *has, inquam, habeat, ſicut habuit die qua Rex* Edvardus *fuit vivus & mortuus*; *&, ſicut mea juſſione dirationatæ ſunt apud** Keneteford, *per plures ſcyras ante meos Barones, viz.* Galfridum *Conſtantienſem Epiſcopum*, *&c.* with the other Commiſſioners Names needleſs here to be recited. In *Engliſh* thus; " William *King of* England, *to all his Faithful Subjects and Sheriffs*, " *in whoſe Sheriffdoms the Abbey of* Ely *hath Lands, greeting. I com-* " *mand that the Abbey of* Ely *have all its Cuſtoms*, &c. *thoſe, I ſay, let* " *her have, as ſhe had them the day in which King* Edward *was alive* " *and dead*; *and as by my Command they were proved to belong to her*, " *at* Kenetford *by many Shires* (that is, by the Suitors to the *County-* " *Court* of many Shires) *before my Barons*, viz. the Commiſſioners " above-mentioned. And preſently after follows in the ſame Book " another Writ of this King's, which ſeems to be a Writ of Right

Ibid.

* *A ſmall Town in* Suffolk *near* Newmarket.

Laws they would chuſe; and he alſo would forbid all unjuſt Taxes, and grant them their Woods and Hunting, and upon theſe terms the *Engliſh* faithfully helped him: which is almoſt the ſame words as the *Saxon* Chronicle hath given us before, from whence I ſuppoſe it was borrowed.

BUT *Will.* of *Malmesbury* relates this matter more briefly, and ſays, that this King finding moſt of the *Norman* Lords to have conſpired againſt him, and taken part with his Brother D. *Robert*, ſent by his Letters for the honeſt and ſtout *Engliſh* (men of Eſtates) * who yet remained, to whom he complained of the Injuries done him by the *Normans*; and by promiſing them good Laws, eaſe from Taxes, and free hunting in their Woods, he gained them to his party. From all which plain Authorities it appears, that the *Engliſh*, notwithſtanding all the Oppreſſions they had lain under in this King's Father's time, had ſtill Lands and Woods left them in which they might hunt; and that they then made a conſiderable Figure and Intereſt in the Nation.

* Qui adhuc erant reſidui.

BUT the Doctor finding himſelf gall'd by theſe ſo plain proofs, has no way left to evade them, but inſtead of untying, to cut this *Gordian* knot; and therfore in his *Gloſſary* at the end of the Introduction to his *Engliſh* Hiſtory, he has found out a very notable way of doing it, by confounding theſe Names, *Angli*, *Angligenæ*, *Normanni*, and *Franci*, which, notwithſtanding the plain different import of the words, muſt all (in the Doctor's ſenſe) ſignify only *French*-men or *Normans*, and not an *Engliſh*-man among them; ſo that theſe *Engliſh* and *French*, tho put under as diſtinguiſhing Characters in theſe our Hiſtorians, as words are able to expreſs them, yet (if the Doctor's word may be taken) they were all of them no other than ſuch Perſons as were born in *Normandy*, or other places beyond Sea: But by the *Angli* and *Angligenæ*, were meant only ſuch *Normans* and *Frenchmen*, as were either born here, and ſo enjoy'd their Father's Eſtates, or elſe were the very ſame who firſt came over with the *Conqueror*, and had Eſtates given them for their good Service and Merits.

P. 8, 9, 10.

I SHALL now fairly give you the Doctor's Reaſons and Authorities for thus ſtraining the literal Conſtruction of theſe words, beyond what our Dictionaries can teach us. However in the firſt place I cannot deny, but the Doctor has truly ſet down in his *Gloſſary* the very ſame Quotations in Latin out of thoſe very Authors whom I have now made uſe of; but yet to blind the eyes of the ignorant or unwary Readers, he takes care not to tranſlate them fairly, for then his impoſing upon them would be eaſily diſcovered. Thus, when he cites the paſſage above-mentioned out of *Simeon* of *Durham*, *Convocari fecit Anglos, & oſtendit eis traditionem Normannorum*; theſe laſt words he omits in his Tranſlation, and only renders it, The King (meaning *Rufus*) call'd together the *Engliſh*, and asked help of them, *&c.* and yet at the ſame time fairly tranſlates the Paſſage of *Florence* of *Worceſter*, already cited, *Congregato quantum potuit ad præſens Normannorum, ſed tamen maximè Anglorum, equeſtri ac pedeſtri exercitu, tendere diſpoſuit Roucceaſtream*; *i.e.* he gathered together as many as he could of the *Normans*, but chiefly of the *Engliſh*, and with an Army of Horſe and Foot marched toward *Rocheſter*. By which the Doctor allows that this Army conſiſted moſt of mere natural *Engliſh*-men, becauſe theſe being lookt upon as only mean mercenary Fellows, cannot do his Nation any great harm.

P. 6, 7, 8.

YET notwithſtanding this his Civility to the Common Souldiers,

* how-

however as to the Chief Men of the *Engliſh*, whom as the *Saxon* Chronicle, *Simeon* of *Durham*, and *W.* of *Malmesbury* relate, he cauſed to be aſſembled; and whom the laſt Author ſays, he ſent for by his Letters; theſe the Doctor will not allow to be really *Engliſh*-men; and tho he truly tranſcribes the Paſſage in *Malmesbury* already cited, yet he does not think fit to put theſe words into *Engliſh*: *Rex videns Normannos pænè omnes in unâ Rabie conſpiratos, Anglos probos, & fortes viros qui adhuc Reſidui erant invitatoriis ſcriptis arceſſit.* " The King ſeeing almoſt all the *Normans* " conſpired together in the ſame madneſs, by invitatory Letters ſends " for the honeſt and valiant *Engliſh*, who yet remained. Since this Author here makes ſo plain a diſtinction between the *Normans* that had conſpired againſt the King, and the honeſt *Engliſh* men whom he ſent for, therefore the Doctor takes care to leave this Paſſage untranſlated, and only gives us in ſhort what immediately follows concerning the King's drawing off from his Enemies, *Roger* Earl of *Shrewsbury*, by which he broke the Party; becauſe this *Roger* being a *Norman*, it would help to countenance his preſent Fancy, which you will ſee by and by.

FOR the Doctor finding the *Engliſh* Authors not at all favorable to his Notion, flys off from them to a *Norman* Writer, *viz. Ordericus Vitalis*, whoſe words he indeed fairly gives us both in *Latin* and *Engliſh*, becauſe he hopes to pick ſomething out of them that may ſerve his preſent purpoſe: the paſſage ſtands thus, That King *William*, ſo ſoon as he ſaw the *Norman*'s contrivance againſt him, *Lanfrancum Archiepiſcopum cum Suffraganeis Præſulibus, & Comites, Angloſque naturales convocavit, & conatus Adverſariorum & velle ſuum, expugnandi eis, indicavit*; *i. e.* He call'd together *Lanfranc* the Arch-Biſhop with his Suffragan Biſhops, and the Earls and natural *Engliſh*, and ſhewed them the Deſigns of his Adverſaries, and his intention to fight them: but as for the next paſſage from the ſame Author (being much to the ſame purpoſe) I ſhall only give it you in *Engliſh*; then all the Biſhops of *England*, with the *Engliſh* faithfully aſſiſted the King; *Hugh* Earl of *Cheſter*, *William* Earl of *Warren* (in *Normandy*) *Robert Fitz-Haimon*, and others, too many to be here recited; only it is certain that they were all *Normans* by birth or extraction. From which two places put together, the Doctor hopes to make out, that this Author muſt here needs mean by *Naturales Anglos*, meer *Normans* and *French*-men, diſguiſed under the name of *Engliſh*, and therefore in the next page he proceeds thus with great confidence; F. 668.

" ACCORDING to the Sound of the word *Angli*, and a ſuper- Gloſſ. p. 8.
" ficial reading of the Authors here cited, moſt men would think
" they were only *Saxon Engliſh* intended, and expreſſed by that
" word; but upon due obſervation of the Hiſtorians and Perſons
" who were by them call'd *Angli*, it cannot be ſo; for the *Primates*
" *Angliæ* on both ſides, the Chief men of *England*, who favour'd both
" the Duke and the King, were *Nobiliores Normanni*, the more Noble
" *Normans*; and as it is clear by the particular enumeration of the
" Perſons, that they were ſo on the Duke's ſide; ſo it is evident they
" were *Normans* who aſſiſted King *William*, and kept the Crown
" upon his Head: He called together the *Engliſh*, ſays *Malmesbury*,
" and *Simeon* of *Durham*, and promiſed them the beſt Laws they
" ſhould chuſe, and eaſe in their Taxations, the enjoyment of their
" Woods or Foreſts, and the Privilege of Hunting.

NOW

" NOW certainly (ſays the Doctor) theſe were Great Men " that He called together, *Engliſh* Earls and Barons, and not men of " the middle or ordinary Rank; for *They* could never have met in ſuch " numbers, as was requiſite for them to do, to protect and defend " King *William*, had *They* not been headed by ſuch, as if they had " either Arms, or Power, or Eſtates that depended not upon the " *Normans*: and if any man (ſays he) can ſhew me an *Engliſh Sax-* " *on* that was either Earl or Baron, or that had any Power or Share " in the Government, or many that had conſiderable Eſtates, " that did not hold them of the *Normans*; or that at this time had " great Woods, Foreſts, and Privilege of Hunting in them, I will " confeſs I am miſtaken: 'Tis true, *Malmesbury* ſays, *Rufus* called to- " gether *Anglos probos, & fortes viros qui adhuc Reſidui erant*, &c. " But by theſe were meant none but the *legitimi, & maturi Barones*, " ſuch as *Ordericus* tells us of, that came in with his Father, ran many " hazards with him, and firſt ſetled themſelves here after the Con- " queſt; ſuch as petition'd King *William* for favour toward their " Country-men ſhut up in *Rocheſter* Caſtle; as many of theſe (that " were alive) as he could, he fixed to his Intereſt by the Promiſes be- " fore mention'd, *&c.*

I HAVE here given you the Doctor's own words, tho ſomewhat prolix, becauſe I would not be thought to curtail or miſrepreſent ſuch doughty Arguments; to confute which there ſcarce needs any more than the bare repeating them, ſince all their force lies either in wreſting or miſapplying the words of the Authors he makes uſe of: for if the Doctor allow that they, *viz.* the *Engliſh*, of mean or ordinary Rank, could meet in ſuch numbers as to protect and defend King *William*; he is to prove that thoſe *Engliſh* the King then alſo wrote to, or ſummon'd to come to his Aſſiſtance, were of another Nation from thoſe that made up this Army, fought for him, and kept the Crown upon his Head; and for this I appeal to the Authors themſelves already cited.

FOR can any one believe that the Writer of this part of the *Saxon* Chronicle (who was himſelf an *Engliſh* Monk) ſhould in all this Relation concerning his Country-men's aſſiſting King *William*, mean no other than meer *Normans*, for whom he always expreſſes a great averſion? The like I may ſay for the reſt of thoſe Hiſtorians, which both the Doctor and I have made uſe of; for ſure no men that ever underſtood Senſe or Grammar, would all agree to relate this Story after ſuch a rate, as that no body without the Doctor's learned Notes could underſtand, whither they meant *Engliſh* or *French*-men when they ſpeak of them.

NOW I leave it to any unprejudiced Reader to judge, whither when *William* of *Malmesbury* ſays, *Rufus* called together *Anglos probos, qui adhuc Reſidui erant*, &c. Theſe here meant were only ſuch loyal and grave *Norman* Barons as *Ordericus* tells us came in with his Father, and ſtill remain'd alive? *&c.* And as for this laſt Writer, on whoſe Authority the Doctor moſt relyes, I might juſtly except againſt him, (tho an *Engliſh* man by Birth) for he was a *Norman* by Affection, and alſo lived and wrote near eighty years after this Action; yet for all this, any man that conſiders the Paſſages the Doctor cites from him, may ſee, that he plainly diſtinguiſhes the *Natural Engliſh* from thoſe Biſhops and *Norman* Lords who then alſo adhered to the King.

* BUT

BUT I am ſenſible the Doctor may have one ſhift ſtill left to evade the plain words of this Author, *viz.* That theſe natural *Engliſh* were no other than young *Norman* Noblemen born in *England* ſince the *Conqueſt*, and might by this time be about twenty years old. But yet this Interpretation will do him little or no good, for had this Author meant only *Engliſh Normans*, he would never have called them *Natural Engliſh*, but rather *Indigenas*; in the ſame ſenſe, as I grant *Henry* the *Firſt* is ſuppoſed by *Matthew Paris* to have made a Speech to the Nobility of *England* of both Nations: neither could ſuch Young men be properly called the *Maturi Barones*, who the Doctor ſays came in with the *Conqueror*. P. 62.

BUT there is ſtill another greater Difficulty, if theſe words are to be taken in this ſenſe; for how could a few young *Norman Engliſh* Gentlemen (moſt of whom were little better than Boys) give the King ſuch an Aſſiſtance, as to make him able to reſiſt and overcome a far greater Number of *Normans*, who then took part with Duke *Robert*? But indeed the Doctor himſelf has ſufficiently ſettled this Matter, by his own relation of this Affair, in his *Compleat Hiſtory*, from *Ordericus Vitalis*; for he ſays, that K. *William*, reſolving to ſuppreſs their Inſurrections *(viz.* of the *Normans)* to that purpoſe convoked ABp *Lanfranc*, and all the Biſhops, Earls, and Natural *Engliſh*, ſhewing them his Intentions, *&c.* Now I would fain know if any Man, without the help of the Doctor's forced Paraphraſe, could ever find out that here by Natural *Engliſh* were meant *Engliſh Normans*; and immediately after in the ſame Page, could convert all theſe *Normans* into an Army of *Engliſh*, only from *Florence* of *Worceſter*'s words already cited. But he ſhould have done well to have added a Marginal Note from his own *Gloſſary*, to have ſhewn his Readers, that tho the Army might be for the moſt part *Engliſh*, yet that their Leaders muſt be all *Engliſh-Norman* Lords and Gentlemen. But if we examine the Doctor's Reaſons for this forced Interpretation, they conſiſt, as you will obſerve, either in the falſe repreſenting or wreſting the words of his Authors, who, becauſe they all agree in ſaying, *That King* William *promiſed the* Engliſh *better Laws, eaſe from Taxes, and injoyment of their Woods or Foreſts, with privilege of Hunting*; therefore *theſe muſt certainly be Great men that he called together*, Engliſh *Earls and Barons, and not men of ordinary Rank*. Now I deſire the Doctor to ſhew me which of his Authors calls theſe *Engliſh*, who then aſſiſted King *William*, either Earls or Barons, but only plain, honeſt, brave *Engliſh* men? and why might not theſe have met in ſuch numbers as was requiſite to protect and defend the King, without being headed by any of his *Engliſh-Norman* Earls or Barons? But the Doctor indeed begs the Queſtion that is to be proved, *viz.* that the *Engliſh* had neither Arms, Power nor Eſtates left, but what depended upon the *Normans*: for he ſhould *firſt* have proved that they had no Arms, and conſequently no Power; and *ſecondly*, that tho many of their Eſtates might depend upon ſuch *Normans* as were then againſt the King, yet their *Engliſh* Military Tenants could never have taken Arms againſt their own Lords in hopes of better Terms, and an eaſier Government. And the Doctor muſt grant, that the *Engliſh* then met in ſuch Numbers, as ſerved to defend this King, or elſe he muſt contradict *Florence* of *Worceſter* whom he has cited to that purpoſe.

THEREFORE as to the Doctor's Challenge, wherein he defies any man to ſhew him any *Engliſh-Saxon*, that was either Earl or Baron, or that had any Power or Share in the Government, or many that had conſiderable Eſtates (it then ſeems however there were ſome) who did not hold them of the *Normans*. To this I anſwer, That I hope he will one day be ſo ingenuous as to perform his Promiſe, and confeſs himſelf miſtaken; for moſt of theſe Queries he here makes, are either falſe or impertinent: for the Queſtion is not, Whether there were any *Engliſh* men Earls or Great Peers of the Realm at this time, or whether they were Privy Counſellors? But that divers of them were Tenants *in Capite*, and conſequently Barons of leſs Degree, if not of the Superior, at the end of the Reign of *William* the *Firſt*, I have already in part proved from *Doomſday*-Book, and ſhall prove it farther anon; and if they were Barons, they had alſo a Voice in the Common Council of the Kingdom, and as ſuch had a ſhare in the Government.

BUT the Doctor makes it a great Buſineſs, that this King granted the *Engliſh* their Woods and Foreſts, and Hunting in them, and deſires to know what great Woods or Foreſts the *Engliſh* then had: and I ask him how he can prove that his *Normans* had then any Foreſts? for he is but meanly skill'd in our Foreſt-Law, that does not know that a Foreſt can only belong to the King; and if any ſuch be granted to a Subject, it loſes both its Name and Privileges, and becomes a Chaſe. But indeed the Doctor impoſes upon himſelf as well as his Readers, by tranſlating the words *ſuas Sylvas*, in our Authors, *their Foreſts*; whereas by thoſe words there is no more meant, than *ſuch Woods* adjoining to Foreſts that then belonged to *Engliſh* Subjects, ſuch as we now call *Purlieus*, which were, till King *John* granted the Charter of Foreſts, as much under the *Foreſt*-Laws as thoſe places themſelves. And as for ſuch Woods as theſe, why the *Engliſh* might not then be Proprietors of them as well as the *Normans*, I deſire the Doctor to ſhew me any ſufficient reaſon.

BUT that many of the *Engliſh* Gentry in *W. Rufus*'s Reign, had Eſtates ſufficient to enable them to hunt, not only in their own Woods, but in the King's Foreſts too, appears by a Paſſage in *Eadmerus*, who
Lib. 2. p. 48. giving us an account of this King's harſh and cruel Nature, relates, that about Fifty of the antient *Engliſh* Gentry, who enjoy'd ſome of their old Eſtates, were taken and accuſed for killing the King's Deer; and
* i. e. *Ordeal.* having for this undergone the trial of * *Fire* and *Water*, and were clear'd, he fell into a great Rage, and uttered ſeveral blaſphemous Expreſſions, as needleſs as it would be profane here to repeat them.

THIS is ſufficient to ſhew you, that there were at this time many *Engliſh* Gentlemen left, of ſufficient Eſtates, to be capacitated for Hunting, either in their own, or the King's Woods.

Gloſſ. p. 89. BUT as for the reſt of the Doctor's Authorities, they being more ſlight and trivial, need not any long deſcant upon them: And *firſt* for that Paſſage of *Eadmerus* in his Life of Archbiſhop *Anſelm*, who, as this Author relates, was invited over by *Hugh* Earl of *Cheſter*, and other Earls and Chief Men of the *Engliſh*. Now, ſays the Doctor, theſe were all *Normans*, and yet are here called *Engliſh*; but ſure he believes that no body but himſelf can diſcover the true ſenſe of theſe words, or elſe he would never go about ſo palpably to impoſe upon

 his

his Readers: for tho this Author calls theſe Noblemen *Principes Anglorum*, that is, Earls of *England*, yet he does no where call them *Anglos*, *Engliſh*-men, as the Authors above-cited ſtile thoſe *Engliſh* that aſſiſted *William Rufus*. And the ſame Sophiſtry the Doctor makes uſe of in two other Authorities in the next Page, which therefore require no particular anſwer.

BUT here alſo he takes out two Paſſages from *Matthew Paris*'s Hiſtory of King *Henry* the *Firſt*, where that Author ſays, that before he was Crowned, he convened the Clergy and all the People, or Laity, to *London*, and promiſed them an amendment of the Laws, if they would receive him as their King. In ſhort, the Clergy and Great Men unanimouſly agreed to make him ſo upon thoſe Conditions; and he was then crowned by the Archbiſhop of *York* and Biſhop of *London*. P. 55.

NOW (ſays the Doctor) both theſe Biſhops that Crown'd him were *Normans*, as alſo were all the other Biſhops of *England* at that time (ſee Bp *Godwin* de Præſul.) and likewiſe all the Earls, Barons and Great men were *Normans*; and yet in the next page, *Matt. Paris* ſays, King *Henry* was crown'd *de Communi Conſilio gentis Anglorum*. I cannot here deny, that the Biſhops, Earls, and a great many of the Barons, were at this time *Normans*, either by Nation or Extraction; and that ſuch of them as were born here, and had ſucceeded to their Father's Earldoms and Baronies, might very well be called *Engliſh*-men; but neither Biſhop *Godwin* (whom the Doctor here cites) nor any other Author ſays (what he adds I ſuppoſe out of his own head) that all the Barons, as well of the Greater as Leſſer ſort (and whom I ſuppoſe to be preſent at this Council) were all *Normans*, and none of them of *Engliſh* extraction; for otherwiſe, had they been all Foreiners, why ſhould they ſo unanimouſly agree to make *Henry* King, upon condition, that he would grant them thoſe antient Liberties and Cuſtoms which were uſed in *England* in the time of the Holy King *Edward*? P. 56.

BUT this Clauſe the Doctor thought fit to conceal, becauſe it would have helped to lay open the weakneſs of the Concluſion he would fain draw from this Story.

THIS Artifice being thus diſcovered, will alſo ſhew another piece of the like Sophiſtry in wreſting another Paſſage of the ſame Author, *viz.* That this King *Henry*, fearing the Title of his Brother *Robert*, and the Revolt of the *Engliſh Normans*, called the *Magnates* or Great men of the Kingdom together, and in a flattering Speech beſpoke their Aſſiſtance. Now theſe Great men he ſpoke to were all *Normans*, and yet, becauſe moſt of them might be born in *England*, in that reſpect he calls them *Indigenas*, Homebred, or born in the ſame Country with himſelf, and *Natural Engliſh*. Gloſſ. p. 9. Mat. Par. p. 62.

I HERE grant indeed that King *Henry* might very juſtly call thoſe Young *Engliſh Normans* of about the ſame Age with Himſelf, Countrymen and *Natural Engliſh*; but that theſe were the only *Magnates* or Great men of *England* he then ſpoke to, and that none of them were *Engliſh* men by Extraction, as well as Birth, the Doctor has not yet proved, nor I believe ever will be able.

BUT becauſe the Prefaces of ſo many Charters of the five firſt Kings of the *Norman* Race lie acroſs in his way, and are againſt this Notion of the Doctor, which are directed commonly *Omnibus Baronibus*

nibus ſuis Francis & Anglis; or elſe *Omnibus Fidelibus, Francis & Anglis*, of which the Doctor himſelf has given us indeed a large Catalogue, where theſe Words are inſerted: yet notwithſtanding the words *Francis & Anglis* are ſo often diſtinctly made uſe of, not only in the Charters of thoſe Kings, but alſo in thoſe of their Earls and great Barons, which were ſent to their Tenants or Feudataries with the ſame directions; yet however the Doctor thinks to get over this by the like ſlight of hand, as he did the former, and will needs have this great variety of Directions in all thoſe Charters to be "mere forms and no-"thing elſe, and that they were never deſigned to diſtinguiſh the Ex-"traction or Countries of thoſe to whom they were directed, ſeeing "the *Engliſh* were no ways concern'd in them as to their Contents, "either in point of Intereſt, or any advantage they were to receive "by them.

Gloſſ. p. 10, 11.

ALL which is merely *gratis dictum*, and without any manner of proof: for can any Man that underſtands common ſenſe believe, that theſe Kings, or their Chancellors, or even thoſe Clerks that drew theſe Earls and Baron's Charters, would in an Age that ſo much abhor'd multiplying Words and unneceſſary Forms, cumber their Patents and Charters with thoſe idle Directions of *Francis* and *Anglis*, had there not been ſome real ground for them at firſt? And that there was ſo in ſome of thoſe Charters cited by the Doctor, he himſelf grants, and particularly in that of King *William* the *Firſt* to the City of *London*, which being in old *Engliſh Saxon*, he thus tranſcribes, "*William* King "greets *William* the Biſcop, and *Godfrey Portrefan* et calle ya *Burghwaren* "binnen *London Frenciſſe & Engliſce*; That is, King *William* greets *William* the Biſhop, and *Godfrey* the Port-Reve, and all the Inhabitants of the Burgh within *London*, *French* and *Engliſh*. Here, I ſay, the Doctor grants, that theſe words *French* and *Engliſh* are to be underſtood in their natural and proper ſignification; "For, ſays he, "at King *William*'s firſt entrance, many *Engliſh* enjoy'd their Eſtates, "and Titles, as they had done before his coming; and it may be "ſome of them until he had wholly ſubdued the Nation: ſo that "by *French* and *Engliſh* in this Charter, the *Saxons* and *Normans* are "to be underſtood as diſtinct; and indeed in Burghs and Trading "Towns thoſe words may be ſo underſtood at all times.

Ib. p. 10.

Ib. p. 15.

SO likewiſe in that Charter of *Roger* Earl of *Warwick*, cited by the Doctor, directed *Omnibus Baronibus ſuis & Burgenſibus, & Omnibus Hominibus ſuis Francis & Anglis, ſalutem.* By which Charter he confirm'd divers Lands, *&c.* to the Churches of *St. Maries* and *All Saints* (I ſuppoſe in *Warwick*:) whence it is plain, that this being directed to all his Barons and Burgeſſes of *Warwick*, and to all his men or Tenants, both *French* and *Engliſh*, theſe laſt words muſt refer to all that goes before; and if there were *Engliſh* Burgeſſes in that Town, which I ſuppoſe the Doctor will not deny, I cannot ſee any reaſon why he ſhould not have had alſo *Engliſh* Barons or Tenants under him, as well as *Frenchmen* or *Normans*, eſpecially if the word *Baron* be taken in the ſenſe the Doctor himſelf allows it in his Preface to the *Norman* Hiſtory; when citing a Charter of King *Henry* the *Firſt* directed * *Samſoni Epiſcopo, & Urſoni de Abitot, & Omnibus Baronibus* Francis & Anglis de *Wirceſtreſcira, Salutem:* Upon which word *Baronibus*, the Doctor at the very bottom of this leaf has this note; "That by theſe *Barones* here,

P. 143.

* i.e. *Biſhop of* Worceſter.

" are to be underſtood *Milites*, ſuch as held by Military Service, or " *Barones Minores*, Lords of Towns or Mannors, or perhaps Free- " holders, which, if any, were then of better account, before Town- " ſhips, Mannors and Lands were parcell'd out into ſmall Diviſi- " ons.

NOW I deſire the Doctor to give me any tolerable good reaſon, why theſe *Barones*, the ſmaller ſort of Barons or Freeholders, might not have been Native *Engliſh*-men, as well as Foreigners, ſince they might ſtill have been dependent upon other Lords, whither *Engliſh*-men or *Normans* it matters not? But perhaps he will ſtill urge, " That the words in many of thoſe Kings Charters cannot be taken " in that general ſenſe, they being often directed, not only *Omnibus* " *Baronibus*, or *Fidelibus* in general, but *Omnibus Baronibus & Fideli-* " *bus ſuis*, by which none elſe can be underſtood but the King's own " Barons or Tenants *in Capite*; ſo that, ſays he, if theſe Directions " were made with intention of a diſtinctive Note, between the Old " *Engliſh Saxon*, and new *French* or *Norman* Barons, 'tis ſtrange " that after the *Conqueror* was firmly eſtabliſhed in the Throne, and " at the very time of making ſome few of theſe Charters in and to- " ward the end of his Reign, and of the others in the Reigns of " *William* the *Second*, and *Henry* the *Firſt*, &c. not one *Engliſh Saxon* " Baron ſhould be found or heard of: from whence he concludes 'tis " evident, if real Barons were meant or intended by the words *Barones* " *Franci & Angli*, the *Engliſh* Barons cover'd under thoſe Expreſſi- " ons, could be no other than ſuch as had been born in *England* of " *Norman* Parents, or ſuch as came in with the *Conqueror*, that had " great Eſtates given them, and made their conſtant abode in *Eng-* " *land*; and the *Norman* Barons no other than ſuch as had great " Eſtates and Baronies in *England*, as well as they had in *Normandy*, " where they either altogether, or for the moſt part reſided, and were " not in *England* but upon extraordinary Occaſions, and extraordi- " nary Summons; and differ'd not from the others by National Pa- " ternal Deſcent, or Extraction, but only by National Reſidence, or " Nativity; from whence they had their Denominations of *French* " and *Engliſh*. So far the Doctor.

THEN at laſt this whole diſpute may be reduced into this ſingle Aſſertion, That tho the Leſs Barons, or Lords of Mannors, who held of *French* or *Norman* Lords, might be *Engliſh*, and ſo hold their Eſtates of them; yet that under theſe words *Baronibus*, or *Fidelibus ſuis*, ſo often uſed in King *William* and his Succeſſors Charters, no real Barons, or Tenants *in Capite* could be meant, becauſe no ſuch men of the *Engliſh Saxon* Extraction were then to be found or heard of; and therefore only *Normans*, or of *Norman* Race, who had great Eſtates in *England*, muſt be here intended, under the Titles of *Francis & Anglis* above-mention'd. This is indeed a meer begging of the Queſtion; for I think I have already ſufficiently proved, that not only in the beginning of King *William*'s Reign, but alſo at the very time when *Doomſday*-Book was made, there were a competent number of Native *Engliſh* Tenants *in Capite* in all or moſt Counties of *England*, ſufficient to juſtify the Direction of theſe Charters to have been ſome- what more than mere matter of Form: and therefore the Doctor's Suppoſition is altogether airy and groundleſs, when he will needs have

the words *Norman* or *French* Barons mentioned as well in our Hiſtorians, as in theſe Charters, to mean only ſuch as had Eſtates, both in *England* and *Normandy*; for if this had been all the difference, it would not only have been a very confus'd, but alſo a very needleſs and impertinent way of writing; for why ſhould theſe be called *Norman* Barons, only becauſe they had Eſtates in *Normandy* as well as in *England*, ſince no man in the Laws, or Charters of this Kingdom, is ever called an Earl or Baron of a *Foreign* Country, when his chief Title and Eſtate lies in this? And I deſire the Doctor to tell me, when after King *James* the *Firſt* (who was alſo King of *Scotland*) became King of *England*, he had created the Duke of *Lenox* Duke of *Richmond*, and advanced ſome Earls and Barons of *Scotland* to the like Titles in *England*, in which (as well as in *Scotland*) they then had Eſtates; if that King ſhould have iſſued out a Charter or Proclamation concerning ſomething to be done or obſerved by them in *England*, and had directed it to all his *Engliſh* and *Scotiſh* Dukes, Earls and Barons, whither any man would at this day underſtand by theſe Titles, that the King meant only ſuch *Scotiſh* Noblemen as had Eſtates no where but in *England*, and by *Scotiſh* Barons only ſuch Noblemen of that Nation as had Eſtates in both Kingdoms. Now if it were abſurd to underſtand a Charter of our own Age in ſo forced a ſenſe, it is much more ſo to think it could have been ſo underſtood in Charters made above ſix hundred years ago, when they were much plainer in their own Expreſſions, and not ſo much given to needleſs Formalities and empty Tautologies, as we often find in the Charters and other Writings of later times.

I HAVE dwelt the longer upon this Head, becauſe the Doctor has taken ſo much Pains, by all the Artifices that forc'd Interpretations, and wreſting of Words could afford him, to evade the moſt plain and evident Teſtimonies which either Hiſtorians or Records can afford us, to prove, that the old *Engliſh Saxon* Nobility and Gentry had ſtill ſufficient Eſtates left them during the Reigns of the four or five firſt Kings of the *Norman* Race, as to give them the Title of Barons of the Kingdom, as well of the Superior as Inferior Order; but whither the Doctor has handled this Queſtion as becomes a Perſon of that Candour and Ingenuity he deſires to be thought Maſter of, I ſhall leave to the indifferent Reader to judg.

I COME now to the next Point in Controverſy, *viz.* Whither King *William* alter'd the moſt conſiderable part of the Old *Engliſh Saxon* Laws, and introduced New ones from *Normandy*, which he impos'd upon the Nation by his own ſole Authority: and the Doctor's Reaſons for this Aſſertion I will here examine, and ſhall begin with his Anſwer to Mr. *Petit*'s Book, intituled, *The Rights of the Commons*, &c. *Aſſerted*; where the Doctor gives this, as a main Reaſon for
P. 14. his pretended Conqueſt, That it appears, firſt, by his (*viz.* King *William*'s) bringing in a *New Law*, and impoſing it upon the People; and 'tis clear he did ſo: The Juſticiaries or Chief Juſtices, the Chancellors, the Lawyers, the Miniſterial Officers, and Under-Judges, Earls, Sheriffs, Bailiffs, Lords of Mannors, and Hundredaries, were all *Normans*, and that from his firſt coming, until above a hundred years after, as he pretends to make it out by particular Inſtances, and undeniable

niable Reaſons, were not the Catalogues too long to be inſerted: "If therefore, ſays he, the Officers above-mention'd, *viz.* all ſuch "as heard Cauſes, and gave Judgment, were *Normans*; if the Law-"yers and Pleaders were alſo *Normans*, the Pleadings and Judgments "in their ſeveral Courts muſt of neceſſity have been in that Lan-"guage, and the Law alſo, the *Norman* Law; otherwiſe they had "ſaid and done they knew not what, and judged they knew not "how; eſpecially when the Controverſies were determined by Mi-"litary men, Earls, Sheriffs, Lords of Mannors, *&c.* that under-"ſtood not the *Engliſh* Tongue, or Law: or when the chief Juſtici-"ary himſelf was a *Military* Man, as it often happen'd, and under-"ſtood only the *Norman* Language.

IN anſwer to theſe Arguments brought by the Learned Doctor, tho it ſhould be granted that the Chief Juſticiaries, the Chancellors, Chief Juſtices, and other Great Officers of the Crown, were all, or the greateſt part of them, *Normans*, during the Reigns of the four or five firſt Kings of the *Norman* Race; yet does it therefore follow that theſe made a change in the very Subſtance of our Laws? tho in Matters of Form, as in Pleadings, or other Judicial proceedings, they might have introduced great Alterations: For as to the Body of the Municipal Laws of this Kingdom, concerning the Deſcent and Conveyance of Eſtates, they remain'd the ſame after the coming in of the *Normans*; and Lands held by Military Service deſcended to the eldeſt Son before the *Conqueſt*, as Lands in *Free Soccage*, and *Gavel-kind* to all the Sons alike, as at this day. So likewiſe there were Eſtates in Tail, and Fee-Simple, as now: And there were alſo the like Cuſtoms of the Courteſy of *England*, *Burraugh-Engliſh*, as there are at this day, which I can prove by ſeveral Paſſages out of our *Engliſh-Saxon*-Laws. So likewiſe for Conveyance of Eſtates, thoſe of the better ſort of People, which were called *Bockland*, were conveyed by Deeds, with *Livery* and *Seiſin*, either with or without Warranty, as now: But that which was called *Folkland*, and held by the meaner ſort, were only by *Livery* of *Seiſin* without any Writing. And admit I ſhould grant that the Cuſtom of ſealing of Deeds is derived from the *Normans*, yet that is an Alteration only in matter of Form; and however, it was in uſe before the pretended *Conqueſt* among Perſons of the beſt Rank, as *Ingulph* expreſly tells us, being a Cuſtom brought in by *Edward* the *Confeſſor* out of that Country.

AS for Goods and Money, they were bequeathable by a Man's laſt Will, as well before as after the *Dr*'s *Conqueſt*; and if the Reader can have the opportunity to peruſe a *MS.* Treatiſe of Sir *Roger Owen*'s upon this Subject, he will find it there ſufficiently proved, that *Livery* of *Seiſin*, Licenſes, or Fines for Alienation, Daughters to inherit as Copartners, Trials by Juries, Abjurations, Outlawries, Coroners, diſpoſing of Lands by Will, Eſcheats, Wrecks, Warrantjes, Forfeiture of Felon's Goods, and many other parts of our Common Law, were in being long before the time of King *William* the *Firſt*.

NOW if this was ſo as to the Municipal Law, let us ſee what Alterations there were made in the Criminal, or Crown-Law: Firſt, as to Treaſon and Wilful Murther, they were puniſhed with Death in the *Saxon* times as well as after; as were alſo Robbery and Burglary in the Night-time. And as to leſs Offences, ſuch as Batteries, Maihems,

hems, Robberies, and other Breaches of the Peace, they were puniſhed by *Fine*, as well before the *Conqueſt* as after: but as for the Law of *Engleſcherie*, which was, that if a Man were found murthered, it ſhould be preſumed he was an *Alien* or *French*-man, and the Town where the Body was found was to be fined, unleſs *Engleſcherie* was made out, *i. e.* that the Perſon was an *Engliſh*-man: this Cuſtom laſted to the Reign of *Edward* the *Third*, and then it was taken away by a Statute made on purpoſe: And tho this may ſeem a Badg of the *Norman* Conqueſt, yet it was indeed a Law introduced by King *Knute* in behalf of his *Danes*, who being often found killed, and none could tell by whom, he got this Law to be made to prevent it, as you will ſee at large in * *Bracton*, and the *Mirrour* of *Juſtices*. But as for the Trial of all Offences, whatever it was, either by Juries, Fire, or Water-*Ordeal*, or elſe by Witneſſes or Compurgators upon Oath, as well before as after King *William*'s Entrance; I can find nothing material touching the Alterations of the Criminal Laws as to the manner of Trials, from what they were in the *Saxons* time.

* Lib. 3. de Coron. c. 15.

ALL this being ſo, it may eaſily be made out how the Juſticiaries, and other Great Officers mention'd by the Doctor, might be *Normans*, and yet the main Body of the Laws continue *Engliſh* ſtill: For, firſt it is certain (and the Doctor himſelf grants it) that for four or five years in the beginning of King *William*'s Reign, he made no great alteration in the Judges, Sheriffs, and other Officers of the Kingdom; and then thoſe whom he was afterwards pleaſed to put into the rooms of ſuch *Engliſh*-men as either died or were turned out, might very well be ſuppoſed to underſtand the Laws of *England*, as far as they differed from thoſe of *Normandy*, which was not in very many particulars, as the Doctor himſelf likewiſe admits, and very well obſerves, that the *Saxons* and *Normans* being both *Northern* People, had many of the ſame Laws and Cuſtoms common to both; ſo that the *Norman* Judges in three or four years time, might very well have learned *Engliſh* enough to have underſtood the Evidence of the Witneſſes, without any Interpreter, I mean in Inferior Courts in the Country.

BUT ſuppoſe all the Pleadings and Judgments were in *French*, it does not therefore follow that all the Lawyers and Pleaders muſt be *French*-men too; for why might not the *Engliſh* Lawyers have learn'd *French* enough, to be able to plead Cauſes in that Language in four or five years time? which muſt neceſſarily be required before ſo great an Alteration could be made, or that Pleaders enough could be brought out of *Normandy*, and ſufficiently inſtructed in our Laws and Cuſtoms, ſo as to be fitted for their Employments. Again, ſuppoſing the Pleadings and other Proceedings to have been in *French*, it does not follow that this Practice could have obtained in all the Courts of *England*: for tho I ſhould grant that 'twas ſo in the King's Courts at *Weſtminſter*, where many of the Judges were *French*-men or *Normans*; yet this could only have effect either in that Great Court, or *Curia Regis*, where the King often ſate in Perſon, together with his Chief Juſticiary, and other Juſtices his Aſſiſtants (for as for the Court of *Common-Pleas* it was not then ſeparate from the *Kings-Bench*) or elſe in the Court of *Exchequer*, where in thoſe days Matters concerning the King's Debts, Lands and Revenues, were chiefly heard and

* diſpatched.

diſpatched. But as for the Court of *Chancery*, it was not then uſed as a Court of *Equity*, nor long after, not until the Reign of *Henry* the *Sixth*: and then it aroſe by degrees, as you will find in Sir *William Dugdale* his *Origines Juridiciales*.

SO that I ſay, granting all the Proceedings in theſe Supreme Courts to have been in *French*, for the Reaſons already given, yet was this of no great importance in compariſon of the far greater number of Suits and Cauſes which were firſt begun, try'd and determined in the Inferior Courts in the Country, before ever they could be brought up to *London* by Writ of Error, or other Writs of like nature, and which could only be in Cauſes of great moment, or between the King's Tenants *in Capite*: for I think it can be well enough made out, that moſt Law-Suits in thoſe times were begun in the Court-Barons, or elſe in the Hundred or County-Courts, and were there diſpatched, and were very rarely (unleſs between Great and Eminent Perſons) removed to *London*.

THE like I may ſay of all Criminal Caſes, as Treaſons, Murthers, and Felonies, which were then commonly tried before the Sheriff at the *County-Court*, or elſe within the particular Juriſdictions of Biſhops, Abbots, or Great Lords; Or, laſtly, of ſuch Citys and Towns as had the Privileges of *Infangthief* and *Outfangthief*, together with *foſſa* and *furca*, that is, a Pit to drown in, and a Gallows to hang Malefactors upon, before their own *Seneſchal*, or other Officer; Juſtices Itinerant not being aſſigned for theſe purpoſes till long after, in the Reign of *Henry* the *Second*.

BUT Dr. *Brady* is either ſo ignorant, or unmindful of this, both in his Anſwer to Mr. *Petyt*, as alſo in his *Gloſſary*, that he will not allow any Free-men to owe Suit or Service to the County-Court, but only Tenants *in Capite*, or other Tenants by Military Service: which he endeavours to prove from the 58*th* Law of King *William* the *Firſt*, whereby it is ordain'd, *That all Earls, Barons, Knights, and their Servants or Eſcuyers, and all Freemen of our whole Kingdom, be always fitted with Horſe and Arms as they ought to be, and always ready to perform the whole Service to us* (viz. *the King*) *when there ſhall be need; and which they ought to do according to, and by reaſon of, their Fees and Tenures.* Tit. Liberi Homines, Liberi Tenentes.

AND theſe (ſays the Doctor) were the only Legal men that named and choſe Juries, and ſerved on Juries themſelves, both in the County and Hundred-Courts, and diſpatched all Country buſineſs under the ſaid Great Officers, as will (ſays he) appear by the next Law, with his Explication upon it: Yet farther grants in the next Paragraph, that beſides the Tenants *in Capite*, ſome of the greateſt of their Military Under-Tenants, were often Sheriffs, Hundredaries, and other Judges, and Miniſterial Officers in their ſeveral Counties; and the Judgment they were to give, and the Juſtice they were to do by this Law (beſides that in their own Courts and Juriſdictions) was principally, as they were Jurors or Recognitors upon *Aſſizes*, &c. As may be ſeen in *Glanvil* almoſt every where, but eſpecially *Lib.* 2. *c.* 10, 11. *Lib.* 9. *c.* 7. *c.* 13. and *Lib.* 13. throughout. And that this, of being Suitors to the County and Hundred-Courts, *&c.* was a Service incident to their Tenures.

Ib. P. 20. AND in the next Page but one, the Doctor ſays, "The truth is, "the greateſt part of the Antient Law under our firſt Kings after the "Conqueſt, was the *Feudal* Law, brought hither by the *Normans*, "under whom it was more rigidly exacted and obſerved than in the "*Saxon* times, and that by, and only upon the *Normans* themſelves; "for the *Engliſh* had neither Eſtates nor Fortunes left, and therefore "it could be no great matter to them by what Law, Right or Pro-"perty other men held their Eſtates.

IN anſwer to which I ſay, that tho the Doctor is ſo far in the right, that none but Freemen, or Freeholders, then ow'd Suit and Service to the *County-Court*, or could judg Cauſes therein; yet he is under a very great miſtake, when he will confine thoſe Freemen who owed this Service, to none but the Tenants *in Capite*, or their Under-Tenants by Knight's-Service; ſince even Tenants in *Free Soccage*, albeit they poſſeſſed but a ſmall quantity of Land, were likewiſe obliged to appear at the *County-Court*, as is eaſy to be proved, ſince the very ſame Perſons who were Suitors or Judges in the Court of the Hundred, were alſo Suitors or Judges in that of the County. And this I prove from * Sir *Hen. Spelman's Gloſſary*, *Eſt autem Hundredus portio Comitatus, qua olim degebant Centum pacis regiæ Fide-Juſſores, alii Decuria, qua decem; complexus eſt igitur Hundredus decem Decurias, at Centenarius numerus, Decies denarium.* Now that the *County-Court* conſiſted of the ſame ſort of Perſons with that of the *Hundred*, is alſo as certain, ſince all *England* was then, as now, divided into Counties, Hundreds and Tythings: ſo that as the *Hundred-Court* conſiſted of a hundred Perſons, who had all given Pledges to the King; ſo did the *County-Court* conſiſt of all the Freeholders or Freemen of the ſeveral Hundreds of the County, who all owed Suit and Service to it; and as ſuch were returnable upon Juries on *Aſſizes* or *Trials*, until the Statute of *Weſt.* II. which limited them in *Aſſizes* or *Trials*, to Perſons that could diſpend no leſs than twenty Shillings yearly, unleſs ſuch Aſſizes and Juries were taken out of the Shire, and then they muſt be of ſuch as were able to diſpend forty Shillings *per Annum* at the leaſt, which was in thoſe days as much in proportion as forty Pounds at this day.

* Tit. Hundredus.

Cap. 37.

BUT to come more cloſely to the Queſtion in hand; I ſhall now proceed to prove, from Dr. *Brady's* own words, that thoſe who ſerved upon Juries in *William* the *Conqueror*, and his Son's Reigns, were for the moſt part *Engliſh*-men, and not *Normans* or *French*-men; and for this end I ſhall here tranſcribe them *verbatim* from his Treatiſe intituled, *Animadverſions upon Mr. Atwood's Book*, called, *Jani Anglorum Facies Nova*. The Doctor's words are theſe;

P. 192.

"IN Trials of *Novel Diſſeiſins*, and for the Poſſeſſions of Lands, "Cuſtoms, Services, &c. the Juries at the time of the Conqueſt, and "in ſeveral of the Kings Reigns next ſucceeding, were impanel'd out "of the ſame Town and Neighbourhood, of ſuch as did know the "Land, and things in Queſtion, and who had been poſſeſſed of it, "and for what time; and to this purpoſe in an *Aſſize*, if none of the "Jurors knew the Right it ſelf, or Truth of the matter, and did "teſtify ſo much to the Court upon Oath, Recourſe was then had to "others, until ſuch were found who did know the Truth; but if "ſome did know the Truth, and others not, thoſe that knew it not

Grand Cuſtom. f. 93. a. c. 69. de Jure. f. 113. b. c. 93. de brief de Novelle Diſſaiſine. Glanv. l. 2. c. 17.

"were

" were put by, and others called into the Court, until Twelve at leaſt " ſhould be found to agree therein. And for this Purpoſe it was, that " all Suitors to the Hundred, and County-Court, were bound to ap- " pear there under great Penalties, that there might be a Jury of " ſuch as knew whoſe the Land was.

NOW that thoſe Jury-men who ſerved upon Trials of the greateſt moment during King *William*'s Reign, muſt have been for the moſt part *Engliſh*, appears from this very Authority. For if any Diſpute about a Title to Lands did ariſe, as for example, who was Owner of it in the time of King *Edward* the *Confeſſor*, how could any but Natural *Engliſh*-men, or ſuch *Normans* who were ſettled here before the Doctor's Conqueſt, know, or be able to teſtify, who was then Owner of the Land in queſtion? For certainly the *Normans* lately come over could know little or nothing of the matter; and of this the Doctor alſo has given us another undeniable Teſtimony, from *Doomſday*-Book, where it is thus found, *Teſtatur Hundredus, Teſte Hundreda*, i. e. the *Hundred* witneſſeth, that ſuch Lands were in ſuch a Man's poſſeſſion; or by witneſs of the Hundred, ſuch Lands were in ſuch a Man's Poſſeſſion; and bids us ſee the Claims in *Yorkſhire*, *Lincolnſhire* and *Suffolk*, at the end of that Book: which places if any one pleaſe to conſult, he will find, that moſt of the Claims there mentioned were concerning who were the true Owners of the Lands in queſtion in *Edward* the *Confeſſor*'s time: and therefore the *Hundred*, that is, the Juries, or *Teſtes* impannell'd from thence, muſt have been ſuch Native *Engliſh*-men as very well knew the Matter of Fact.

AND this I ſhall be able to prove from ſeveral Inſtances made uſe of by the Doctor himſelf, and particularly that famous Tryal mention'd in **Eadmerus*'s Hiſtory, between Arch-Biſhop *Odo* and Arch-Biſhop *Lanfranc*, concerning divers Manors and Lands in *Kent* and other Counties, which this Author thus relates: The King commanded all the *Chief* and honeſt Men, not only of the County of *Kent*, but of divers other Counties in *England*, to be aſſembled; and then that the Complaints of Arch-Biſhop *Lanfranc* ſhould be produced, heard, and determin'd by them at *Pinnedene* Heath; whereupon *Geoffrey* Biſhop of *Conſtance*, ſupplying the * King's Abſence, did the Arch-Biſhop Juſtice upon theſe his Complaints? * P. 9. Primores & probi viri. * Vice-Regis.

THAT is, He was then the King's Juſticiary, and ſate as Chief Commiſſioner; and that it was a plain County-Court, held before Extraordinary Commiſſioners, conſtituted by King *William*, as alſo who were the Witneſſes, or Jurors, the Doctor tells us in the ſame place, *viz.* That they were the Suitors to the County-Court, being the *Primores & Probi viri* above-mention'd, not only of the County of *Kent*, but of other Counties of *England*, where theſe Lands then lay: " But, ſays he, it can be no way probable that the ordinary " Freemen who made the greateſt number, and were all bound to " their Good-behaviour, could be the *Probi & Legales homines* that " then ſerved upon Juries. P. 193.

ALL which I ſhall for the preſent allow him, tho that Inferior *Military* Tenants were alſo called Barons as well as the Tenants *in Capite*, is apparent from thoſe many Charters of Great Lords, and Tenants *in Capite* in thoſe times, directed (as hath been already obſerved) *Omnibus Baronibus ſuis, Francis & Anglis*: But let theſe Chief

Chief and Honeſt men, the Jurors, be whom the Doctor pleaſes, that they could have been none other but down-right *Engliſh*, appears from the Iſſue joyn'd between the Arch-Biſhop the Plaintiff, and Biſhop *Odo* the Defendant, which was, Whither *the Church of* Canterbury *was ſeized of thoſe Lands or not at the time when King* Edward *was alive and dead?* as appears by all the Circumſtances of the Caſe, tho the Writ it ſelf is not extant: but that all or the greateſt part of theſe Jury-men were *Engliſh*, is plain, by a more particular Relation of this matter in the Antient *Manuſcript* of the Church of *Rocheſter*, called *Textus Roffenſis*, which was written by *Ernulph* who was conſecrated Biſhop of that Church, *A. D.* 1115. not fifty years after the ſuppoſed Conqueſt, and is thought to have wrote this Hiſtory but a few years after his Conſecration; and it does not only contain a Hiſtory of this Church, but alſo many things relating to that of *Canterbury*, and particularly this great Trial above mention'd, in theſe words, *Præcipit Rex Comitatum totum abſque morâ conſidere, & homines Comitatus omnes, Francigenas, & præcipuè Anglos in antiquis legibus & conſuetudinibus peritos, in unum convenire*: i. e. the King commanded the whole County to meet, and all the men thereof, *viz.* the *French*, but chiefly the *Engliſh* skill'd in the antient Laws and Cuſtoms, to aſſemble together. Then this Author proceeds further to inform us of the Iſſue of this Great Cauſe which took up the whole County no leſs than Three days, in which time the Arch-Biſhop * *recovered by pleading* many Lands which Biſhop *Odo* and his Tenants at that time held; and then concludes with telling us who were preſent beſides the Judges or Commiſſioners, *viz.* divers other Biſhops, *Algeric* Biſhop of *Chicheſter* a very old man, *& Legum Terræ ſapientiſſimus, moſt learned or skilful in the Laws of the Land*, who was carried thither in a *Waggon* by the King's Command, *ad ipſas antiquas Leges & Legum conſuetudines diſcutiendas & edocendas*; to inſtruct them, *viz.* the Judges, in the antient Legal Cuſtoms: and he adds farther, that there were alſo there as Auditors or Spectators, many Barons of the King and of the Arch-Biſhop, beſides divers others of ſeveral other Counties, being men of great Authority, both *French* and *Engliſh*.

*Diratione vit plures terras.

NOW what can be more expreſs than that not only moſt of the Jury-men of this County were *Engliſh*, but that alſo the Law they judged by was the *Engliſh* Law? or elſe what need was there for this old Biſhop to be brought ſo far, to inſtruct them in it?

NOW that theſe *French* and *Engliſh* could be no other than *Primores & Probi viri* (mention'd in *Eadmerus*) the Suitors to this County-Court, who were ſummon'd to try this Great Cauſe, I ſuppoſe the Doctor himſelf cannot deny, tho in his Anſwer to Mr. *Atwood* he ſlightly paſſes over this part of the Authority, becauſe he knew it was not to be anſwered; nor do I know what he can ſay to it, but that theſe *Engliſh*-men might appear as Suitors to this County-Court, becauſe it being held within the firſt Four years of King *William*'s Reign, the *Engliſh*-men of *Kent*, and thoſe other Counties mentioned by the Doctor, were not then turn'd out of their Eſtates. But this Subterfuge will not help him neither; for it is certain, that *Lanfranc* was not conſecrated Arch-Biſhop till *An. Dom.* 1070, being the Fourth year of this King's Reign; and all the reſt of that year he was taken up in the Diſpute between him and *Thomas* Arch-Biſhop of *Tork*,

Animad. on Jo n. Angl. &c. 193.

York, and could not then have any time to begin a Suit about thoſe Lands detain'd from this Church: and the year following he went to *Rome* to fetch his Pall, and ſpent moſt of it in his Journey and ſtay there; ſo that it could not be ſooner than two or three years after his Election, *viz.* about *A. D.* 1072, or 73. that he had this Trial with Biſhop *Odo*, which falls out as many years after the time the Doctor ſuppoſes the *Engliſh* to have already been turn'd out of their Eſtates by his *Conqueror*, and the whole Kingdom divided among his Followers.

BUT I now come to our next Authority from the Antient Manuſcript Book of *Ely*, which was written in the time of King *Henry* the *Firſt*, and is at preſent in the *Cottonian* Library; as is alſo another antient Copy in the Hands of the moſt Learned Doctor *Gale*, Dean of *York*; in the Second Book of which Hiſtory *Cap.* 91. that Author tells us, " That in the Second *Indiction* that fell in this King's Reign, " there was a Diſcuſſion of the antient Rights and Liberties of the " Abby of *Ely*; which thro the King's Prohibition, and the un- " juſt oppreſſion of his Miniſters, had now layn * 14 years neglected " and ſtifled; but at laſt the King being touched with the hope of " Divine Mercy, commanded by the Biſhop of *Bayeux*, theſe matters " to be diſcuſſed. Whereupon there was a meeting or Trial of the next adjacent Counties aſſembled at *Kenetford*, at which were preſent the Abbots of St. *Edmonds-bury*, *Chertſey*, *Croyland* and *Holme* (their Names I omit) who appeared together with their *French* and *Engliſh* Tenants: There were alſo the King's Commiſſioners, whoſe Names being mentioned in the following Writ, I likewiſe paſs by: There were beſides preſent the Sheriffs of four Counties, *viz. Eſſex*, *Hereford*, *Huntington*, and *Bedford*; with very many approved Knights (or *Military* Tenants) both *French* and *Engliſh*, who put an end to this Diſſenſion, and gave Sentence for the Abbey in theſe words; *That Queen* Etheldreda *(the ſuppoſed Saint or Patroneſs of this Abbey) ſhould enjoy all that was Hers, according to the Privileges of the Kings*, Edgar, Ethelred, *and* Edward, *free from all Servitude.*

* i.e. *from the beginning of this King's Reign.*

AND that this Judgment was alſo for Lands, as well as Liberties, appears by this Writ of Poſſeſſion, which the Doctor himſelf hath tranſcribed from Mr. *Atwood's Janus Anglorum*; *Willielmus Anglorum Rex, Omnibus Fidelibus ſuis & Vicecomitibus, in quorum Vicecomitatibus Abbatia de* Hely *terras habet, ſalutem. Præcipio quod Abbatia de* Hely *habeat Omnes Conſuetudines ſuas*, &c. *has, inquam, habeat, ſicut habuit die qua Rex* Edvardus *fuit vivus & mortuus*; *&, ſicut mea juſſione dirationatæ ſunt apud* *Keneteford, *per plures ſcyras ante meos Barones, viz.* Galfridum *Conſtantienſem Epiſcopum, &c.* with the other Commiſſioners Names needleſs here to be recited. In *Engliſh* thus; " William *King of* England, *to all his Faithful Subjects and Sheriffs*, " *in whoſe Sheriffdoms the Abbey of* Ely *hath Lands, greeting. I com-* " *mand that the Abbey of* Ely *have all its Cuſtoms*, &c. *thoſe, I ſay, let* " *her have, as ſhe had them the day in which King* Edward *was alive* " *and dead; and as by my Command they were proved to belong to her,* " *at* Kenetford *by many Shires* (that is, by the Suitors to the *County-* " *Court* of many Shires) *before my Barons*, viz. the Commiſſioners " above-mentioned. And preſently after follows in the ſame Book " another Writ of this King's, which ſeems to be a Writ of Right

Ibid.

* *A ſmall Town in* Suffolk *near* Newmarket.

" and Poſſeſſion joyned in one, which is directed to Archbiſhop *Lan-*
" *franc*, *Roger* Earl of *Moreton*, and *Geoffrey* Biſhop of *Conſtance*,
" commanding them to cauſe to be aſſembled all the *Shires* which
" were preſent at the Plea held concerning the Lands of the Church
" of *Ely*, before my Wife (*i.e.* the Queen) laſt came into *Normandy*;
" with whom alſo may be preſent as many of my Barons as there can
" well, that were preſent at the ſaid Plea, and do hold the Land of the
" ſaid Church: Who being aſſembled, may chuſe as many of ſuch
" *Engliſh*, as know how the Lands belonged to the ſaid Church on the
" day of King *Edward*'s death. And then follows a Clauſe of Reſti-
tution.

FROM all which Teſtimonies we may draw theſe Concluſions:

FIRST, That theſe Proceedings were agreed before a *County-Court*.

SECONDLY, That the Suitors or Jury-men were partly *French* and partly *Engliſh*-men, all Freeholders, or men of Eſtates, who knew the Matter of Fact, and were able to try this Iſſue, *viz.* to whom thoſe Lands belonged when King *Edward* was alive and dead.

THIRDLY, That theſe *Engliſh* Gentlemen were poſſeſſed of their Eſtates at the time of this laſt *County-Court*: For tho the Writ be without Date, and that it is difficult to find out the exact time of this meeting, by the Queen's laſt going into *Normandy*; yet it is certain, by the Relation of theſe Proceedings above-mentioned, that the beginning of this Suit was firſt commenced in the ſecond *Indiction*, which falls out in the Fourteenth year of this King's Reign, *viz.* 1079. tho it is very likely that this Writ of Poſſeſſion was not executed till the year following, which is near nine years after the time
* *Compl. Hiſt.* Ib. the * Doctor aſſigns for his *Conqueror*'s ouſting the *Engliſh* of their Eſtates. And if ſo be that many *Engliſh* held their Eſtates ſo near the end of his Reign, why they ſhould not do ſo likewiſe to the very time that *Doomſday*-Book was made, I deſire the Doctor to give us a good and ſufficient Reaſon; as alſo why thoſe *Engliſh* Jurors in the preſent Caſe of the Iſle of *Ely*, ſhould not be the *Primores & Probi viri*, the Chief and the honeſt Men in the four Counties laſt mentioned, as they were out of ſeven Counties at the other Trial at *Pinnedene*, concerning the Lands belonging to the Church of *Canterbury*.

THE Concluſion which I ſhall draw from theſe laſt Precedents, is this, That as great part of the old Tenants of the Land were not chang'd after this pretended *Conqueſt*, ſo neither were the Laws, and manner of Pleading in the County, and other Inferior Courts, from
P. 9. what they were before, as plainly appears by a Paſſage in *Eadmerus*, which immediatly follows after that already cited, and is to this effect; " Alſo another time Biſhop *Odo*, by the King's Permiſſion, be-
" gan a new Plea or Suit againſt the aforeſaid Church, and *Lanfranc*
" its Patron and Defender: And he (*viz. Odo*) produced all thoſe
" he knew moſt skilful in the Laws and Cuſtoms of the Kingdom of
" *England*. The Iſſue of which was, That when the Cauſe came to be tried, thoſe who appeared in defence of the Church, were at the firſt onſet baffled, and loſt all the Cauſes that were then tried, tho indeed *Lanfranc* afterward producing ſome better Evidences which had not appeared before, the firſt judgment at *Pinnedene* was affirm'd; yet however it ſhews, that even Biſhop *Odo* himſelf (as great a Favorite

as

as he was) could not hope (without ſomething of pure *Norman* Law) to prevail againſt the old *Engliſh* Laws and Cuſtoms, which cauſed him to make uſe of thoſe *Engliſh*-men who beſt underſtood them; and that the *Engliſh* Monks were great Pleaders of Cauſes in thoſe times, appears from the Antient *Manuſcript*-Hiſtory of the Abbey of *Abbingdon* in the ſame *Cottonian* Library, where the Author mentions *Sacolus* and *Godric* two Monks, who had pleaded a Cauſe of theirs with that great Skill and Eloquence, that thoſe who heard them became of their Opinion; and ſays, there were at that time many other *Engliſh* Lawyers in that Abbey whoſe Pleadings no body could gainſay: and therefore the Doctor is very much miſtaken in inferring from one ſingle place in *Malmesbury*, which ſays, that there was in his Time no Clerk but what was a Pleader; that therefore all Pleaders in the County, and other Inferior Courts were *Normans*, or *French-men*, unleſs he could alſo prove, that all the Judges in thoſe Courts were of that Country; the contrary to which I have already proved.

Claudius B. 6. L. 2. p. 134. Ib. p. 154.

BUT the Doctor may ſay, if he pleaſes, that they pleaded all in *French*; which is altogether improbable, ſince the Suit mention'd in that Book was commenced in the County-Court, where I have already made it out, that *Engliſh*-men were not only Suitors, but Judges alſo of the Matter of Fact, and conſequently muſt have heard thoſe that open'd the Evidence ſpeak in the ſame Language.

I SHALL conclude this Head with another Precedent out of the ſame Book of *Rocheſter* (which I ſhall here contract) in the relation of a Suit between *Gundulph* Biſhop of that Church, and *Picot* Sheriff of *Cambridg-ſhire*, for certain Lands which belonged to *Fracenham*, which the Sheriff ſaid belonged to the King, and the Biſhop affirm'd to belong to his Church: and thereupon the King commanded that all the men of that County ſhould be aſſembled, and that the Cauſe ſhould be determin'd by their Judgment to whom the Land of Right belonged: But they being all met (for fear of the Sheriff) adjudged that it belonged to the King, and not to that Church. The reſt of this Relation being long, I ſhall thus contract.

Vid. Text. Roffenſ. *printed in* Angl. Sacra, Part 1. p. 339.

BUT their Perjury being ſometime after diſcovered, the Biſhop of *Bayeux* (who was then the King's Juſticiary in his abſence) commanded the Sheriff to ſend to him to *London* others of the beſt men of the County, who had confirm'd what the former had ſworn before; and thither he alſo caus'd to be aſſembled many of the beſt Barons of *England*, who being all met together, it was judged, as well by all the *French* as *Engliſh*, that thoſe firſt Jurors were all perjur'd; and being condemned by this Judgment, the Biſhop recovered his Land, as it was juſt and right he ſhould.

FROM whence we may obſerve, that either theſe *French* and *Engliſh* here mentioned muſt refer to the Barons of *England*, or elſe to thoſe *French* and *Engliſh* Jury-men, who might give in their Verdict before them: for I confeſs the place is obſcure, but be it which way it will, the Doctor's old evaſion of turning *French*-men into *Engliſh*, will not here ſerve his turn; ſince, let whom he pleaſes be the Judges, it muſt certainly be determined by the Teſtimony of thoſe *Engliſh*-Freeholders, who knew the Church's Title to thoſe Lands in queſtion, which the new-come *Normans* or *French*-men could not then do.

AND

AND that this Trial happened long after the time the Doctor ſuppoſes the *Engliſh*-men to have loſt their Eſtates, appears from the time of this Biſhop *Gundulph*'s Election, he not ſucceeding in that See till the year of our Lord 1077, being the Eleventh year of King *William*'s
Id. p. 342. Reign, as is evident by the Annals of the Church of *Rocheſter*, printed in the ſame Volume.

I HAVE been more large and particular in theſe Authorities, becauſe they prove at once that there was no ſuch great Change in the Laws, Cuſtoms, Pleadings, and Eſtates of the *Engliſh*, as the Doctor ſuppoſes to have been at this time: nor do I know what he can object againſt theſe plain Authorities, but that they only concern the Lands of Monaſteries; and that the *Engliſh* here mentioned to have appeared and acted as Jurors at theſe County-Courts in all the Tryals above-mention'd, were the Tenants of thoſe Churches and Abbies in whoſe Lands he muſt grant King *William* made no great Alteration; it farther appearing from the Abby-Books here cited, that divers Abbots came to theſe Tryals, attended *cum Hominibus ſuis*, with their Tenants, who were the *Engliſh* that ſerved as Jurymen at theſe County-Courts.

TO which I anſwer, That it does not appear by the Relations of theſe Tryals abovemention'd, that none but thoſe that held of the Church, were Suitors at theſe *County-Courts*; and the Relations of theſe Tryals do not limit it to any particular ſort of Tenants, but ſpeak of all the Men of the County, as well *French* as *Engliſh* in general, to have aſſembled at theſe *County-Courts*; and the *Manuſcript*-Hiſtories of *Abbingdon* and *Ely* above-cited do mention the Names of ſeveral *Engliſh* Noblemen, or Gentlemen, who were at theſe Trials; as alſo of ſeveral others who were either Benefactors, or Tenants to their Church during this King's Reign, and that of his ſon *Rufus*: and particularly that of *Abbingdon* acquaints us, that one *Turkill* an *Engliſh* Nobleman, gave certain Lands to this Monaſtery, which he would not have done had they belonged to it before; and then preſently afterwards it tells us of another *Engliſh* Nobleman called *Leowin*, who bought out-right of the Abbot for ready money the Town of *Newham* (now *Newenham*) being a part of his Patrimony, and lying on the other ſide of the *Thames*. It alſo informs us of one *Anskill*, a Knight of this Church, and one of the *Optimates* of this place (I ſuppoſe he means the Country about *Abbingdon*) for he ſays, he was then Owner of *Suvercurd*, *Speſholt*, and *Baierde*, beſides other Lands. This Gentleman falling into King *William Rufus*'s diſpleaſure upon certain falſe Accuſations, was clap'd up in Priſon, where he ſoon after died; and then the King ſeized the Mannor of *Speſholt*, and gave it to one *Thurſtan* his Steward; but however it is plain, that tho he were an *Engliſh*-man, he till then kept this Eſtate (which was not all held of the Abbey) during the time of this King's Father.

I MIGHT alſo add many Charters of Great *Norman* Lords which are thus directed, *Omnibus Baronibus ſuis, Francis & Anglis*; which words, that they were not meer matter of Form, I have already ſufficiently proved; and which is a plain Evidence to me, at leaſt, that all the *Military* Tenants at that time did not hold only of Monaſteries; but that there were alſo divers of the *Engliſh*-men Tenants *in Capite*, the Doctor himſelf muſt allow, ſince in the Great

Tryal

Tryal at *Pinneden*, he grants, that the *Primores & Probi viri*, not only of the County of *Kent*, but of other Counties of *England*, appear'd as Jurors; the Former being the Great *Military* Tenants that were not Barons, and the leſs who were the *Probi viri:* by which it ſeems the Doctor means by the Former, the Tenants *in Capite*, and by the Latter the Inferior Tenants by Knight's Service; and that great part of theſe were *Engliſh*-men has been already proved.

IT may be alſo further objected, That theſe Writs of Reſtitution by King *William*, were only of the Church-Lands; but that it cannot be ſhewn, that any *Engliſh*-men, when once diſſeized of their Eſtates by the *Normans*, were ever reſtored to them again.

I GRANT indeed, That no private Families could have the Tenures of their Eſtates ſo preſerved, as Cathedral Churches and Monaſteries, the Monks whereof kept *Leiger*-Books of all their Manors and Lands; and how they accrued to them, and were either leas'd for Lives, or ſold out-right: whereas the antient Evidences of private Noblemen and Gentlemen's Eſtates were ſeldom carefully kept, at leaſt for many Generations, but were often loſt, or paſs'd away to Heirs Female, or Executors; or elſe to the purchaſers of their Eſtates, who minded no other Writings than what would ſerve to ſecure their preſent Title. Yet I doubt not, but there are divers Families in *England*, who can at this day by antient Evidences, make out their poſſeſſion of the ſame Lands in their Names from the time of *Edward* the *Confeſſor*.

BUT tho I will not inſtance in the known Story of *Sharnebune*, ſince I own there are juſt Exceptions to be made againſt it, yet I think it may be plainly proved from *Doomſday*-Book it ſelf, that divers *Engliſh*-men held the ſame Lands under *William* the *Conqueror*, which they or their Anceſtors were poſſeſſed of in his Predeceſſor's time, as Mr. *Atwood* has proved by many Inſtances, in his Reply to Doctor *Brady*'s Book, entituled, *Jus Anglorum ab Antiquo*; and that divers old *Engliſh* Proprietors had their Claims allowed at the making of *Doomſday*-Book before the King's Commiſſioners, appears by the Book it ſelf in many Places, as particularly under Title;

Hanteſcire: Samburn Hundred, it is thus recorded.

ALDRED, frater Ode *calumniatur unam Virgat. Terræ de* * *hoc Manerio, & dicit, ſe eam tenuiſſe die qua Rex* † E. *fuit Vivus & Mortuus, & diſſaiſitus fuit, poſtquam Rex* ‖ W. *mare tranſiit, & ipſe dirationavit coram* Regina: *Inde eſt Teſtis ejus* Hugo de Port *& homines de toto Hundredo.*

* Scil. *de Cumtun.*
† i. e. *Edwardus.*
‖ i. e. *Willielmus.*

HERE you ſee there is not only a Challenge of this Yard-Land, becauſe this *Aldred* held it in the time of King *Edward*; but alſo that he pleaded it off, or his Plea was allowed before the Queen, (being the King's Vicegerent in his abſence) and that this *Hugo de Port* (a great Tenant *in Capite*) and all the Hundred were Witneſſes. So likewiſe the ſame Perſon is again mention'd a few Leaves farther in the ſame County, under the Title of *Bertun* Hundred.

Terra Tainorum Regis.

F. 50. b. Col. 2.

ALDRED *frater* Odonis * *tenet dimidiam Hidam de Rege, ipſe tenuit de Rege* E. *&c.*

* Scil. in *Sudtan.*

NOR is ‖ Dr. *Brady*'s Exception againſt theſe two Inſtances of any weight, *viz.* that it does not appear but that this *Aldred* claim'd the

‖ *Anſw. to* Arg. Antinor.

firſt parcel of Land only as the King's Thane, and not as his own Inheritance; for it plainly appears, he held this laſt Half-hyde by that Tenure, and as his own Inheritance.

TO which I reply, That it does not follow, that becauſe he held the firſt parcel of Land, as being the King's Thane or Servant, therefore he held the other by the ſame Tenure, which lay in another Mannor; ſince the Title of the Land mentions no ſuch thing: or if he had, that therefore it was not as his own Inheritance, but held only at the Will of the King (as the Doctor here ſuggeſts) ſince I find nothing to the contrary, but that ſuch *Thane*-Lands were hereditary even in the *Confeſſor*'s Time, as well as the Offices to which they belonged, and I deſire the Doctor to prove the contrary.

BUT to proceed to ſome other Claims in this Book of a like nature; as in *Bedfordſcire*, *Bochelay*-Hundred.

Terra Burgenſium de Bedford.

P. 63. a. Col. 2. *IN* Bideham *tenet* Oſgarus *de* Bedeford 1. *Virgat. terræ de Rege*, &c. *ipſe qui nunc tenet & tenuit tempore Regis* Edwardi, *& potuit dare cui voluit.*

AND in like manner are ſeveral other Perſons there mention'd, who held by the like Tenure, as *Terra Hugonis Sturmer.*

P. 53. Col. 2. * *It is plain by this Paſſage, that by* Anteceſſor *is not here meant only* Predeceſſor (*as Dr.* Brady *will have it againſt Mr.* Atwood) *for this* Hugh *loſt the Land becauſe it did not belong to his Anceſtor.*

HUGO Sturmer tenuit hactenus Ebrige, Herlang *tenuit T. R. E.* pro Maner. *&c.* * *De hoc Manerio teſtatur Scira quod non pertinuit ad Anteceſſorem Hugonis per quem reclamat.*

Bucks. Stanes-Hundred.

Terra Milonis Criſpini.

P. 149. b. Col. 2. MILO Criſpinus *tenet in* Opetone *unam hydam & dimid. &* Alwinus *de eo*, &c. *Ipſemet Tegnus tenuit* T. R. E.

P. 150. a. Col. 1. *IN* Aſſedune *tenet* Wichinus *de* Milone 2. *hyd.* &c. *Ipſemet tenuit* T. R. E. *& vendere potuit.*

Hertfordſcire. Terra Roberti Gernon.

P. 137. b. Col. 2. *ROBERTUS Gernon &* Aluuardus *de* eo, tenet in *Merdelai* I. Hyd. *&c. Iſdem, qui tenet, tenuit* T. R. E. *& vendere potuit.*

Southampton, *Sunburn*-Hundred.

Terra Hugonis de Porth.

P. 45. a. Col. 2. * *Note, here it is plain, that by* Anteceſſores *muſt be underſtood Anceſtors by Blood, or elſe his Claim had been frivolous.* *IPSE Hugo tenet Holſtun*, &c. Godwin *tenuit* Abedric *pro Manerio*, &c. *De hoc fert Teſtimonium totius Hundredi*, * *quod Anteceſſores ejus inde Seiſiti erant, & Tenentes die quo Rex* E. *fuit Vivus & Mortuus.*

Terra Tainorum Regis.

P. 50. a. Col. 2. *P. 50. a. col. 1. *ULURIC* venator tenet de Rege unum Manerium, Pater ejus tenuit de Rege *E.*

† *Note, this, tho* Thane-*Land, is claimed as the Inheritance of his Father.* † *WILLIELMUS* fil. *Stur.* tenet *Ulwarcumbe*, & *Luran* de eo: Ipſemet tenuit in Paragio de Reg. *E.*

Warwicſcire, Coleſhul-Hundred.

Terra Turchil *de* Warwic.

P. 52. b. Col. 2. * P. 240. b. † i.e. *Turchil.* * *IDEM* Turchil *tenet* Bichelle, *&c.* Alwinus *Pater ejus libere tenuit T. R. E. Idem* † *T. tenet de* Ro. de Olgi *tres Hydas Terræ* &c. *in* Elton, *&c.*

*

&c. Alwinus *libere tenuit T. R. E.* ‖ *This* Turchil *was an* Engliſh-*man, and one of the King's Thanes; he claim'd by deſcent from his Father, as this Record plainly ſhews us.*

‖ Vid. *Sir* William Dugdale's *Preface to his Hiſt. of* Warwickſhire.

I COULD give many more Examples of ſeveral of theſe Thanes, who held the ſame Lands as either they or their Fathers held them in the time of King *Edward*, which I will not farther inſiſt on, only ſhall ſpeak ſomewhat to his Exceptions againſt theſe Titles; which the Doctor ſays being only of ſuch Lands as were held of the King, not by *Knight's Service* but *Petit-Serjeanty*, as for being his Huntſmen, Falconers, and the like; and that for ſmall Eſtates or parcels of Land, they were mere Tenants at Will; and the *Conqueror*'s permitting them to hold ſuch ſmall Eſtates, does not prove but that he might lawfully have taken them away if he had ſo pleaſed.

TO which I reply, That *Firſt*, the matter of Fact is not true as the Doctor has laid it: for in the firſt place many of theſe *Thanes* held not only ſmall parcels of Land, but whole Mannors in the time of this King: and in the next place it does not appear, that theſe *Thane*-lands were only Tenants at the Will of the King; ſince not only the ſame Perſons, but their Fathers, or other Anceſtors, are here ſaid to have enjoy'd the very ſame Lands in *Edward* the *Confeſſor's* Time: for that they were held by Right of Inheritance in the time of *William* the *Firſt*, the Doctor cannot deny, ſince ſeveral of their Deſcendants held the ſame Eſtates of his Succeſſors by the very ſame Service of *Petit-Serjeanty* as their Anceſtors had done before, from the very time of the Conqueſt, as I could make out by divers Inſtances, were it worth while to inſiſt upon them, and if the Bounds of this Diſcourſe would permit it.

BUT I have ſet down theſe Examples only as a Taſt, and to ſhew that the Doctor's Exceptions againſt Mr. *Atwood*'s Inſtances, are neither juſt nor true; but I ſhall leave this Subject to that Learned Gentleman, who will defend his own Cauſe againſt the Doctor in a Treatiſe, which, as far as concerns the Queſtion of the *Conqueſt*, and the *Effects* of it, has for ſeveral years been ready for the Preſs, and is likely ſoon to be publiſh'd; and therefore ſhall ſay no more upon this Head.

BUT I now come to the main Arguments made uſe of by the Doctor, to prove that King *William* never ſwore to, or confirm'd King *Edward*'s Laws, tho that body which *Ingulphus* has given us of them has this Title, *Ces ſount les Leys, et les Cuſtumes, que le Reys* Williem *grentat a tut le Peuple de Engleterre apres le Conqueſt de la Terre: Ice les meſmes, que li Reys* Edward *ſun Coſin tint devant lui, co eſt a Savoir: i. e.* Theſe are the Laws and Cuſtoms which King *William* granted to all the People of *England* after the Conqueſt of the Land, being the ſame which King *Edward* his Couſin obſerved before him; that is to ſay, thoſe that there follow, and which you may find tranſlated into *Engliſh* in the enſuing Volume at the end of this King's Reign.

THE Doctor having nothing to ſay againſt the Validity of theſe Laws, would fain take away all the Benefit of them to the *Engliſh* Nation, by alledging they were in number fifty, moſt of them penal Laws, (as appears by *Ingulph*) and ſuch as he received much profit and advantage from, by the many and great *Mulcts* impoſed upon the People

Ib. p. 253.

People for the various Tranſgreſſions of them; and the other Laws are of ſmall moment, and no ways inconſiſtent with King *William*'s Eſtabliſhment, moſt of which were taken out of the *Saxon*, ſome out of the *Daniſh* and *Norman Feudal* Law.

BUT in anſwer to this, whoever will compare theſe Laws with thoſe of King *Edward* and the other *Saxon* Kings, will find, that being made for the Puniſhment of Robberies, Maihems, Murthers, and other Crimes againſt the publick Peace, they were as much for the benefit of the *Engliſh* as the *Saxon* Laws were before, ſince they were equally intended for the Common Peace and Safety of the Kingdom; and to the obſervation of which, the *French* or *Normans* were obliged under the ſame Penalties with the *Engliſh*. And the Doctor ſhews either his want of Judgment, or fondneſs for Tyranny, to alledg the Pecuniary Mulcts that were to be paid to the King by the Tranſgreſſors of them, as an Argument that they were intended more for his own than the Peoples Benefit; ſince if that were a juſt Exception, it would likewiſe hold the ſame againſt all the *Engliſh-Saxon* Penal Laws, which were almoſt all Pecuniary.

NOR were the Penalties very much increas'd from what they were before by the old *Engliſh* Laws, as any one may ſee that will take the pains to compare thoſe in the former Volume with theſe in this: and as for the *Feudal* part of theſe Laws, they are in many things more favourable than thoſe of King *Knute*; for by the former, beſides the Horſes and Arms that the Heir of every Earl, Chief or Inferior *Thane* rendred to the King upon the death of his Father, there were alſo to be paid to the King ſo many Ounces of Gold, all which are there called *Heriots*; whereas by the *21ſt*, *22d*, *23d*, and *24th* Laws of K. *William*, the *Relief* of a Count, Baron, and Vavaſour, are only ſo many Horſes, and ſuch a quantity of Arms, without the paiment of any Mony either in Gold or Silver: and tho there may be ſome *Norman* Laws added to theſe Laws of King *Edward*, yet they ſtill remain'd, for the moſt part, the old Laws of *England*; and
Ib. p. 252. therefore I ſhall not contradict the Doctor's Teſtimony out of his real or ſuppoſed Author, *Gervaſe* of *Tilbury*, *That the* Engliſh *Laws being propounded, according to their Threefold Diſtinction, that is, the* Mercian-*Law*, Daniſh-*Law*, *and* Weſt-Saxon *Law*, *he* (viz. *King* William) *rejected ſome, and approved others, and added ſuch Tranſmarine* Norman *Laws as ſeemed moſt efficacious to defend the Peace of the Kingdom.*

BUT the Doctor there appeals to matter of Fact, and the Reader is referred to his Preface of the *Norman* Hiſtory, where he ſays you will find it fully proved, that the Law uſed in this Nation after the Conqueſt, eſpecially as to the Method and Practice of it, was the *Norman*-Law, and that ſo it remains to this Day in very many things; all which may be granted, and yet notwithſtanding the main Body of the Laws of *England* did remain the ſame as they were before his *Conqueror*'s coming over.

BUT ſince the Doctor thinks that the next Set of this King's
P. p. 255. Laws may prove more to his purpoſe, he proceeds to thoſe that are publiſhed by Mr. *Lambert*, and Sir *Roger Twiſden*, the beſt Copy of which are to be ſeen in the *Red-Book* of the *Exchequer*, and which the Reader may likewiſe find tranſlated at the end of this King's Reign after thoſe Laws from *Ingulphus*.

*

BUT

BUT the Doctor, becauſe he loves to cavil, and wreſt even Laws themſelves to a contrary ſenſe than for what they were intended, will needs pick out ſomething, whereby he would prove that in moſt of theſe Laws the *Engliſh* were not at all concerned, or had thereby any Intereſt or Benefit. But ſeeing it would be long and needleſs to tranſcribe all the Laws *verbatim*, which the Doctor here inſtances in, which are the 52*d* Law, concerning *Faith* and *Obedience* toward the King; the 55*th*, Of the *Feudal* Law, and Immunity of Freemen; the 56*th*, Of *Night-watches* and *Guards*; the 58*th*, Of the *Præſtations*, or Services of *Feudataries* or *Vaſſals*; the 59*th*, That the *Freemen* muſt endeavour, with all their Power, to preſerve the *Royal Rights* from Injury; the 64*th*, The *Borh*-Law, or Law of Pledges or Sureties; I therefore deſire the Reader to conſult theſe Laws under their reſpective Titles, and then he will be the better able to judg whither the Doctor's Exceptions againſt them be juſt or not, which I ſhall here tranſcribe: The firſt of which is from the Oath of Allegiance to King *William*; the Fifth there cited is nothing but a further and more clear Explanation and Confirmation of the Firſt, that all Freemen of the whole Kingdom ſhould be Sworn-Brothers to defend King *William*'s Monarchy, and his Kingdom, according to their Power, Abilities or Fortunes, againſt his Enemies, and to keep entire the Peace and Dignity of his Crown, *&c.* Ib. p. 258.

NOW, ſays he, let us ſee who they were that did here ſwear and oblige themſelves to do this; they were Earls, Barons, Knights, Eſquires, and all the Freemen of the whole Kingdom, who were always to be ready fitted and prepared with Horſe and Arms, according to their Fees and Tenements, which were given them to that purpoſe by the *Conqueror*, and by the Conſent of the Common Council of his whole Kingdom, in Fee, by Hereditary Right, as appears by the Fourth Law here alſo mention'd. " Now, ſays the Doctor, when " the Author of *Argumentum Antinormannicum* can make it appear " that King *William* erected new Earldoms, Baronies, Knights-Fees and " Services here, and, by the advice and conſent of the *Common Council* of " the Kingdom, granted Lands of Inheritance to ſupport them, and at " the ſame time gave them to the *Engliſh-Saxons*, I ſhall then agree " that theſe three Laws laſt mention'd were made for their Profit.

IN anſwer to the *Firſt* and *Second* Paragraphs, I would deſire the Doctor to tell us, whither theſe Freemen, that were to ſwear Allegiance to King *William*, were not *Engliſh*-men as well as *Normans:* for he may remember, if he pleaſes, that all who owed Suit and Service to the *County-Court* and *Sheriff's-Tourn*, were there bound to take the Oath of Fidelity to the King; ſo that it is certain all Freemen (by whatſoever Tenure) being bound to take that Oath, the name of Freemen was not confin'd to the Earls, Barons, and Tenants *in capite* alone, but alſo took in other inferior *Military* Tenants, as alſo thoſe in *Free Socage*. And I think I have already prov'd that ſeveral *Engliſh-Saxon* Noblemen and Gentlemen during this King's Reign, were Barons, and Tenants *in Capite*, or elſe *Vavaſours*, *i. e.* Inferior Tenants to Lords, Biſhops, or Abbots; and as ſuch, either by election of the County, or elſe in their own Perſons, might very well have Places or Votes in the *Common-Council* of the Kingdom: ſo that there is no need to ſuppoſe (as the Doctor would captiouſly have it) that

the King ſhould create new Earldoms and new Baronies, *&c.* on purpoſe to give them to the *Engliſh-Saxons.*

NOW all this only proceeds from the Doctor's willful wreſting of the Words and Senſe of the 55*th*, and 58*th* Laws of King *William*; in neither of which it is ſaid, that all their Fees and Tenements were given them by the *Conqueror*, but that the Services which they were to perform for ſuch their Fees and Tenures, were granted or appointed them in Fee, by *Hereditary Right*, and that by the *Common Council* of the whole Kingdom; and notwithſtanding all that the Doctor has here ſaid, this *Magna Charta* of King *William* (as Mr. *Petyt* has rightly called it) may as very well extend to the old *Engliſh-Saxons*, as to the new *French* or *Norman* Proprietors: for to turn the Doctor's Argument in the following Paragraph upon himſelf; if all the Freemen of the whole Kingdom mentioned in the 55*th* Law, and all the Earls, Barons, Knights and Freemen of the Kingdom, were then as well *Engliſh* as *Normans* at the time of the making of theſe Laws (the contrary to which the Doctor hath no where proved) then they were granted to the one as well as to the other, and they had both an equal benefit in them; and then the Concluſion or Confirmation of theſe Laws will be alſo literally true, which I ſhall give you in Latin: *Hoc quóque præcipimus, ut Omnes habeant & teneant Legem* Edwardi *Regis in omnibus Rebus, adauctis His, quas conſtituimus ad Utilitatem* Anglorum: That is, we alſo command that all ſhall have and enjoy the Law of King *Edward* in all things, with thoſe Additions which we (*viz.* the King) have ordained for the benefit of the *Engliſh*: by which he muſt certainly be underſtood to mean all the Subjects of *England*; for that by the word [*Anglorum*] only *Normans* are to be underſtood, is ſuch an extravagant flight of fancy, as none but the Author of this Chymerical *Gloſſary* could ever have attained to.

I HAVE indeed omitted two other ſmall Cavils of the Doctor's againſt the *Engliſh*-men's having any Benefit by theſe Laws, which are ſo mean and trivial, that, might it not be thought an omiſſion in me, I ſhould have paſſed them by: the one is a Remark upon the *Watches* and *Guards*, which by theſe Laws were ſet and placed in Cities, Burghs, Caſtles, Hundreds, and Wapentachs; as alſo that the Sheriffs, Aldermen, Provoſts and Bayliffs, *&c.* of thoſe Places were to ſet them; which he deſires his Adverſary to prove to have then conſiſted of *Engliſh-Saxons.* Ib. p. 258.

NOW that they might be Officers in the Cities and Towns, the Doctor himſelf has granted, when in his *Gloſſary* he ſays, that in all Charters to Cities and Towns directed to *French* and *Engliſh* Townſmen, both *Saxons* and *Normans* are to be underſtood; and then the Conſequence will be againſt the Doctor, that if they had all alike Privileges, they were then alſo alike capable of being *Aldermen*, *Provoſts*, or *Bailiffs*, and much more capable of the leſſer Offices, both of appointing the *Night Watches*, and ſerving as Watchmen. Nor was it poſſible it could be otherwiſe, if any man will but conſult *Doomſday-Book*, and obſerve what a ſmall proportion the *Norman* or *French* Burgeſſes bore (in compariſon of the *Engliſh*) in *Norwich*, *Exeter*, or any other City or Trading-Town, where the Numbers of both ſorts are ſet down; and then much more in the Country

Country Villages: for ſince there could not then be above Fifty or Sixty thouſand *French*-men or *Normans* in *England* at the moſt, it was impoſſible for them alone to execute all the inferior Offices of Conſtables, Headboroughs, *&c.* and alſo to keep *Watch* and *Ward*, the Natives being wholly excluded from thoſe Duties.

BUT his Exception againſt the Law concerning Pledges or Sureties, by which every man, from the greateſt to the leaſt, was in thoſe days bound to find Sureties for himſelf and his Servants, is more trivial than the former: for the Doctor here falſly ſuppoſes that none but the loweſt and moſt ordinary ſort of Freemen were thus bound to their Good-Behaviour; whereas the words are general, *Omnis homo qui voluerit ſe teneri pro Libero, ſit in plegio*; i. e. every man who will be taken as a Freeman, ought to be under a Pledg: yet tho the Doctor grants it to have been an old *Saxon* Law, he would have it, that in the Circumſtances the *Engliſh* were in at that time, under hard Maſters, it could be no advantageous or profitable Law to them. But it ſeems he has either forgot, or not well conſidered this Law as it ſtood in King *Edward* the *Confeſſor*'s time; for he might there have found, "That by the Laws of King *Edward*, all Arch-Biſhops, Earls, "*Thanes*, and their Knights, and Servants, who are there particular- "ly named, were to have them all in their *Frithborh*, (or under "their Surety) who if they ſhall forfeit to any one, and complaint "be made againſt them, their Lord ſhall be obliged to do them "Right in his Court. And to the ſame purpoſe is the 49*th* Law of King *William* in *French*, *Chaſcun ſeniour eit ſoun Serjant*, * en *ſun plege*, *que ſi nele rete*, *que ait a dreit el Hundred*. That is, let every Lord have his Servant in or under his Pledg (that is, to be bound for him) that ſo if he be † accuſed, he may be brought to *Right* (i. e. Juſtice) in the Hundred-Court: from whence it is plain, that every Lord or Maſter of a Family, tho never ſo Great, was tied ſo far to be anſwerable for his Servants, as to deliver them up to *Juſtice* if they offended, or elſe to pay a *Mulct* or Fine if they eſcaped. So that this Law concerning Pledges or Sureties did as much oblige the *French* and *Normans*, as it did the *Engliſh*, unleſs the Doctor can prove (which I ſuppoſe he will never be able to do) that all his *Normans* were Great Lords, whilſt the *Engliſh* Nobility and Gentry became meer Slaves and Vaſſals; or elſe this Law muſt be equally advantageous or burdenſom to thoſe of the one as well as of the other Nation.

P. 257.

Vid. LL. Edwardi. Hoveden, p. 605.

* *The word in the* French *is* in, *but ſhould be* en.

† *Latin Verſion* reſtatus.

BUT the Doctor finding himſelf gravell'd by his Adverſary with the Authority of *R. Hoveden*, and the Book of* *Litchfeild*, that King *William* in the fourth year of his Reign at the earneſt interceſſion of the *Engliſh* Natives or † Commons granted and confirm'd that Body of Laws which are found in thoſe Authors, and contain divers things concerning the Duty and Office of the King, as alſo many others concerning the Rights and Liberties of the Subject. Now the Doctor has no way to avoid the Force of this ſo evident a Teſtimony, but by making ſome trivial Exceptions againſt theſe Laws. And firſt, as for the *Litchfeild* Story, antecedent to the Laws themſelves (*viz.* how King *William* came to be prevail'd upon to grant them) ſince it is ſet down at large in the following Hiſtory, I refer the Reader thither; but the Doctor's Remarks (as far as they are to my purpoſe) are theſe.

* *Cited by* Lambard Archaionom. p. 148, 149.

† Communitates.

FIRST,

P *Anſ. to* A.A. 260. * " *FIRST*, That theſe Laws are indeed to be found in *Hoveden*, " but not entire, part being in Pag. 343, and part in Pag. 346, *b. n.* " 50, and Pag. 347, *a. n.* 10, 20. alſo in *Edward* the *Confeſſor*'s Laws " in *Lambard*'s Copy, Pag. 138, *c.* 1. and in Pag. 149. Tit. *Lex Noricorum*, it is to be found in two parts, which put together do entirely make up that Preface.

" *SECONDLY*, That Author hath omitted the date of, or time " when King *William* granted theſe Laws, which *Hoveden*, and the " *Litchfield* Book, and *Edward* the *Confeſſor*'s Laws, ſay, was *Anno* " *quarto Regni ſui.*

" *THIRDLY*, That *Ingulph* ſays they were the Laws which " he brought with him from *London* in the twentieth year of King " *William*, and which he had by Proclamation cauſed to be obſerved. Yet,

" *FOURTHLY*, That theſe were not the Laws contain'd in the
* Not. ad Eadm. p. 171. " Book of *Litchfield*, which * Mr. *Selden* ſays were only part of theſe
‡ Col. 1. 234. " Laws publiſhed in *Hoveden*, and that this part is to be found in
|| Fol. 343. " † *Hen. Knighton*; and who ever will take the pains to compare them " with thoſe in || *Hoveden*, will find they contain but the firſt fifteen Titles or Chapters, which are the very ſame with the firſt fifteen Chapters of thoſe Laws printed in *Lambard*, under the Name " and Title of King *Edward*'s Laws; yet both in *Hoveden* and *Lambard* theſe Laws are near thrice the number of thoſe in *Knighton*. " Nor are they, and the Laws in *Crowland*-Copy, ſcarce in any Points " or Chapters alike.

" *FIFTHLY*, And that therefore this Teſtimony of *Ingulph* can-
* Viz. of Arg. Antinorm. " not be brought by our * Author, or any Man elſe, to prove the " Grant or Confirmation of King *Edward*'s Laws, as they are to be " found in the Books above-mention'd, it having not the leaſt Reference to them; nor is it probable that *Ingulph* ever heard of them, or " that King *William* ever cauſed any Proclamation to be made that " thoſe Laws ſhould be obſerv'd.

NOW what are all theſe ſmall Objections to the purpoſe? might there not have been ſeveral *Manuſcript*-Copies of theſe Laws, whereof ſome might be more perfect and entire than others? And ſuppoſe thoſe ſet down in the Book of *Litchfield* are the ſame with thoſe in *Henry de Knighton*, and are not ſo many by half as are found in *Hoveden*; will this ſerve to render all of them, or at leaſt his Copy to be falſe or ſuſpicious? For why may not King *William* have confirm'd this Body of Laws ſet down by *Hoveden* at the beginning of his Reign, and alſo have enacted others at other times, and particularly made that Set of Laws found in *Ingulph* at the latter end of his Reign, which relate chiefly to the Prerogatives and Pleas of the Crown? All which indeed is no more an Argument againſt the Validity of theſe Laws, than it would be againſt the Statute of *Merton*, which was made about the middle of *Henry* the *Third*'s Reign, becauſe it is different from that of *Marlbridg*, which was made in the latter end thereof.

Id. p. 261. AS for the Doctor's laſt Exception, it is this, " That Mr. *Selden* not " only tells us what were the Laws in the *Litchfield Manuſcript*, but " writes very ſuſpiciouſly of all the Laws that are attributed to King " *Edward*, except the *Crowland*-Copy; and ſays, their Credit is much " to be doubted, that would obtrude upon us other Laws than thoſe

" for

" for King *Edward*'s; and that 'tis very likely there was made but one " Review and Confirmation of the Laws of King *William*: and if " there were any more than one, yet the laſt was only to be allowed " and eſteemed Authentick, which was the *Croyland* Copy.

I HAVE a great Honour for the Memory of Mr. *Selden*: but as the Doctor values his Authority as nothing, when he finds it makes againſt his Opinion, ſo, I hope, I may have ſometimes the liberty to decline it, when I think it not agreeable to Reaſon and Truth. For if all other Copies of King *William*'s Laws muſt be falſe, or at leaſt ſuſpicious, that agree not with his *Croyland* Copy, then what will become of thoſe Laws that were publiſh'd by Mr. *Lambard*, and have been again reprinted by Sir *Roger Twiſden*, from an Antient Copy in the *Red Book* of the *Exchequer*; and out of which the Doctor himſelf hath cited ſo many Laws againſt the Gentleman he there oppoſes? And if thoſe are Authentick, I deſire to know of the Doctor why theſe that are extant in *Hoveden*, ſhould not be of as good Authority as the former? for beſides that this his Collection is found in all the *Manuſcript* Copies of his Hiſtory, there are alſo many other *Manuſcript* Copies of them to be met with in divers private as well as publick Libraries; for I have ſeen and peruſed one very Antient Copy of them in the Arch-Biſhop's Library at *Lambeth*, and another in *Bennet*-College in *Cambridg*, and a third in the *Cottonian*-Library; beſides what may be found in other places without thoſe Interpolations, which, I confeſs, have render'd theſe Laws ſomewhat ſuſpicious. Id. ib. p. 255, 256, 257.

BUT the Doctor has the leaſt reaſon of any man to doubt their Authority; for if *Gervaſe* of *Tilbury* be an unexceptionable Witneſs for what was done in *William* the *Conqueror*'s Time, and yet lived and wrote that Treatiſe (if it be really his) in the latter end of the Reign of King *Henry* the *Second*; I cannot ſee why the Authority of a much greater Lawyer, ſhould not be of equal, if not more Authority (to wit) that of *Ranulph de Glanvil*, Juſticiary of *England*, and who (as *R. Hoveden* tells us) lived and wrote about the ſame time, and compil'd into one Body thoſe *Engliſh* Laws which there follow, *viz.* thoſe of King *Edward*, confirm'd by King *William*. And certainly if *Gervaſe* above-mention'd could know from *Henry* Biſhop of *Wincheſter* what was done in King *William*'s Time, why could not ſo Great a Man as *Glanvil* find out by Antient Copies, as well as Authentick Tradition, what were the Laws of *Edward* the *Confeſſor*, which (as our Author tells us) King *William* his Couſin not only confirm'd, but alſo commanded to be obſerved, with ſuch Additions as were by him added, tho of no great moment?

HAVING, I hope, ſufficiently proved that King *William* not only made Laws for the benefit of his *Engliſh*, as well as his *Norman* Subjects, but alſo confirm'd the Antient Laws of King *Edward*, I ſhall not much concern my ſelf whither he ſtrictly kept or broke them, ſince (as I have already ſaid) it was not his breach of theſe Laws, or of the Oath he ſo often and ſolemnly took to obſerve, that could confer upon him the Right or Title of a *Conqueror*.

I SHALL now come to the Doctor's next Arguments, in his Preface to his *Norman* Hiſtory, whereby he would prove, that the Laws of this Nation, except ſuch as have been alter'd, or introduced by our Kings, or Great Councils, or by Act of Parliament, were for the greateſt P. 155.

greateſt and chiefeſt part of them the *Norman* Laws, and brought in or inſtituted by *William* his *Conqueror*, the Subject next to be treated of.

I SHALL not here go about to diſpute with the Doctor, Whither *England*, which has born two great Shocks or Impreſſions from thoſe two powerful Nations, the *Danes* and *Normans*, hath not received great Changes, not only in the Manners and Cuſtoms, but alſo in its very Laws, tho (I confeſs) much more from the latter than the former; ſince the *Danes* govern'd here but a few years, whereas the *Norman* Princes have eſtabliſhed their Empire for many Generations even down to this very day. But ſeeing the Doctor himſelf a
Id. ib. little lower grants, "That this Nation doth ſtill retain ſome of the "*Saxon* and *Daniſh* Cuſtoms, which do not much differ from the "*Normans*, for they were Neighbours by ſituation, and had much "the ſame Language, only differing in *Dialect*, and communicated in "many Rites and Uſages; nay, joyntly conquer'd both this Country "and *Neuſtria* in *France*, afterwards called *Normandy*: and he ſays "(truly enough) they were not intirely *Saxons*, *Danes*, or *Norwegians*, or of one *Nation* that made theſe Conqueſts, altho their chief "Leaders, and the greateſt number of any Nation might be ſuch; but "a mixture of all theſe, and ſeveral other People of the *Northern* parts "of *Germany*.

IF the Doctor would go no farther than this, I would quickly agree with him; for then notwithſtanding his pretended *Conqueſt*, the greateſt part of our Laws would have ſtill continued the ſame and unalter'd from what they were before. But this will not content him,
Ib. for he immediately after affirms, "That the whole Bulk and Main of "our Laws, or at leaſt very different Uſages of them, were brought hither from *Normandy* by the Conqueror, *viz.* ſuch as were in uſe "and practice here for ſome Ages after the *Conqueſt*, is, ſays he, "without queſtion; for from whence we received our Tenures, and
P. 156. "the manner of holding Eſtates in every reſpect, from thence we alſo received the Cuſtoms incident to thoſe Eſtates, as Reliefs, Aids, "Fines, Rents, or *Cens*, Services, *&c.* and likewiſe the quality of "them, being moſt of them *Feudal*, and injoyn'd under ſeveral *Military* Conditions and Services; and of neceſſary Conſequence from "thence we muſt always receive the Laws by which theſe Tenures, "and the Cuſtoms incident to them, were regulated, and by which "every Man's Right in ſuch Eſtates was ſecured, according to the nature of them: But that from *Normandy* (brought in by the *Conqueror*) we receiv'd moſt, if not all our Antient Tenures, and manner of holding and enjoying our Lands and Eſtates, will appear, by "comparing our Antient Tenures with theirs.

TO return an Anſwer to the Doctor's Arguments and Inſtances as he goes along: I muſt here in the firſt place diſtinguiſh thoſe Services and Cuſtoms, which were incident to Eſtates before his *Conqueſt*, from thoſe which might have been introduced after that time. As to Reliefs, which either the King's Tenants, or elſe thoſe of other Lords, were to pay before they could enter upon their Eſtates, there will be found no more than a difference in Words, between the *Heregates* mention'd in the *69th* Law of King *Knute* to be paid by an Earl, a Thane next to the King, and an Inferior or Middling Thane,

and

and thoſe Reliefs which the ſame ſort of Perſons under the Title of Count, Baron, and Vavaſor, were to pay either to the King, or their Superior Lord, by the 22*d*, 23*d*, and 24*th* Laws of King *William* the *Firſt*. For that the *Heriot* was a Military Service, appears from its being deriv'd from the word *Here*, which in the *Engliſh-Saxon* Tongue ſignifies an Army; as alſo that both theſe *Heriots* of King *Knute*, and the *Reliefs* appointed by King *William*, when compar'd, conſiſted of a like number of Horſes and Arms; only by this latter Law there was no Mony to be paid, as there was by the former.

THEREFORE I muſt make bold to differ from the Learned Sir *H. Spelman*, who in his late * Poſthumous Treatiſe of *Feuds* and *Tenures* by *Knight's Service*, will by no means allow thoſe *Heriots* and theſe *Reliefs* to be the ſame; but his Reaſons to the contrary are not in my Opinion ſufficient, and I could give ſeveral Anſwers to each of them, would the brevity I endeavour in this *Introduction* allow it; only I ſhall here take notice, that by the Diſtinctions made uſe of in this Law of King *Knute*, above-cited, between the *Thane* next to the King, and the Inferior or Middling *Thane* under him, it appears, that there was then divers Tenures one under another; and that as the King's *Thane* held of him, ſo did the Inferior *Thane* hold his Land of him who was next above him: which fully anſwers the difference after the Conqueſt between the Superior Lord, or Tenant *in Capite*, and the *Meſne* Tenant that held his Eſtate under him.

* *Publiſh'd at* Oxon. *Cap.* 18.

BUT another proof of the Diſtinction between the Superior and Inferior or under *Thane*, is alſo to be found in that old *Manuſcript Saxon* Law cited by * Mr. *Selden* in his *Titles of Honour* in Latin, and by † Mr. *Lambard* in his *Itinerary of Kent*, to this effect.

* Ch. 5. p. 515.

† P. 552, 553.

" THAT if a Thane *ita profeciſſet*, i. e. had ſo advanced himſelf, as to have ſerved the King, and rid on his Meſſage, and if " ſuch a one had under him another *Thane*, who had got five Hydes of " Land, and had waited on his Lord in the King's Court, he was to " be deemed a *Thane*'s Right Worthy, *i. e.* in all reſpects equal to a " *Thane*. I am ſenſible Sir *Henry Spelman*, in his Treatiſe above-mention'd, will not allow this Land thus poſſeſſed by the Head *Thane*, to be *Feodal* Land, tho it be expreſly mention'd to be held *ad Expeditionem Regis*, becauſe a Man might before the Conqueſt have been tied to perform this *Military* Expedition for his Perſonal Eſtate, and of which he there gives an Inſtance: yet I confeſs it does not ſatisfy me, ſince it may be ſtill urged, To what purpoſe is this Clauſe here inſerted, *viz. who held or had five Hydes* for the King's Expedition, if the Lands, without any conſideration of the Perſon, had not been liable to this *Military* Service? Or how could this Inferior *Thane* who had theſe Hydes, be ſaid to be under the Superior or King's *Thane*, unleſs it had been by way of Tenure or *Military* Service? ſince it cannot be ſuppos'd that ſuch a *Thane*, who had five Hydes of Land, would condeſcend to ſerve the other as his Menial Servant or Dependant. And therefore Sir *Henry Spelman* is reſolved, that rather than he will allow any *Military Feodal* Tenures before the *Conqueſt*, he will not only make King *William*'s Law above-cited, but alſo *Doomſday*-Book, to ſpeak improperly; where under Title, *Wallingford* in *Barocſcire*, the ſame Law is recited in theſe words; *Tainus, vel Miles Regis Dominicus moriens, pro Relevamento demittebat Regi omnia Arma ſua, Equum ſuum,*

Of Feuds and Tenures, &c. p. 18.

cum

oum Sella, & alium ſine Sella; & ſi eſſent Canes vel Accipitres, præſentabantur Regi, ſi velit accipere: i. e. The King's *Thane*, or Knight holding of him, ſhall at his death leave all his Arms to the King for a Relief, and one Horſe with a Saddle, and another without a Saddle; and if there be any Dogs or Hawks, they ſhall be alſo preſented to the King, if he will accept them. And which is moſt in the right, Sir *Henry Spelman*, or the Penners of *Doomſday*-Book, and King *William*'s Laws, I leave to the unprejudiced Reader to judg. And tho Sir *Henry* ſuppoſes that *Bracton* made a great difference between *Heriots* and *Reliefs*, yet I think the place there cited, if duly conſidered, makes little or none at all to the purpoſe, as you may ſee by the words themſelves; *Fit quædam præſtatio, quæ non dicitur* Relevium, *ſed quaſi, ſicut* Heriotum, *quaſi loco Relevii, & quod dari debet aliquando ante Sacramentum fidelitatis, aliquando poſt*: i.e. There is a certain Payment, which is not called a *Relief*, but as it were ſo, as a *Heriot* inſtead of a *Relief*, and ought ſometimes to be paid before the Oath of Fealty, and ſometimes after.

Bract. p. 84. a. Num. 1.

I HAVE dwelt the longer upon this Head, becauſe from a due compariſon between the Laws of King *Knute* and King *William*, it plainly appears, that *Military* Tenures and Services belonging to them were in uſe before the *Normans* came into *England*; tho Sir *Henry Spelman* (from whom the Doctor has borrowed that Notion) has been pleas'd to aſſert the contrary: but vvhither they vvere Hereditary before the coming in of the *Danes* I vvill not affirm; yet that they might very vvell be ſo in King *Knute*'s and his Son's Reigns, and ſo on till the *Conqueſt*, is very probable: for if the King's *Thane* had held his Land only for his own or two more Lives, how could he enfeoff another *Thane* of part of that Land, and he again a third under him of another part of the ſame Eſtate, unleſs they had had ſome larger holding in them than only for Term of Life?

I SHALL now but ſlightly touch the reſt of the Doctor's Inſtances from the Cuſtoms incident to Eſtates; for as to Aids in the ſenſe he takes them, I ſhall not diſpute that Point with him: But as for Rents, that ſeveral Tenants paid ſmall Quit-rents in Mony to their chief Lords before the *Conqueſt*, may be proved from ſeveral Inſtances in our Antient Abbey *Leiger*-Books; and that the payment of the King's Rents in Mony, and not in Proviſions, was not introduced by King *William*, but many years after, I deſire the Doctor to conſult his own Author *Gervaſe* of *Tilbury* in his Treatiſe above-mentioned; for there he tells us, "That long after the *Conqueſt* the Kings of *England* "had their Payments made to them out of their Lands, not in Sums of "*Gold* or *Silver*, but only in *Victuals* or *Proviſions*; out of which the "King's Houſe was ſupplied with Neceſſaries for daily uſe; and they "who were deputed to this Service *(viz.* the *Purveyors)* knew what "quantity aroſe from each ſeveral Land: Tho as to Souldiers Pay or "*Donatives*, and for other neceſſaries concerning the Pleas of the "Kingdom, or Conventions, as alſo from Cities and Caſtles, where "they did not exerciſe Husbandry or Tillage; in ſuch Inſtances Pay-"ments were made in ready Mony. Wherefore this Inſtitution laſted "all the time of *William* the *Firſt*, to the time of King *Henry* his "Son; ſo that I my ſelf (ſays *Gervaſe*, who flouriſhed in the Reign "of *Henry* the *Second*) have ſeen ſome People who at ſet-times carry

"from

" from the King's Lands, Victuals or Proviſions of Food to Court. " And the Officers alſo of the King's Houſe knew very well (having it " upon account) which Counties were to ſend in *Wheat*, which ſeveral " ſorts of Fleſh, and Provender for the Horſes. The reſt of this Story being ſomewhat long, I ſhall contract: " That the King, *viz. Hen-* " *ry the Second*, wanting ready Mony very much to carry on his War " beyond Sea, and being alſo mightily importun'd by the Husband- " men, who were put to a world of trouble in carrying their Provi- " ſions from their own Lands to the King's Court; and moved with " their Complaints about it, did, by the Advice of his Lords, ap- " point throughout the Kingdom, ſuch Perſons as he knew were for " their Service: Theſe Perſons going about, and taking a view of the " ſeveral Lands, having made an Eſtimate of the Proviſions which " were paid out of them, they reduc'd it into a Sum of * ready Mo- " ny. But if the King's Rents were thus paid, it was not to be ima- " gined that the Rents of his Tenants *in Capite*, and their Inferior " Tenants, were paid any otherwiſe.

*Denariorum.

AS for the Doctor's laſt Inſtances of Services in general, that there were divers ſuch, as well *Military* as *Prædial*, paid by the *Engliſh-Saxon* Tenants to their Lords long before the *Conqueſt*, may appear from ſeveral Inſtances in our Antient Abbey and Cathedral-Books, as alſo from the Charters of the *Saxon* Kings. As for example, That Charter of King *Kenulph* (cited by Sir *Edward Coke* in his *fourth Inſtitutes*, Ch. 35. p. 192. dated *Anno Dom.* 821.) which granted to the Abbot and Monks of *Abingdon* many Mannors and Lands, on condition, *quod Expeditionem duodecim virorum, cum tantis ſcutis exerceant, antiquos pontes & arces renovent:* which is the more remarkable, becauſe ſometime after this, King *Ethelwulph*, by his memorable Charter of Privileges (ratified by the Great Council of *Wincheſter* in the year 835.) did by expreſs words ſet free *Sanctam Eccleſiam*, that is, all the Churches and Monaſteries of his Kingdom, *ab Expeditione, & Pontis extructione, & Arcis munitione*; that is, from the *threefold Neceſſity*, to which all the Lands of the Kingdom were then liable, *viz.* of Expedition or going to War againſt Enemies, and the building or repairing of Bridges, and Caſtles: yet that this Service payable by this Monaſtery, was ſomewhat more than what was appointed by the Common Law of the Land, appears by this Clauſe in the Charter it ſelf, ſince it particularly limits this *Military* Service to twelve Men; which need not have been done, if by Law this Abbey could have been obliged to have found as many Men without any ſuch proviſion.

THE ſame Author has there cited a like Charter of King *Ethelred* to a Knight called *Athelwig*, dated *Anno Dom.* 995. ſo that not only Abbeys, but Knights or *Military*-men then held Lands of the King by the Service of ſo many Men: which how it differ'd from Knight's Service I cannot diſtinguiſh; and Dr. *Brady* himſelf allows Tenancy *in Capite* to have been in uſe long before his *Conqueſt*, when he tranſlates this Paſſage out of Arch-Biſhop *Parker*'s *Britiſh Antiquities*, *Anno Dom.* 905. Plegmundus, *Cantuarienſis Archiepiſcopus, una cum Rege magnifico cognominato* Edwardo *Seniore, Concilium magnum Epiſcoporum, Abbatum*, Fidelium, *Procerum, Populorum in Provincia* Gewiſſorum *convocant*, &c. That is, in the year of our Lord 905. *Plegmund* Arch-Biſhop of *Canterbury*, together with the magnificent King *Edward*,

Anſw. to Mr. Petit, p. 9. Fol. 75.

Edward, Sirnamed the *Elder*, called a Great Council of the Biſhops, Abbots, Tenants *in Capite* or *Military* Service, Noblemen and People in the Province of the *Weſt-Saxons*.

SO that if there were Tenants *in Capite*, or *Military* Service, before the Doctor's *Conqueſt*, he contradicts himſelf in affirming afterwards in the ſame Book, as alſo in his Preface to the *Norman* Hiſtory, "That vve received all our Tenures, and manner of holding Eſtates, "in every reſpect, from *Normandy*. And now let him chuſe vvhich ſide he pleaſes, and maintain Tenure by Knights, or *Military* Service to have been introduced either before or after his *Conqueſt*, he vvill gain nothing by it; for if he will maintain the former Opinion, then it is certain that theſe Tenures were in *England* long before the time he ſuppoſes; or if he will ſtick to this latter Aſſertion, it is alſo untrue, that all our *Military* Tenures were derived from the *Normans*, as I think has been ſufficiently proved.

Anſw. to M.P. p. 14. P. 155.

BUT perhaps the Doctor may ſay, That by Tenures and holding of Eſtates, he means no more than *Military* Fees according to the *French* and *Norman-Feudal* Laws. And concerning Fees, the Doctor ſays, "The Learned Sir *Henry Spelman*'s *Gloſſary* tells us, that *William* the "*Conqueror* brought over the Servitude of them into *England*, who "divided it all amongſt his Great Men and Chief Commanders; and "this, he ſays, appears from *Doomſday*-Book; and after that the "Bondage of Fees was known in all parts of the Kingdom, not heard "of before in the *Saxon* times: Tho indeed he adds, that the word "*Beneficium*, or *Prædium*, was antiently uſed for *Feodum*, which was "not uſed in any Nation or Country until about the beginning of the "*Tenth* Century from our Saviour's Incarnation. And then he cites a Paſſage from *Dudo* of St. *Quintin*'s Hiſtory, how *Charles* King of *France* added to the Donation of *Normandy*, which he had before beſtowed upon Duke *Rollo*, the Province of *Bretaign*, that alſo by this * *Benefice* he might oblige him to be the more faithful Vaſſal to him. *Hottoman* alſo ſays thus, *Beneficium datur propter Officium, quo verbo demonſtratur*, Feudale *Officium non niſi Militare & Bellicum fuiſſe*; *i. e.* A *Benefice* is given for the ſake of an Office, by which word it is declared, that a *Feudal* Office was at firſt only *Military* and Warlike.

Ib. p. 156. *Gloſſ.* Fol. 218. Tit. Feudum.

Somner's Gavel. p. 102.

* Beneficium.

Lib. de Feud. c. 5.

SO that it is plain from theſe Authors, that the ſame thing which was at firſt called *Prædium* and *Beneficium*, was afterwards called by a *German* or old *French* word, a *Feud*, or in Latin *Feodum*.

NOW I deſire no more than what the Doctor has here granted; for from hence it is evident, that the Thing was in uſe long before the Word; therefore if we can ſhew the ſame words, *viz. Beneficium* and *Prædium*, in ſeveral old Charters before the *Conqueſt*, I ſee no reaſon why they ſhould not have been much the ſame with the *Feuds* or *Feoda*, which words I admit were brought from *France*, tho the thing was here long before. But that which at length began the difference between *Feuda* and *Beneficia*, was, that when the latter began to be uſed in a reſtrain'd ſenſe, and to ſignify no more than an Eſtate for Life, then the word *Feudum* grew to be in faſhion, and was underſtood only of ſuch Grants of Lands as were Perpetual and Hereditary, whilſt *Beneficium* ſignified thoſe that were held only for one or more Lives. From whence it is alſo evident, that *Military* Tenures or

Fees

Fees were more antient than the word by which they were afterwards expreſſed: and ſuppoſing the *Normans* brought theſe ſort of Tenures with them out of their own Country, as divers Authors aſſert, I know not why the *Danes* and *Norwegians* who were the ſame People, and ſpoke the ſame Language with the *Normans*, ſhould not, when they came to ſettle in *England* under King *Knute* and his Sons, bring in the ſame kind of Tenures, not only for Lives or Years, but alſo to Heirs Male in Fee-tail; or elſe there could have been no reaſon why by that Law of King *Knute* already cited, the Heirs of *Earls*, and both ſorts of *Thanes*, were to pay *Heriots*, as well as thoſe of a Count, Baron, or *Vavaſour* after the *Conqueſt*, ſince the ſame things are ſignified by King *Knute*'s as well as King *William*'s Laws: For it is certain, that in the Kingdoms of *Denmark*, *Sweden*, and *Norway*, the Nobility hold their Lands of the King by *Military* Tenures, much after the ſame manner as the Earl, King's *Thane*, and leſſer *Thane*, held theirs under *Knute*, who was King of *England* and *Norway*; and who (by what I can find) was the *Firſt* that made theſe *Feudal* Eſtates inheritable in *England*, which were before commonly granted for one or more Lives.

SO that at laſt the vvhole Queſtion between Dr. *Brady* and thoſe of the contrary Opinion, is, "Whither all the Burdens and Services be-"longing to *Military* Tenures, ſuch as *Wardſhips*, *Mariage*, *Ho-"mage*, *Fealty*, *Aids*, *Eſcuage*, *Reliefs* and *Eſcheats*, both according "to their firſt rigorous Inſtitution, and afterwards more qualified "Condition; vvhither, I ſay, they were all derived from *Norman-"dy*, or not? Which Queſtion thoſe two Learned Lord Chief Juſtices, Sir *Edward Coke*, and * Sir *Matthew Hale*, do both hold in the Negative: yet ſince I confeſs, that (unleſs it be as to *Reliefs* and *Eſcheats*) I can ſee no Footſteps of thoſe Incidents to *Military* Service before the coming in of the *Normans*; and muſt own my ſelf convinced by the cogent Arguments of Sir *Henry Spelman*, not only in his *Gloſſary*, but his late Learned *Poſthumous* Treatiſe concerning Feuds and Tenures, that the greateſt part of thoſe Burdens and Services, which we find annexed to *Military* Fees, were introduced by King *William* from his own Country.

* *In his MS. Hiſtory of the Laws of England.*

BUT ſuppoſing this to be ſo, yet I doubt Dr. *Brady* will have little cauſe to triumph upon this Conceſſion, as if he had thereby gain'd an entire Victory; ſince if he pleaſe to look over *Littleton*'s Tenures, he may there ſee how ſmall a part thoſe Sections concerning Tenures make, in reſpect of the reſt of the whole Book; and conſequently how little a Branch of the Common Law they were when in being, and before they were taken away in our times by the Statute of 12° of King *Charles* the *Second*.

BUT as for the other executive parts of the Law, which the Doctor likewiſe ſuppoſes to have been brought from *Normandy*, I ſhall treat of that by and by: In the mean time I hope I may ſtill ſafely affirm, that even the abovemention'd Incidents or Burdens upon *Military* Tenures were no Badges of *Norman* Conqueſt, nor brought in and impos'd by the *Conqueror*'s ſole Will and Pleaſure, as may eaſily be proved from theſe Conſiderations and Authorities.

FIRST, That this Service was impos'd upon all Biſhopricks and great Abbeys that were Royal Foundations, and which held in *pura Eleemoſyna*,

Eleemoſyna, before the Conqueſt; which tho our Monkiſh Writers, and particularly *Matthew Paris*, exclaim againſt as a great Oppreſſion on the Church, yet is it not at all likely that it was done without the Conſent of thoſe Biſhops and Abbots at that time, as Mr. *Selden* in his *Titles of Honour* very probably ſuppoſes: for that this King within the firſt Four years of his Government would have preſumed to have impos'd ſo great a Burden upon the Biſhops, Abbots and Priors without their own conſent, I cannot eaſily believe; becauſe they might have appeal'd to the Pope againſt it, who thereupon would have made the King deſiſt from ſuch an Encroachment; and if he had done it by his own Authority alone, why ſhould it not have been alſo impos'd upon many other Monaſteries beſides thoſe of Royal Foundation? ſince many of them, tho founded by Noblemen, or other private Perſons, were as well endowed as the other; and even ſome of the greater of theſe were afterwards by their own conſent made to hold their Lands by Barony, or Knight's Service, and on that account their Abbots and Priors ſat in the Great Council or Parliament as Barons.

MY next Conſideration is, that Tenure *in Capite*, with all the Burdens and Services annexed to it, was laid as well upon the *Normans* (who were the *Conqueror*'s) as upon the ſuppos'd conquer'd *Engliſh*; yet this was done, not by the King alone, but by and with the conſent of the Great or Common Council of the Kingdom, as appears by the 55*th* and 58*th* of King *William*'s Laws cited by the Doctor. And if this Council then conſiſted only of *Normans*, as he (tho falſly) ſuppoſes, then theſe Laws will make more ſtrongly for vvhat I now aſſert.

LASTLY, The receiving of this Tenure with all the Services annexed to it, was no Badg of *Conqueſt*: for the like were received in *Scotland* about the ſame time, being introduced by King *Malcolm* the *Third*, ſirnamed *Canmore*, in imitation of what had been not long before done in *England*.

BUT I confeſs the greateſt part of the *Scotiſh* Writers make it above Thirty years antienter, and that it was introduced by King *Malcolm* the *Second*, as is related by * *John Fourdon* their moſt Antient Hiſtorian, who ſpeaking of this *Malcolm*, ſays, That he was ſo Liberal, or rather Prodigal in his Gifts, that when after the old cuſtom and manner, he till then held all the Regions and Provinces of the Kingdom in his own Dominion, he then left nothing to himſelf beſides the little Hill on which the Palace of *Scone* was built; where the Kings, ſitting on their Royal Thrones, were uſed to promulgate Laws and Judgments to their Subjects.

* Lib. 3. cap. 43. Edit. Oxon.

BUT tho theſe *Military* Fees themſelves might be thus given to this King, yet that the Services annex'd to them were not ſo granted, is alſo related by *Johannes Major*, and *Hector Boethius*, who both agree in this Story, that when King *Malcolm* gave well-nigh all his Lands unto his Nobility in reward of their Services, that they in thankfulneſs to ſupport his Dignity, regranted unto him, *Vardam*, *Deſponſationem*, *& Releviam*, i. e. *Wardſhip*, and *Mariage* of their Heirs within Age, and *Relief* of thoſe of full Age. The ſame thing is alſo aſſerted by the Laws of this King *Malcolm*, printed in *Skene*'s *Regiam Majeſtatem Scotiæ*, where it is ſaid, That * *ad Montem* Placiti *in Villa de* Scona, *Omnes Barones conceſſerunt ſibi Wardam & Releviam de Harede cujuſ-*

* *The Mount of the Plea in* Scotiſh, *the* Mute Hill *of* Scone.

*

cujuſcunque Baronis defuncti ad ſuſtentationem Domini Regis. But yet for all theſe ſplendid Authorities, it muſt needs be a great Miſtake in moſt of theſe *Scotiſh* Hiſtorians, and alſo in the Prologue to thoſe Laws, which ſays, That this King then had all the Lands of *Scotland* in his own hands: For this is more than *Fordon* himſelf affirms, who Id. ib. expreſly tells us, " That antiently the *Scotiſh* Kings were wont to be-" ſtow upon their Knights or *Military* Tenants, ſome more or leſs of " their Lands, being a part or portion of a County or *Thaneſhip* in " Fee-farm; for at that time the whole Kingdom was divided into " *Thaneſhips*, of which the King gave to every man as he pleaſed: as " to Husbandmen only for term of Years, or elſe for one or more Lives: " to Gentlemen and Freemen, and to ſome few of the Chief of theſe *for* " *ever*; yet not ſo freely, but that they all paid a certain yearly Rent " to the King. All which is very probable, and much the like Cuſtoms " and Tenures were uſed in *England* before the *Conqueſt*, at leaſt before " the time of King *Knute*, when I ſuppoſe they firſt became *Here-*" *ditary*. Yet for all this, not only I, but ſeveral Learned Antiquaries and Lawyers do juſtly doubt, whither there is not a great miſtake in theſe *Scotiſh* Hiſtorians, as alſo in *Skene*, the Collector and Publiſher of the Antient *Scotiſh* Laws, who attribute this great Alteratidn to King *Malcolm* the *Second*, that reign'd above thirty years before our King *William* the *Firſt*; whereas it ſhould have been indeed *Malcolm* the *Third*, ſirnamed *Cammore*, who govern'd *Scotland* many years before this King's Entrance, and reign'd till ſome years after his deceaſe. And for this there need no plainer Teſtimonies than the many *Norman* Words or Phraſes that are intermixt amongſt thoſe Laws, and which could not have been in uſe there till they had been firſt brought in hither by that Nation: as alſo by the frequent mention of the King's Great Seal; whereas *Edward* the *Confeſſor*, who reign'd at the ſame time, had no Great Seal till toward the latter end of his Reign, and then he borrowed that Cuſtom from *Normandy* where he had ſo long ſojourn'd. The like I may ſay concerning the large Fees of the Chancellor, for paſſing of Charts and other Writings, when Mony was a very ſcarce Commodity in *Scotland* as well as here: As alſo the other Fees there ſet down for the Juſtitiary and his Clerks and Coroner, when as yet there were none of theſe Offices in *England*. And likewiſe the words, *Amercement*, *Eſcheats*, *Feoda*, all of *Norman* Original, and not known here till after the time of our *Conqueſt*; which could never have been of that Antiquity, as is there pretended.

AND indeed I never met with any Learned or Ingenious Gentleman of that Nation, who has not freely own'd the ſpuriouſneſs of the Firſt, Second, and Third Books of theſe pretended *Scotiſh* Laws, which in the Prologue to the Firſt Book are ſaid to have been made by King *Edward*, whom *Skene* in his Annotation will have to be *David* the *Firſt*. But whoever will maintain, that the Incidents to Knight's Service, ſuch as Wardſhips, Marriage, *&c.* were brought into *Scotland* by the free Conſent of the *Scotiſh* Nobility, without any Force, may as well likewiſe grant that it was alſo introduced after the ſame manner in *England*; and I deſire the Doctor, or any one elſe, to aſſign ſufficient reaſon to the contrary.

I SHALL now conclude this Queſtion with ſome other Inſtances produced by the Doctor in this matter, whereby he would prove that all our Tenures and Services are derived from the *Normans*, in which he is not in all places conſiſtent with himſelf. For tho he
Introd. p. 157. " has granted that the word *Mannor* was derived from the *Normans*,
" and what the *Saxons* called a *Prædium*, or *Villa*, being an Eſtate in
" Land, with the enjoyment of *Soc*, *Sac*, *Tol*, *Team*, and other Pri-
" vileges, the *Normans* called *Mannors*, *à Manendo*, becauſe ſuch Poſ-
" ſeſſions were ordinarily the Seats of the Lords; yet in the very next
P. 158. Page he makes a manifeſt diſtinction between them: " For (ſays he)
" the *Saxon* Juriſdictions had their Origin from the Grants of their
" Kings, but Mannors had their beginning from *Feudal* Law or
" Right; for whoever could diſpoſe of Fees, might juſtly give Laws
" to their Vaſſals, erect Courts for paſſing of Eſtates, and take upon
" them all other Privileges merely pertaining to a Noble Fee.

BUT here the Doctor is much miſtaken in the Matter of Fact; for many great Lords and other Tenants held whole Mannors of the King by Right of Inheritance before the *Conqueſt*, as has been prov'd in part already, and might be further made out if there were occaſion, ſince ſuch Inferior Tenants had Court-Barons belonging to their Townſhips or Mannors, as well before as after the *Conqueſt*; and conſequently there was no occaſion for this Fancy of the Doctor's, " That
" it was only from the *Feudal* or *Norman* Law that men could diſpoſe
" of Fees to their Tenants, give Laws to their Vaſſals, and erect new
" Courts for paſſing Eſtates. Which is all to no purpoſe, if the *Engliſh* Lords had as much Power over their Vaſſals before the *Conqueſt* as after it, and that Court-Barons wherein men paſſed Eſtates, were alſo in being before that time.

BUT here I deſire the Reader further to take notice, that the Doctor grants that Fees were then Eſtates of Inheritance, preſently after his ſuppoſed *Conqueſt*, elſe how could the Lords then diſpoſe of them? Yet notwithſtanding this, in the very next Leaf he recites
P. 159. " how his *Conqueror* gave to ſome of his Followers whole Counties,
" to others ſome part of a County, as Hundreds, and ſeveral Man-
" nors and Towns in them; and that theſe ſometimes parcell'd them
" out to their Dependents and Friends, and they again to theirs, till
" at laſt Souldiers and ordinary Men had ſome proportionable Shares
" for their Services, tho upon hard Conditions, poſſeſſing them for
" the moſt part as Feudataries, and according to the Rules of the
" *Feudal* Law: which as it was the Law for the moſt part in *Nor-*
" *mandy* as to Poſſeſſion and Tenure, ſo was it here in *England*, until
" by the Indulgence of *Uſurpers* to the Great Men, and of them a-
" gain to the People, their Tenants and Followers, their Tenures be-
" came more eaſy, and were changed into Inheritances, both Free
" and Bond; as they did in *France*, upon the Uſurpation of *Hugh*
" *Capet*, from whom the Doctor dates the Original of *Hereditary* Fees
" and Baronies in that Kingdom. From which Example, as alſo from
" the Hiſtories of *Henry* the *Firſt*, King *Stephen* and K. *John*, the Doc-
" tor infers, that the Nobility of thoſe times never loſt by advancing
" Uſurpers if they proſper'd; for they always bargained with them
" for ſome Flowers of their Crown, and for the bettering their own
" Condition: And that theſe Kings above-mention'd, for their own
" ſecurity,

" ſecurity, were forced to comply with the Demands of *Holy Church*, " and of the Barons that were called in to her Aſſiſtance (tho to their " own Diſadvantage); and beſides this way, without doubt many " Lords became Free and Hereditary, or their Services made cer- " tain by *Compact* or Agreement between Tenants and Indigent " Lords, *&c.*

FROM all which the Doctor endeavours to prove that Military *Feuds* were only for Life, and not Inheritable by the Heir all *William* the Firſt and his Son *Ruſus*'s Reigns; but that they were owing to ſome or all of his *Uſurpers* above-mention'd. Yet, with the Doctor's good leave, I think nothing is more falſe and precarious than this Aſſertion, for which he gives no manner of proof: For firſt it is certain, that as in *France*, ſo likewiſe in *Normandy*, Feuds were become *Hereditary* long before Duke *William*'s coming over hither; and however precarious they might be at firſt, yet it is as certain that they were now become *Hereditary* in *Normandy*: and this may appear by the Grand *Cuſtumier* which the Doctor ſo much inſiſts upon; and in *Doomſday-Book* under Title *Glouceſter*, there is this Entry: *In eodem Feudo de W. habet Williel. de Ome de Comite Radulph de Limes, 50 Carucat. Terræ ſicut ſit in* Normannia. From whence it is plain, that ſuppoſing (as the Doctor does) *Military* Fees to be derived from *Normandy*, yet they were ſtill held here after the ſame manner as there; and if they were then *Hereditary* in that Province, they were ſo likewiſe in *England*; ſince if they were held by *Normans*, for having aſſiſted King *William* in this pretended *Conqueſt*, ſure they would not take Eſtates upon worſe Terms than what were then in uſe in *Normandy*. Nor can the Doctor prove, that theſe Great Followers of King *William* parcell'd out their Eſtates to their Dependents and Tenants, whether *Normans* or *Engliſh*, provided they held by Knights-Service, upon other Conditions than what they themſelves held by.

AND that all ſuch Eſtates did after the death of the Tenant deſcend to his Heir Male, I ſhall prove from the firſt Clauſe of King *Henry* the *Firſt*'s Charter; which is thus in Latin.

SI quis Baronum meorum, Comitum, vel aliorum, qui de me Tenent, Mat. Paris. *mortuus fuerit, Hæres ſuus non redimet Terram ſuam ſicut faciebat tempore* P. 55. *fratris mei, ſed juſtâ & legitimâ Relevatione relevabit eam; ſimiliter & homines Baronum meorum legitimâ & juſtâ Relevatione relevabunt terras ſuas de Dominis ſuis.*

FROM whence it plainly appears, that the Lands held by Knight's Service, and which were to be redeemed as by a reaſonable *Relief*, as well from the King as other *Meſne* Lords, are here called *Terras ſuas (viz.)* the Tenant's own Land, and not the King's, or their Lords.

AS for King *Stephen*'s Charter, it only grants and confirms the Rights and Liberties of the Church, which had been much invaded in the times of his Predeceſſors, unleſs it be the redreſs of ſome unjuſt Exactions, and Oppreſſions committed by Sheriffs, and the Encroachments of *Foreſts*; but ſays nothing concerning the Rights and Privileges of Laymen, nor has one word concerning *Feudal* Eſtates, or any Relaxation of the rigour of them.

BUT whither King *John* were an *Uſurper* or not, is not my buſineſs now to inquire; only this is certain, that he had one of the Doctor's

Doctor's Signs of a Lawful Succeſſor; for upon his firſt Acceſſion to the Throne, he granted away none of thoſe things which the Doctor calls *Flowers of the Crown*: and if in the Fifteenth year of his Reign he granted the *Great Charter* of Liberties, it was not till the Barons took up Arms againſt him, being no longer able to endure the Oppreſſions they then lay under. Nor is this Charter any more than a Confir-
P. 254. mation of that of King *Henry* the *Firſt*. And *Matthew Paris* tells us, that the Schedule or Draught of the Charter, which the Barons tender'd to King *John*, contain'd for the greateſt part the Antient Laws and Cuſtoms of the Kingdom; and therefore it could not be by this way that ſo many Lands became Free and Hereditary, ſince there is no Clauſe to be found in all King *John*'s Charter that mentions any ſuch thing, or that releaſes or remits any thing of thoſe Antient Services and Incidents that were formerly due from Lands held by Knight's-Service; but only aſcertains that *Reliefs* ſhould be paid by the Heirs of the King's Tenants *in Capite*, or their Inferior Tenants upon the death of their Anceſtors.

'TIS true, this Charter takes away alſo ſeveral Abuſes and Oppreſſions which were introduced by the King upon his Tenants *in Capite*, and by them (after the King's Example) upon their Under-Tenants and Vaſſals: So that this Clauſe in King *John*'s Charter, whereby if any Freeman died Inteſtate, his Goods are to be diſtributed by his Kindred and Friends, with the overſight of the Church, is but a more particular affirmation of the like Clauſe in King *Henry* the *Firſt*'s Charter, which provides, that if any of his Barons died Inteſtate, his Wife, Children, or next Kindred, ſhould divide his Mony, or other Moveables for the good of his Soul.

NOR is the Doctor's Gloſs upon this Law at all true, when he
* Lib. 1. Feud. Tit. 8. would infer from this Clauſe in * *Hottoman*, *De Feudo Teſtamenti nulla eſt Factio*; *i. e.* There is no making a Teſtament concerning a *Feud*; that therefore a *Feudal* Tenant could make no Will at all, ſince it is plain this Law extends only to the *Feud* it ſelf, which could not be diſpos'd by Teſtament. But what is this to Goods or Mony? And I deſire the Doctor to ſhew me how either of theſe could be held by Knight's-Service: and therefore tho I do not diſpute, but that in *Hen-*
† Vid. lib. 7. c. 16. *ry* the *Second*'s time, when † *Glanvil* wrote, the practice might be that when any Tenant died Inteſtate, the King or Lord ſeized his Goods and Chattels; yet certainly this was but an Abuſe, and could not be juſtified by Law or Equity; and therefore was, among other Grievances, juſtly redreſſed by King *John*'s Charter.

BUT as for the reſt of the Baſe Tenures here mention'd by the Doctor, ſuch as *Burgage*, i. e. Lands held in *Burroughs* according to the Cuſtom thereof, tho it be true we have had them here ever ſince the *Conqueſt*, yet that they were here before too is alſo as certain, as may appear from *Doomſday*-Book, and other Antient Treatiſes of later date. And the like I may ſay concerning the Tenures of *Sotcage* and *Burdage*; which laſt was (ſays the Doctor) a drudging ſervile Tenure of carrying Burdens, and Sacks of Corn, *&c.* which for ought I know had a different ſignification: and tho the Lands ſo held could neither be ſold nor mortgaged, and that the like Tenures were alſo in *Normandy*, yet nothing is more certain, than that they were alſo here before the *Conqueſt*: and it may be proved by ſeveral Paſſages in the

* *Saxon*

Saxon Laws; for ſuch *Ceorls* or Husbandmen, were the Lords *Sockmen*, i. e. Ploughmen, and held their Lands at the Will of their Lord, by doing ſervile Works about his own Demeans.

BUT as for ſuch as held in *Free-Soccage*, as the Tenants by *Gavelkind* in *Kent*, tho the like Tenure might be found in ſeveral Vicounties in *Normandy*, eſpecially that of *Bayeux*, where *Odo*, made Earl of *Kent* by the *Conqueror*, was Biſhop, and whence (as the Doctor ſuppoſes) it might be brought by him into *Kent*; yet this is a mere Fancy, for Sir *Henry Spelman* calls it, *Priſca Anglorum conſuetudo Germania delata*. And Mr. *Somner*, as well as other Authors who have written on this Subject, do allow that it was here long before the *Conqueſt*, and is an evident proof that King *William* did not diſpoſe of all the Land in *England*, ſince ſo large a County as this did for the moſt part retain its Antient Tenure by *Soccage*, which was alſo before the *Conqueſt* the general Law or Cuſtom of all Lands that were not held by *Military* Service.

FOR *Glanvil* tells us, That where the Inheritance is divideable among the Sons, it is *Soccage*, &c. Lib. 7. c. 3.

I HAVE now diſpatched this Great Queſtion about Tenures, and the Incidents belonging to them. I ſhall in the next place ſay ſomething concerning ſuch Inſtances as the Doctor brings from his ſure Author * *Gervaſe* of *Tilbury* ſo often cited by him, who relates, "That "the Court of *Exchequer* was erected by K. *William*, in imitation of "one of the ſame Name and Kind, which was inſtituted in *Nor-*"*mandy* by Duke *Rollo*; and that the Authority of this Court was "at firſt ſo Great, that no man might contradict any Sentence pro-"nounced therein: and not only the Law and Affairs concerning all the "Great Baronies of *England*, and all ſuch Eſtates as held *in Capite*, "were tranſacted there, but many other Laws or Rights were diſ-"cuſſed, and Doubts determined: for, ſays *Gervaſe*, the excellent "knowledg of the *Exchequer* conſiſts, not in Accounts only, but in "multiplicity of Judgments. And the Doctor adds, That *Common-*"*Pleas* were uſually held in this Court until the Eight and twentieth "of *Edward* the *Firſt*, * when it was enacted that no *Common-Plea* "ſhould be henceforth held in the *Exchequer*, contrary to the Form of "the *Great Charter*. * Lib. 1. c. 14.

* Vid. Artic. ſuper Chart. c. 4. 2. Inſtit. P. 550.

"IN this Court ſate the Capital Juſticiary, the Chancellor, Trea-"ſurer, and as many of the moſt diſcreet, greateſt and knowing "Men (real Barons) whither of the Clergy or Laiety, as the King "pleaſed to direct.

"SO that the Buſineſs of this Court was not only Accounts, and "what belonged to them, but to decree Right, and determine doubt-"ful Matters which aroſe upon incident Queſtions; to hold *Common-*"*Pleas*, and to judg what chiefly concern'd all *Capite* Lands, and the "Great Baronies of *England*.

"THE Great Officers and other Great Men that ſate here, were "all *Normans*, or of *Norman* Extraction, which probably neither "well underſtood or ſpake the *Engliſh* Tongue; much leſs had they "time to learn, know, or underſtand the Common Law of *England*, "being then, and ever ſince the Conqueſt, *Lex non Scripta*, but di-"vinely caſt into the Heart of Man, as Sir *Edward Coke* affirms: for

" unleſs they received it this way by Inſpiration, how could Judg-
" ments be made, and Sentence given in this Court by any other
" than the *Norman* Law?

I HAVE tranſcribed *verbatim* all that the Doctor has ſaid conſiderable on this Head, becauſe I confeſs it is one of the beſt and ſtrongeſt Inſtances he has to prove the great Uſe of the *Norman* Laws in *England*. Therefore, in the firſt place, I ſhall not deny that the Court of *Exchequer* was of a *Norman* Original; and I have already acknowledged, that all Pleadings there, as well as in the King's own Court, were then, and for divers Ages after, in the *French* Tongue; yet does it not follow that this Court of *Exchequer* was erected by King *William*'s ſole Authority, tho perhaps the firſt Judges and *Barons* that ſate there might have been *Normans*. But as concerning thoſe Incidents and Burdens that then lay upon the Tenants by *Military* Service, *viz. Wardſhip*, *Mariage* of the Heir, *&c.* tho they might have been derived from *Normandy*, yet how ſmall a Member they were of that Great Body of the Law of *England*, I have already obſerved.

AND tho I grant *Common-Pleas* were often tryed in this Court of *Exchequer*, between other Perſons than the King's own Tenants *in Capite*, yet that this was an Incroachment upon the Antient Law of *England*, appears by the *25th* Law of *Henry* the *Firſt*, which expreſly provides, That if there ariſe a *Plea* between the Tenants of any of the Barons that have *Socna* (that is, Suit of Court) the *Plea* was to be determin'd in the Court of their own Lord of Common Right; and if it were between the Tenants of two Lords, having ſuch a *Socna*, then the Defendant was to anſwer in the Court of his own Lord only.

THUS it was in all Suits ariſing between the Tenants of ſeveral Lords; but if any Difference aroſe between two Barons or Tenants *in Capite*, or betwen the *Vavaſors*, or *Meſne*-Tenants of ſuch Barons, this King has alſo determin'd that Queſtion in his Charter directed to *Sampſon* Biſhop of *Worceſter*, and *Urſo*, or *Urſe* the Sheriff of that Shire, which you will find in * Sir *H. Spelman*'s *Gloſſary*, and which is alſo cited by Dr. *B.* in his † Preface to his Hiſtory, wherein the King commands, That all County and Hundred-Courts ſhould ſit and be held as in the time of King *Edward*. And then after ſome other Clauſes follows this, *Et ſi quando exurgat Placitum de diviſione Terrarum, ſi intereſt Barones meos Dominicos, tractetur Placitum in Curia mea; & ſi inter Vavaſores duorum Dominorum, tractetur in Comitatu*, &c.

* P. 302. Col. 2.
† P. 143, 144.

WHENCE it is evident, that all Suits or Pleas between Inferior Lords and their Tenants, were to be tryed either in the Courts Baron, or elſe in thoſe of the Counties, and were not to be brought up into the King's Court, unleſs the *Plea* or Suit was between the King's own Barons or Tenants *in Capite*.

SO that all this being conſider'd, the Judges of the King's own Courts, whither of the *King's-Bench* or *Exchequer*, needed not to have then underſtood the Common Law of *England*, any further than the ordinary Grounds or Principles of it, in which a *Norman* Nobleman or Lawyer, who did not underſtand the *Engliſh* Tongue, might be as eaſily inſtructed by Tradition, or word of Mouth,

as if the Laws had been then written in *Engliſh-Saxon.*

AND tho I do not approve of the Lord Chief Juſtice *Coke*'s pedantick Expreſſion, of his *Lex non Scripta, being divinely caſt into the Heart of Man,* which the Doctor deſervedly ridicules; yet for all this, ſure it had been as eaſy for theſe *Norman* Judges to have learn'd the Laws of *England* by the Tradition of others, as it was for the ſame Perſons to have come to the knowledg of the Laws and Cuſtoms of *Normandy,* which were then likewiſe *unwritten Laws,* and ſo continued for near one hundred and fifty years after, till the beginning of our King *Henry* the *Third*'s Reign, when they were collected into one Body by order of King *Philip Auguſtus,* after he had united *Normandy* to the Crown of *France.*

THEREFORE I cannot ſee how the Doctor makes good his Concluſion, that tho the *Engliſh* and *Norman* Laws were in great part the ſame before the *Conqueſt,* yet that the bulk or main of them were brought over hither from *Normandy* by the *Conqueror.*

BUT as for the reſt of his Inſtances which he pretends to bring from the Country laſt mention'd; and to prove which he runs over the whole Book called the *Grand Cuſtumier,* which he compares with the Firſt Treatiſe of our *Engliſh* Laws, written by that Learned Juſtitiary *Glanvil,* and would thence infer, that becauſe the Cuſtoms and Law-proceedings uſed in *England* when that Author wrote, appear in many particulars to be the ſame, eſpecially in the Form or executive Part concerning Writs; yet is this no proof that all theſe Laws and Cuſtoms muſt have been derived from *Normandy,* ſince they might have been as well tranſmitted from hence thither, as I ſhall prove from Arguments that ſhall be given you by and by.

BUT in the firſt place I ſhall not, with * Sir *Edward Coke,* make uſe of the Authority of *William de Roüil,* who in his Preface to his Comment to the *Grand Cuſtumier,* ſays, from the Hiſtory called *Chronica Chronicorum,* that our *Edward* the *Confeſſor* was the Maker or Author of theſe Cuſtoms to *Normandy:* for I ſhall ſo far agree with the Doctor, as to allow all that Story for mere Fable or Romance; only I ſhall make this Inference from it, that when this Author (who was himſelf a *Norman*) wrote, it was ſo far from being known or believed in *Normandy,* that their Laws were firſt brought over into *England* by the *Conqueror,* that to the contrary they thought them to have been appointed by *Edward* the *Confeſſor,* when he ſojourned within that Province.

* Vid. *his* 31 *Report.*

BUT to come more cloſely to the Matter in diſpute; it is no ſufficient Argument to alledg, as the Doctor does, from a Parity of our Law-proceedings in *forcible Entries, Hue-and-Crys, Appeals,* or Suits of Robbery, Laws of Sanctuary Simple and Perſonal, Plaints, Briefs or Writs of *Novel-Diſſeiſin,* and *Mort-D'anceſtor*; with other Writs and Proceſs, being the ſame with thoſe in *Normandy*; that therefore they were all borrowed from thence.

I GRANT the Doctor has made a very laborious Compariſon between the *Grand Cuſtumier* and our Antient Law-Books, *Glanvil* and *Bracton,* in theſe Particulars; yet can he not for all this pains aſſure us, that the *Norman* Body of Laws or Cuſtoms, is as antient as the time of the *Conqueror,* or his Son *Rufus,* without which ſuppoſition all the Doctor's Inſtances will prove inſignificant: for I think it may

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be ſhewn that even theſe *Norman* Cuſtoms and Writs received great Alterations and Additions from thoſe of *England* between his *Conqueſt* and the loſs of *Normandy*, in the Reign of King *John*; and this I ſhall endeavour to prove from theſe Conſiderations.

FIRST, That after the Conqueſt *Normandy* remain'd a *Feudal* Dutchy, and was but a ſmall Province in compariſon of *England*, and became as it were an *Appendix* to it, being an Independent Kingdom: and the Kings of *England* having the Seat of their Government here while they continued Dukes of *Normandy*, by this means that Province muſt receive a greater influence as to its Laws and Government from *England*, than *Normandy* could have upon it; inſomuch that there iſſued oftentimes Precepts into *Normandy* to ſummon Perſons to anſwer in Civil Cauſes here in *England*; and that even for Lands and Poſſeſſions in *Normandy*: as to inſtance in a * Precept to the Seneſchal of *Normandy*, to ſummon one *Robert* a *Norman* to anſwer *John Mareſchal* in a Plea of Land, giving him Forty days warning; to which the Tenant appear'd, and pleaded a Recovery had in *Normandy*. The like we find in the Caſe of *William de Boſco* againſt *Geoffery Ruſſun* for Land in *Corbeſpin* in *Normandy*; which plainly proves a dependance of that Province upon *England*, whilſt it continued annexed to this Crown.

* Vid. Placita MSS. 11 R. Johan. in Bib. Hoſpit. Lincoln.

SECONDLY, That a much greater conformity of Laws aroſe after the ſuppoſed *Conqueſt*; and that not ſo much by an aſſimulation of the Laws of *England* to thoſe of *Normandy*, as by thoſe to ours, which gradually encreas'd to a greater height of Perfection, between the beginning of the Reign of King *Henry* the *Firſt*, and the latter end of *Henry* the *Second*, during all which time *Normandy* was appendant to *England*; ſo that many Writs and Law-proceedings might be ſent from hence and tranſmitted thither, and be afterwards inſerted into their *Grand Cnſtumier*: Which will yet more plainly appear, if we compare that Treatiſe of *Glanvil* (cited by the Doctor) with that Book laſt mention'd; in which you will find many Words and Law-Terms the very ſame with thoſe in our Antient *Engliſh* Laws; ſuch as are *Namps* for a Diſtreſs, in the firſt Book of this *Cuſtumier*. There is a whole * Chapter concerning the manner of taking theſe *Namps* or Diſtreſſes; which word being wholy of an *Engliſh-Saxon* Original (as Sir *Henry Spelman* in his *Gloſſary* allows) ſhews that it could never have been borrowed from *Normandy*.

* Vid. cap. 7.

SO that it ſeems more probable, that by their ſtudy or imitation of our *Engliſh* Law-Proceedings, or rather by the Authority of our Kings, the *Norman* Laws might arrive to the ſame Form and Perfection there, as they did in *England* in the ſame Period of Time, *viz.* in the Reign of *Henry* the *Firſt* and *Second*, *Richard* the *Firſt*, and K. *John*, eſpecially in this laſt King's Reign: For if any man do but compare the *Cuſtumier* of *Normandy* with that Treatiſe of *Glanvil*, he will moſt plainly find the Tract of the *Norman* Laws to have followed that Pattern, and to have been written long after it, when the *Engliſh* Laws were yet more refin'd and perfected: For it is certain, beyond all contradiction, that the Collection of the Cuſtoms and Laws of *Normandy* was long after the time of *Richard* I. for it mentions his Coronation, and appoints that Period for a limitation of *Actions Anceſtral*; nay, that it was after the actual Settlement of the Dutchy of *Normandy* in the

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Crown of *France*; for it appears that this appointing the Coronation of King *Richard* the *Firſt* for the limitation of real Actions, was ſettled by *Philip Auguſtus* King of *France*, after his full poſſeſſion of the Dutchy of *Normandy*. And *Renault* in his Preface to the *French* Notes to the Reformed *Cuſtumier* of *Normandy*, printed at *Roüen* 1660. ſays expreſly, That theſe Cuſtoms were not put in writing till the beginning of the Reign of St. *Lewis*, when it was drawn into the Form we now have it, by a certain Advocate or Practitioner in the Laws, whom he either does not, or elſe cannot name.

TO conclude: if the Laws, Cuſtoms, and Legal Proceedings of that Province (inſtanced in by the Doctor) could be proved to have been a Collection of the Antient Laws uſed there before the coming of Duke *William* into *England*; it might have been a plain proof indeed, that their Laws being ſo like ours, were tranſlated from them to us. But the Caſe is quite otherwiſe, the *Grand Cuſtumier* is but a Collection of the Laws and Cuſtoms of *Normandy*, after the Reigns of King *Henry* the *Second*, *Richard* the *Firſt*, and King *John*; and indeed in *Henry* the *Third*'s time, when it had received ſeveral Additions and Emendations, under the Kings above-mentioned, who were moſt of them aſſiſted with a Council of ſuch as well knew the *Engliſh* Laws. And as in part of this time, the Law-Proceedings in *England* had received a great Advance and Perfection, as appears by that excellent Collection of *Glanvil* above-mentioned, when yet there were above Twenty years more to come, wherein they might have acquired a farther improvement, before *Normandy* was loſt; ſo from theſe *Engliſh* Laws thus modell'd, poliſhed and perfected, the ſame Draught was copied upon the *Norman* Laws and Cuſtoms, which received their faireſt Lines from thoſe of *England*, as they ſtood in the beginning of King *John*'s time, and ſo were in a great meaſure but a ſcanty Collection of the *Engliſh* Laws, and indeed a Tranſcript of them, eſpecially as to the Forms relating to Legal Proceſs, tho mingled with their own *Norman* particular Laws and Cuſtoms, which alter'd the Features of the Original in many places.

THIS, with a great deal more to the ſame effect, the Reader may find in a *Manuſcript* Treatiſe of the late moſt Learned Lord Chief Juſtice *Hale*, intituled, The *Hiſtory and Analyſis of the Laws of* England; from which I have borrowed the Senſe (tho not the very words) of all that is conſiderable upon this Head concerning the Original of our *Engliſh* Laws, and for their Vindication againſt the ſuppoſition of their being wholly of a *Norman* Extraction.

NOW who the Reader thinks moſt to be relyed upon for the Antiquity and Original of our *Engliſh* Laws, thoſe Learned Judges, Sir *Edward Coke* and Sir *Matthew Hale*, who had made it great part of their Buſineſs to inquire into and underſtand them; or a Doctor who coming late to the ſtudy of theſe Matters, and only *tantum Tranſfuga* from another Profeſſion, hath ſlightly run over ſome few Books belonging to this; I ſhall leave to his Judgment to determine.

BUT I ſhall now conclude with ſomething of my own, in anſwer to the reſt of the Doctor's ſmall Cavils, from what * Sir *Edward Coke* hath ſaid upon this Subject; who becauſe he calls Original Writs the Foundation on which our Law dependeth, the Doctor thereupon falſly

* *Preface to his 8th Report. Comment on* Littleton, §. 101. p. 73.

falſly concludes, that then certainly the Foundations and Principles of *Ours* and the *Norman* Laws are very little, if any thing at all different; and then he proceeds to triumph over Sir *Edward*, for being too credulous of the Authority of *Will. de Rovil*, who falſly ſuppoſes that King *Edward* the *Confeſſor* was the maker or giver of theſe Cuſtoms to the *Normans*.

BUT the Doctor himſelf is ſtill to prove, that theſe very Writs and Laws were fram'd in *Normandy* in the ſame manner as they are found in the *Grand Cuſtumier* above-cited, as alſo in our Antient Law-Books, *Glanvil*, *Bracton*, &c. and that before the time of his *Conqueſt*. And I would ask him how he can be ſure that Mr. *Lambard* is in the right, when he ſays in his * *Archaion*. that the *Saxons* Judicial Proceedings were *de Plano*, without any Form or Solemnity; and that therefore, ſo far as he could obſerve, they did not uſe to call the Parties by any Writ or Writing, but to ſend for them by certain Meſſengers whom they termed *Theies* (or perhaps rather *Theows*, or *Thegens*, that is, Miniſters or Servants, as the Doctor obſerves.) Yet this ſeems only to be *gratis dictum*; for it is very hard for any body to ſuppoſe, how theſe Meſſengers could tell the Party that was to be ſummon'd, what was the ground of the Suit, or for what Cauſe he was to appear, it being almoſt next to impoſſible, for the Defendant to have been able to make his Defence without ſome Writing briefly ſetting forth the Cauſe of the Complaint.

* P. 64, 65.

NOR is the Doctor's Reaſon to the contrary very material, *viz.* "That if there had been the ſame Forms of Writs, and the ſame formality in Law-proceedings before the Conqueſt as after, and at this "day, they would have been found in Books ſomewhere reſerved, in "one Monaſtery or other; or they would have been delivered from "one to another, and preſerved by Tradition, as well as the very "Common Laws and Cuſtoms themſelves, which were *Jus non* "*Scriptum*, as all the Patrons of the Antiquity of our Law affirm. But this I think may be eaſily anſwered; for tho I grant the ſame formality of Law-Proceedings might not be in uſe under the *Saxon* Kings as afterward, yet that they had no Forms of Writs, or other written Legal Proceſs before the Conqueſt, I cannot believe: Nor does it follow from the Doctor's Reaſons that they had none, becauſe then they would have been found in ſome of our Abbey-Books; ſince they might have been either loſt at the diſſolution of the Abbeys, or elſe might never have been preſerved by the Monks themſelves, who not being the Clerks, or makers out of ſuch Legal Proceſs, it was not their buſineſs to tranſcribe them: and as for their being preſerved by Tradition, becauſe the Common Laws themſelves were ſo, that is a very forced Inference, ſince every one that underſtands any thing of our Laws, knows very well, that tho the Rules and Maxims of Law, which depend either upon its own, or elſe the general Reaſon of Mankind, may be eaſily enough remembred and delivered by Tradition; yet Writs and Pleadings (being matters of Form) could not be ſo, and therefore we have had a *Regiſter of Writs*, beyond all time of Memory. And the Lord Chief Juſtice *Coke* reports, that he had ſeen a Copy of it as antient as the Reign of *Henry* the *Second*. And as for the Writ of *Withernam*, i. e. to have ſatisfaction for a Diſtreſs, carried into a Caſtle or other incloſed place, Sir *Henry Spelman* in his *Gloſ-*

* *ſary*

ſury (under that word) tells us, that it appears by the name to have been an Antient Writ of a *Saxon* Original; and if ſo, the *Engliſh-Saxons* had then written Forms of Proceſs before the Conqueſt, *quod erat demonſtrandum.*

I SHALL paſs by ſeveral other of the Doctor's leſs Errors and Miſtakes, as when he will needs have Tenancy by the *Courteſy* of *England*, to be one of the Cuſtoms derived from *Normandy*; and he might make uſe of the ſame Argument for *Scotland* too, ſince the like Cuſtom is there alſo, without owing its Original to *France*. So likewiſe becauſe he finds the Law-Terms and Vacations to have been much the ſame here as in *Normandy*, therefore theſe alſo muſt have been derived from thence. But how far the Doctor is miſtaken in this Aſſertion, I refer him to Sir *H. Spelman*'s Learned Diſcourſe of the Original of the Four Terms, lately printed at *Oxford* in the *Reliquiæ Spelmanniana*, wherein he may ſee that theſe Terms, appointed for Law-Proceedings and the following Vacations, tho they were in great part derived from the Canon-Law, yet received their Sanction here from the Laws of King *Ethelred*, *Knute*, and * *Edward* the *Confeſſor*, and confirmed by King *William* the *Firſt*: Which laſt particularly ſets out the time of the Vacations from Law-buſineſs, and conſequently the reſt of the Year was appointed for Terms. Nor do the Laws of King *Henry* the *Firſt* make any alteration in this matter; and *Henry* the *Second* expreſly ratified the Laws of *Edward* the *Confeſſor*, and *William* the *Conqueror*, as *Hoveden* tells us, ſaying, *That he did it by the Advice of* Ranulph Glanvil, *then newly made Juſticiary of* England. And this ſeems to be true, for *Glanvil* doth accordingly make ſome of his Writs returnable in *Octabis*, or *clauſo Paſchæ*, where the Laws of *Edward* the *Confeſſor* appoint the end of *Lent* Vacation: and ſo it continued for divers Ages, till ſuch time as theſe Terms came by degrees to be ſhortned by divers Acts of Parliament, to what they are at this day.

* Vid. Leges Ed. Conf. c. 9. Sect. 2.

I HAVE now diſpatched the Doctor's Arguments on this Subject: I come next to his Authorities, great part of which have been anſwered already; yet I confeſs there is one conſiderable one, that requires ſomewhat to be ſaid to it; and it is from * *Eadmerus*, who writes, "That King *William* deſigning to eſtabliſh in *England* thoſe Uſages "and Laws which his Anceſtors and he had obſerved in *Normandy*, "cauſed ſuch Perſons to be made Biſhops, Abbots, and other Princi- "pal men through the whole Nation, who could not be thought ſo un- "worthy as to be guilty of any Reluctancy or Diſobedience to them, "knowing by whom and to what they were raiſed: All divine and "humane Things he ordered at his pleaſure. Then after the Hiſtorian "hath recounted, in what things he even diſallowed the Authority of "the Pope and the Arch-Biſhop, he concludes thus; But what he did "in Secular Matters, I forbear to write, becauſe it is not to my purpoſe, "and alſo becauſe any one may, from what hath been delivered in "Divine Matters, eaſily gueſs what he did in Secular.

* Hiſt. Novor. fol. 6. n. 10, 20, 30.

THO I cannot deny the Teſtimony of ſo grave an Author, and alſo muſt own that the Government of this King was very Abſolute and Arbitrary, eſpecially towards the latter end of his Reign; yet does not *Eadmerus* here ſay, that King *William* eſtabliſhed in *England* all thoſe Laws and Cuſtoms which were obſerved in *Normandy*, only that he deſign'd or intended to do ſo; and to that end made thoſe Biſhops

Biſhops and Abbots above-mention'd: but it is not what he deſign'd to do, but what he actually did that can determine this Matter; for * *Ingulph* alſo tells us, "He likewiſe deſign'd to deſtroy the *Engliſh* "Tongue, and to that end commanded that the Laws of the Land, "and Statutes of our *Engliſh* Kings ſhould be handled or pleaded in "*French*; and that Boys ſhould be taught at School their firſt Rudi- "ments of Grammar in *French*, and not in *Engliſh*, and yet he could "never compaſs that Deſign. And the *Engliſh* Tongue continued ſtill the ſame, with very little mixture of *French* words, till the Reigns of *Edward* the *Firſt*, and *Richard* the *Second*, as any one may obſerve by that Writ or Proclamation in old *Engliſh*, of the 43*d* of *Henry* the *Third* at the end of this Volume; and which is alſo printed in Mr. *Somner*'s *Saxon* Dictionary, Title, *Unnam dare vel concedere*. Or if he will but take the pains to compare the old *Manuſcript* Hiſtory of *Robert* of *Glouceſter* in Verſe, he will ſee by what degrees the *French* Tongue came to be intermix'd with our Modern *Engliſh*.

* Edit. Oxon. p. 71.

Vid. Append. n. 9.

BUT ſince the Doctor has given us one Authority for his Opinion, I ſhall give him another for mine; which is from an Author of undoubted Credit, who wrote within 80 years after this ſuppos'd Alteration of the *Engliſh* Laws, and therefore might very well underſtand the truth of Matters of Fact, either from his own knowledg, or the relation of others; and it is *Henry* of *Huntingdon*, who in his Prologue to the 5*th* Book of his Hiſtory, after he has related the ſeveral Plagues that had fallen upon *Britain* by the Invaſion of Strangers, makes this difference between the Conqueſt of the *Saxons*, and that of the *Normans* over *England*. Of the former he ſays thus, That the *Saxons* gaining the Country by War, kept what they had obtain'd, built upon it, and govern'd it by Laws: And alſo the *Normans* quickly *ſubduing the Land, granted to the Vanquiſhed, Life, Liberty, and the Antient Laws of the Kingdom*, as of * *Right, of which things he had already ſpoken*: And then goes on to compare how far the *Danes* exceeded all thoſe that had gone before or follow'd after them in Cruelty and Barbarity, which Parallel being nothing to our purpoſe, I ſhall here paſs by; only I think there can be nothing more expreſs than this Teſtimony, that the greateſt part of the Laws of *England* remain'd unaltered, notwithſtanding this pretended Conqueſt.

* De jure.

BUT this leads me to anſwer another conſiderable Objection, that there cannot be a greater Evidence of the real Conqueſt of any Nation than this, *viz.* "That the Laws (and particularly thoſe of King "*William*) in *Ingulph*; as alſo all Proceedings and Pleadings in the Su- "perior Courts, were from this time in the *French* and *Norman* "Tongue, till the 36*th* of K. *Edward* the *Third*, when it was alter'd by "a Statute; as alſo that moſt of our Antient Law-Books and Reports "are in that Language. Now the ſame Power that inſtituted ſo great "an Alteration, either did, or elſe might have changed all the Laws "themſelves, if they had pleaſed.

IN anſwer to which, I muſt in the firſt place obſerve (as I have done before) that it is not what this King might, or would have done, but what he actually perſormed, that ought to be the Subject of this Diſpute: for tho I cannot deny that King *William* acted in many things like a *Conqueror*, yet it being done contrary to his own Stipulation and Oath, it could never juſtly give him that Title, according to

the right acceptation of that word. But to anſwer the Matter of Fact, I grant, that the laſt Body of Laws of this King's are in old *Norman-French*; and it ſeems neceſſary that they ſhould be ſo, or elſe how could the *Normans* (ſo many of whom were then in *England*) well underſtand them? Yet without doubt they were alſo proclaimed in the County-Courts, where the Laws were then uſually publiſh'd in the *Engliſh-Saxon* Tongue, or elſe how could the *Engliſh* have been obliged to obſerve them? Nor indeed is this ſingle Inſtance of any conſiderable force, if you pleaſe to remember, that the Laws of King *Edward*, confirm'd by King *William* (as I have already mention'd) were written in *Latin*, and not in *French*; as were alſo that Body of Laws of this King granted by way of a * Charter. The like I may ſay concerning thoſe of his Succeſſor's: for all our Antient Laws and Statutes, from the Reign of King *Henry* the *Firſt* to the Statute of *Weſtminſter* I. which was made in the third year of King *Edward* the *Firſt*, are drawn up in *Latin*, and none of them in *French*; as are alſo all their Charters, except ſome few of the three Firſt *Norman* Kings, which are either written in *Engliſh-Saxon* alone, or in *Latin* with the *Engliſh* Verſion under them: Of both which ſorts there are ſeveral yet remaining in the *Cottonian* Library, as alſo in that at *Lambeth*; beſides what belonged to ſeveral Cathedrals, and to the City of *London* and other Antient Cities; none of which are in the old *French*, as moſt certainly they would have been, had thoſe Kings intended to deſtroy the *Engliſh* Tongue, and introduce the *Norman* in the room of it.

* *It is at the end of his Reign in* Engliſh, *and in the Appendix in* Latin, N. 1.

I COME now to the next Inſtance of our Pleadings, *viz.* Law-Books and Law-Reports, being moſt of them written in old *French*. As to the Firſt, *viz.* the Pleadings, I have ſaid enough already, and proved they were only in uſe in the King's own Court (now called the *Kings-Bench*) or elſe in the *Exchequer*; but that in Inferior Courts in the Country, where far the greater part of the Law-buſineſs of the Kingdom was diſpatched, it was otherwiſe.

BUT to ſay ſomewhat of our Antient Law-Books being written in *Norman-French*, it is a great miſtake; for the Antienteſt we have, *viz. Glanvil*, *Bracton*, and *Fleta*, are in *Latin*: the Firſt that we can find in *French* being *Breton*, and *Horn*'s *Mirror of Juſtices*, both which were written in the time of *Edward* the *Firſt*, when I grant it became very much the faſhion to write, not only our Laws in *French*, but our very Parliament Rolls of *Edward* the *Third*, and great part of *Richard* the *Second*'s Reign in that Language. But this could not be the Effect of the *Norman* Conqueſt, ſince our Writers did not make uſe of it till above a hundred and fifty years after that time; and beſides, *Normandy* had long ſince loſt its Dependance upon *England*; therefore this muſt be aſcribed to ſome other Cauſe, and not to that: nor is the *French*, in which our Laws and Law-Books were written, the *Norman* Dialect, (* for that was very rude and unpoliſhed) but pure *French*, ſuch as was then ſpoke in thoſe parts of *Aquitain* and *Poictou*, which were at that time under the *Engliſh* Dominion; and with which Countries, not only our Kings, but many of our Nobility and Gentry then had a great Intereſt and Correſpondence, both by reaſon of their attending our Kings ſo often thither in their Warlike Expeditions, as alſo by their Great Eſtates in thoſe Parts. So that *French* was

* Vid. *the old Laws of* William *the* Firſt, *at the end of* Ingulph's *Hiſtory*, Edit. Oxon.

the common Language of the Court of *England*; not only in King *William* and his Son's Reigns, but alſo in thoſe of all his Succeſſors down to King *Henry* the *Sixth*, when the *French* conquer'd all the Territories that were remaining to our Kings in *France*.

FOR the proof of which, as alſo to divert the Reader after ſo much dry Matter, I ſhall give you theſe following Verſes from * *Robert* of *Glouceſter*'s *Manuſcript* Hiſtory in old *Engliſh*, where ſpeaking of the *Normans* not long after the *Conqueſt*, he has this Paſſage.

* In Bib. Cotton.

Normans *ne cowde than ſpeek, but their own Speech,*
But Franche *as thei did at Hoom here Children teche:*
So that heir men of this Londe, *that of here blood come*
Holden all thilk Speech, that thei of them nome:
For if a man con no Franche *men telle of them right lite,*
But Lowe men holden Engliſche *here kind Speche zite.*
I wene in the world ne is Londe, *neither Countrey none*
That ne holdeth his kind Speche but Englande *alone.*
But men wote well to conne both good Lyt is,
For the more men conne, the more they bin worthy I wis.

AND this alſo was one main reaſon why the Pleadings in the Courts at *Weſtminſter* continued ſo long in the *Freneh* Tongue, ſince it was then generally underſtood not only by Lawyers, but by all People of any Quality; inſomuch that in the Reign of *Edward* the *Firſt* it was a ſufficient Exception againſt a Juryman return'd to appear at *Weſtminſter*, that he did not underſtand *French*: and therefore if the Pleadings in the Courts above were in that Language, it muſt follow that the Reports of the Caſes there pleaded, and adjudged, ſhould be ſo too; ſo that indeed that Language became (as I may ſay) ſo appropriated to our Laws, that long after the Pleadings began to be in *Engliſh*, yet our Books of Reports of the Arguments uſed in all Cauſes and Trials at *Weſtminſter* were ſtill written in *French* till the time of our late Civil Wars. Which being a true Hiſtory of this Matter, it plainly ſhews, that the writing of ſo many of our Law-Books and Reports in *French*, is not owing to the pretended Conqueſt, but to divers other Cauſes.

SO that I think we may ſafely conclude with what the Sages of our Law generally maintain, that the Common Law of *England* being *Jus non Scriptum*, was a Law before it was reduced to writing, and conſequently might be learn'd by Tradition and Experience, as well as by Reading, and cannot be properly ſaid to be learn'd from any one Language; ſince our Judges are not tied up to the bare Words or Expreſſions of any Law-Caſe or Precedent, but ought to take the Principles and Reaſons of the Law as their only Rule and Guide in all their Sentences and Judgments.

AND that the Laws of *England* were antiently look'd upon as Traditional, I have the Authority of the firſt Writer in that Profeſſion, *viz. Glanvil*, who in his Preface to his Book ſays thus, *Leges namque Anglicanas, licet non ſcriptas, Leges appellari, non videtur abſurdum*, &c.

AND now having diſpatched the moſt difficult part of my Task concerning the Original of our Common Laws, I ſhall next proceed

to

to inſtance in ſome Statutes, or Penal Laws enacted by King *William* the *Firſt*: which being more ſevere than thoſe of his Predeceſſors, may ſeem to ſpeak him a *Conqueror*.

THE *Firſt* is recorded by * *Henry* of *Huntington*, That if any one had kill'd another for any Cauſe whatſoever, he was liable to Sentence of Death. But in this our Author is miſtaken, for this Law was only extended againſt Wilful-murder, not to other Manſlaughters, as any Man may ſee that will conſult the *8th* Law of this King in the *French* Tongue, where he will find the *Were*, or Price of a Man's Life, was there ſet at much the ſame rate as under the *Engliſh-Saxon* Kings. * L. 6. f. 212.

THE *Second* is found among the Laws of King *William*, as alſo in the ſame Author, That he that raviſhed † any Woman, ſhould be deprived of his *Genitals*. † aliquem *falſly printed for* aliquam.

THE *Third* is in the *Saxon* Chronicle, and *Matthew Paris*, That whoever kill'd a Deer of any kind, within the King's Foreſt, ſhould loſe his Eyes. Moſt of which Penalties, tho I grant that they were made more ſevere than they were under the *Engliſh-Saxon* Government, yet might for ſeveral good Reaſons (now unknown to us) be increaſed ſo. But this Penalty concerning killing of Deer being found too cruel, was afterwards by his Succeſſors turn'd into a *Pecuniary Mulct*.

THERE is likewiſe another Law of this King's related by * *Polydore Virgil*, called the Law of *Coverfeu*, *viz.* That at the ringing of a Bell at Night, all Light and Fire in every Houſe ſhould be put out, or at leaſt ſo concealed as not to be ſeen. Which Law, tho we do not find it expreſly in any other Author, as I will not diſpute the truth of it, ſo neither will this, nor the reſt of the Laws abovemention'd, make him a *Conqueror*; ſince it cannot be proved that he enacted thoſe Laws by his own *ſole Authority*, without the conſent of the *Great Council* of the Kingdom, and they did as well extend to the victorious *Normans*, as to the conquer'd *Engliſh*. And as for the laſt Law of *Coverfeu*, I look upon it only as a temporary Edict, which continued no longer at the moſt, than during this King's and his Son *Rufus*'s Reigns: For *William* of *Malmesbury* tells us, That * as ſoon as King *Henry* the *Firſt* came to the Crown, one of the firſt Reformations he made, was the reſtoring the uſe of Lights in the night-time in his Court, which had been intermitted in the time of his Brother: Which ſhews, that if this was any Badg of *Conqueſt*, it was worn as well by the *Normans* of his own Family, as by the vanquiſh'd *Engliſh*. * Lib. 9. * P. 156.

BUT the greateſt Inſtance of this King's Arbitrary Power, ſeems to have been the reviving of that Tax, called *Danegeld*, which *Ingulph* ſays was remitted by King *Edward* the *Confeſſor*. But as I will not deny the Authority of a Writer who lived in that very Time; ſo neither will its being revived by King *William*, make him a *Conqueror*, ſince it might be regranted by ſome Law now loſt; or if he did it otherwiſe, will this prove him a *Conqueror* any more than ſeveral of our Kings their raiſing Mony contrary to Law, when they thought they had any neceſſity for it, and found their Parliaments would not grant them the Taxes they demanded. Nor can we find that he ever impoſed this, but when he thought the Nation was in danger by Foreign Invaſions, or that his Wars with *France* required it. And this Tax was continued during the Reigns of all his Succeſſors, as far as

King

King *Stephen:* which may ſerve to interpret a Paſſage in *William* of *Malmesbury*, whereby it ſeems, as if *William Rufus* had by his own ſole Authority impos'd a Tax upon the Nation; when this Author ſpeaking of *Ranulph* the King's Clerk (who was afterwards by him made Biſhop of *Durham*) ſays thus: *Is ſi quando Edictum Regium proceſſiſſet ut nominatum Tributum Angliæ penderet, duplum adjiciebat*; *i. e.* When the King's Edict went forth, that *England* ſhould pay the Tribute aſſeſs'd upon it, he (this *Ranulph*) added twice as much more; that is, (if this Author may be credited in a thing ſo unlikely) *Ranulph* having the drawing up of the King's Edict, or Proclamation for raiſing this Tax of *Danegeld*, made the Sum firſt agreed on twice as much, there being at that time no ſtated Rule appointed how much ſhould be paid for every Hyde of Land in *England*, it being ſometimes after the rate of one Shilling, ſometimes two Shillings, and ſometimes ſix Shillings *per* Hyde, which is the higheſt Sum I can find; it being mention'd in an additional Clauſe in *Hoveden*'s Copy of *Edward* the *Confeſſor*'s Laws, to have been once raiſed by *William Rufus* to ſix Shillings, when the Barons of *England* aſſiſted him with a great Sum of Mony to purchaſe the Dutchy of *Normandy* of his Brother Duke *Robert*. And it was afterwards levyed during the Reign of his Brother *Henry* the *Firſt*; tho not annually, as Dr. *Brady* would have it, for it was never ſo in his Father's time, but only occaſionally, when the fear of Invaſions or Foreign Wars required it; and for this I refer him to his own Author * *Gervaſe* of *Tilbury*.

* Cap. 23.

I SHALL but ſlightly mention ſome other Cuſtoms rather than Laws, which tho they might have been derived from *Normandy*, yet does it not therefore prove they were any Badges of *Conqueſt*, ſuch as were Tryal by *Duel* or *Combat*, which in Criminal Caſes an *Engliſh* man (if he were Defendant) might refuſe, and be tried by the old *Engliſh* way of *Ordeal*, as may appear by the 70 and 71 Laws of King *William* the *Firſt*, as they are found in the *Cambridg* Edition. To which I may alſo add the uſe of ſeal'd Deeds or Charters, and without which they ſhould not be good; as alſo the uſe of the *French* as well as the *Saxon* Character in Books and Writings, which, as *Ingulph* tells us, are derived from the *Normans*. And I may further add the making of *Soccage* Land inheritable by the eldeſt Son only, whereas before, as well as ſome time after the *Conqueſt*, they were to be divided among all the Sons alike; and that it continued ſo to the end of *Henry* the *Second*'s Reign, appears by *Glanvil* in his 7*th* Book, *cap.* 3. Nor were the *Soccage* Lands of *England* ſo ſmall and inconſiderable in quantity, in reſpect of that which was held by Knight's-Service, as Dr. *Brady* repreſents it; ſince beſides the King's own Demeſnes, a great part of the Lands belonging to Cathedral Churches, Abbeys and Temporal Lords, were held by the Tenure of Free as well as Baſe *Soccage*, or mere Service of the Plough. And of theſe Lands the Doctor does not diſown the *Engliſh* to have held a ſufficient ſhare after the *Conqueſt*, as well as the *Normans*.

I COME now to treat of the laſt *Argument*, whereby thoſe of the contrary Opinion would prove, that King *William* the *Firſt* held this Kingdom by the Right of *Conqueſt*, *viz.* his diſpoſing of the Crown of *England* to his younger Son *William Rufus* by his laſt Will and Teſtament, in prejudice of *Robert* his Eldeſt.

I CONFESS that Dr. *Brady* does no where make uſe of this Argument to prove King *William*'s Right by *Conqueſt*, becauſe in his exact * Hiſtory of the Succeſſion of the Crown, he all along ſuppoſes that the *Engliſh-Saxon* Kings had an abſolute inherent Right to diſpoſe of the Crown by their Teſtaments to whom they pleas'd; and that *William* Duke of *Normandy*, by the Will or Donation of King *Edward* the *Confeſſor*, was thereby lawful Heir and Succeſſor to the Crown of *England*; and that thereupon the People of *England* were ſo bound and limited by this Nomination, that there was no need of any further Election or Confirmation of it: and where the word *Election* is uſed in reſpect of any of our Kings, he will have it to ſignify only a *Recognition* of their Title, unleſs in the caſe of ſome Uſurpers.

* *Introduct. to old Engl. Hiſt.* P. 365.

IN anſwer to which I ſhall not repeat what I have already ſaid in my *Introduction* to the laſt Volume, wherein I think I have ſufficiently confuted this Aſſertion of the Doctor's, and made out by unqueſtionable Authorities, that tho the *Engliſh-Saxon* Kings did often take upon them to nominate their Succeſſors, either by their laſt Will, or other Charters of Donation; yet that they were not looked upon as valid or ſufficient alone, without the ſubſequent *Election* or *Confirmation* of the *Witena Gemot*, or Great Council of the Nation: and for this we need go no further than that Quotation out of * *William* of *Malmesbury*, wherein he repeats the Meſſage *Harold* ſent to Duke *William*, when he urged him with the Oath that he had made to aſſiſt him in obtaining the Kingdom after the *Confeſſor*'s Death, and thereupon received this Anſwer from him, *That concerning the Kingdom, it was a preſumptuous thing in him to ſwear to give his Aſſiſtance to obtain another Man's Inheritance* * *without a* General Convention, *and* Edict *of the Senate and People*; *and therefore a fooliſh Oath was to be broken.* From whence it is plain, that in the Opinion of King *Harold* himſelf, the Crown of *England* could not be diſpos'd of to a Stranger, without a *General Aſſembly* and *Decree* of the Senate and People of *England*. But what our Author here means by the Senate and People, ſhall be further conſidered, when we treat concerning the Antiquity of the Commons of *England*; and that this was a received Notion in the Reign of King *Henry* the *Third*, appears by this Paſſage in *Matthew Paris*, who ſpeaking of the Duke of *Normandy* as the Chiefeſt and moſt Worthy of the Lay-Peers of *France*, ſays thus, *The King of* England *is Duke of* Normandy *by Right of Blood, but King by* Conqueſt; *for it is ſaid, that St.* Edward, *becauſe he wanted an Heir, left the Kingdom to* William *the* Baſtard, *Duke of* Normandy: *But this is ſaid to have had no Force, becauſe he did it on his Death-bed, without the* common Conſent of his Baronage: That is, the Nobility of the higher and lower Order; under which Title the *Commons* were alſo comprehended in this Author's time.

* P. 56.

* Abſque generali Senatus & Populi Conventu, & Edicto.

P. 941.

BUT to return to the Doctor; If ſo be the Kings of *England* had then ſuch an Abſolute Power as to diſpoſe of the Kingdom, and that to Strangers as they pleas'd, without the Conſent of the Great or Common Council of the Nation, the Doctor had beſt conſider how this Tenet can agree with his following Aſſertion, that the Crown ought always to go in a *Right-Line*, according to *proximity of Blood*: And then why might not *Richard* the *Second*'s declaring King *Henry* the *Fourth* for his Lawful Succeſſor; and King *Edward* the *Sixth*'s diſinheriting his two Siſters, *Mary* and *Elizabeth*, and bequeathing the

Crown to the Lady *Jane Gray* his Couſin, be as well juſtified as K. *Edward* the *Confeſſor*'s beſtowing the Crown of *England* upon Duke *William*; or his diſinheriting his eldeſt Son *Robert*, and bequeathing the Crown to *William Rufus*; or King *Richard* the *Firſt*'s paſſing by his Nephew *Arthur*, Son to Duke *Geoffery* his next Brother, and bequeathing it to Earl *John*? So that if the Doctor's Law for the Succeſſion were ever valid, I deſire he would tell us when and how it came to be alter'd, whither by Cuſtom, or by any poſitive Law? And if he be ſtill of the ſame mind, that it was once a Royal Prerogative to diſpoſe of the Crown without any conſent of the Eſtates of the Kingdom, I deſire him (when he writes next upon this Subject) that he would be pleaſed to give us ſome ſubſtantial Reaſons, why our Kings may not do ſo now, as well as they did five hundred years ago?

SO that to ſay the truth, thoſe Gentlemen ſpeak and write much more coherently upon this Subject, who reſolve King *William*'s beſtowing of his Crown upon his Younger Son in prejudice to his Elder, into the Abſolute Power he gain'd over this Kingdom by the Sword; ſince *Grotius* and other Writers on this Subject allow, that Kingdoms ſo acquired may be diſpos'd of as the *Conqueror* ſhall think fit. But, that the Doctor and theſe Gentlemen are both miſtaken, he in ſuppoſing that the *Engliſh-Saxon* and firſt *Norman* Kings might bequeath their Crowns to whom they pleas'd without the Conſent of the Eſtates of the Kingdom; and theſe other Gentlemen (who do not look ſo far back) in wholly reſolving it into King *William*'s Power to
Gen. 48. 22. diſpoſe of the Crown by the like Right as *Jacob* had to beſtow upon *Joſeph* his Youngeſt Son but one, *that portion above his Brethren, which he took out of the hand of the* Amorite *with his Sword, and with his Bow.* Therefore before this Queſtion can be rightly underſtood and ſettled, it is fit we give you a brief Relation of the Matter of Fact, as alſo a brief Hiſtory of the Succeſſion to King *Henry* the *Third*; and thereby it will appear, that neither in the caſe of King *William* the *Firſt*, nor of his Son *William Rufus*, there was any thing practiſed or done in relation to their coming to the Crown, but what was according to the Antient Law and Cuſtom of Succeſſion, that had been practiſed for divers Ages before.

IN order to which I deſire the Reader, who may not yet have read the *Introduction* to my former Volume, to take notice, that I have there clearly made out, that tho the *Engliſh-Saxon* Kings did often nominate their Succeſſors by their Teſtaments, yet was not ſuch a Bequeſt or Nomination looked upon as of any force, till it had been confirm'd and ratified by the Approbation and Conſent of the *Witena-Gemot* or Great Council of the Kingdom; and that this Confirmation was called an *Election*, and ſo was ſomewhat more than a bare *Recognition* or *Acknowledgment* of a Precedent Right, as Dr. *Brady* would needs have it.

SECONDLY, That when the next Heir, or Son of the laſt King was an Infant or a Minor, or elſe was abſent beyond the Seas, they paſſed him by, and choſe his Uncle for their King, as it is evidently proved by the *Election* of King *Edward* the *Confeſſor* before *Edward* ſirnamed the *Out-Law*, (eldeſt Son to King *Edmund Iron-ſide*) being then in *Hungary*.

BUT I ſhall now apply what has been already ſaid to the queſtion before us, and ſhew you, that, excepting the Victory over *Harold*, Duke *William* aſcended the Throne by the ſame ſteps, as many of the

Engliſh-

Engliſh-Saxon Kings his Predeceſſors had done before; for that he was nominated Heir or Succeſſor to the Crown the Doctor does not deny: but this was not all, for there was ſomething elſe required to make him a lawful *Engliſh* King, *viz.* the *Election* or *Confirmation* of the Clergy and Nobility of the Kingdom; which I have already proved from Authors, that lived either in or very near that time, as the Reader may ſee in the following Hiſtory.

BUT ſince Dr. *Brady* has either wholly paſſed by, or elſe falſly tranſlated all theſe Paſſages relating to King *William*'s Election and Coronation, I ſhall therefore give you them at large.

FIRST then, that thoſe very *Normans* and *Frenchmen* that came over with King *William*, did not look upon him as King of *England* immediately after his Victory over *Harold*, and until his *Election* and *Coronation*, which was not perform'd till the *Chriſtmas*-day after his Victory, may appear from this Paſſage in *Will. Pictavienſis* who then lived, and gives this Account of this great Tranſaction. "K. *William* be- " ing now (ſays he) arived at *London*, the Biſhops and other Chief Men " of the Kingdom beſeeched him, *ut Coronam ſumeret*; and pray obſerve the Reaſon, *Se quidem ſolitos eſſe Regi ſervire, Regem dominum habere velle, i.e.* " becauſe truly they were wont to be ſubject to a King, and " to have a King for their Lord: Then the Duke conſulting thoſe that " accompanied him out of *Normandy*, whoſe Prudence he moſt rely'd " on, declar'd to them that which diſſwaded him from agreeing to " what the *Engliſh* now deſired; that things being yet unſettled, *Se* " *potius Regni Quietem quam Coronam cupere*, he rather deſired the " Peace of the Kingdom than its Crown: (which certainly this Author would never have made him ſay, had he believed him to have been a King already.) But to proceed, " all his familiar Friends were " of another mind, and perſwaded him to what they knew was the " unanimous deſire of the whole Army. The Reaſons theſe Great men gave him for his ſpeedy Coronation I paſs by, only ſhall obſerve to you, that the Duke having conſidered all their Reaſons, at laſt yielded to their Deſires, eſpecially hoping (ſays our Author) that when * *he once began to reign*, the Rebels would dare to do leſs againſt him, and that they would be more eaſily ſubdued.

* Ubi regnare cœperit.

AND that his *Coronation* was always looked upon as ſomewhat more than a bare Ceremony, may appear from what this Author proceeds to relate to this effect: " The Aſſembly being met in the Abbey " Church at *Weſtminſter*, the Arch-Biſhop of *York*, in a handſome " Speech which he made to the *Engliſh*, asked them whither they " would conſent, *eum (ſcil. Ducem) ſibi Dominum Coronari*; *i.e.* " that he (the Duke) ſhould be crowned King; who all giving their " Conſents, with one Mind and Voice, the *Normans* alſo joyn'd with " the *Engliſh*, the Biſhop of *Conſtance* having alſo ſpoke to them, and " asked their Conſents. And then he concludes thus; *Sic electum conſecravit Idem Archiepiſcopus, & impoſuit ei Regium Diadema*; i. e. *being thus* elected, *the Biſhop conſecrated him, and put the Crown upon his Head.* But as for his Coronation Oath, becauſe this Author ſays nothing of it, I paſs it by, ſince I have ſufficiently proved it from other Writers.

WITH *Pictavienſis* agrees the next *Norman* Writer, *Will. Gemeticenſis*, in his Hiſtory concerning King *William*'s Election, as appears by theſe words, * *Deinde in die Natalis Domini ab Omnibus tàm Nor-* * Ib. 248.

mannorum,

manorum, quàm Anglorum proceribus, Rex eſt Electus, *& ſacro Oleo ab Epiſcopis Regni delibutus, atque Regali Diademate Coronatus*; *i.e.* Then on *Chriſtmaſs*-day, he was *choſen* King by all the Great Men, both of the *Normans* and *Engliſh*, and was anointed with the Holy Oil, and crown'd with the Royal Diadem. And that the Doctor's admired Author * *Ordericus Vitalis*, did alſo ſuppoſe the *Engliſh* and *Normans* did then believe, that before the Coronation D. *William* was not King, may appear by this Paſſage which I ſhall here tranſcribe from him; *Cunctiq; Præſules, Regnique Proceres cum Guilielmo concordiam fecerunt, ac ut Diadema Regium ſumeret (ſicut mos Anglici Principatus exigit) oraverunt. Hoc ſummoperè flagitabant Normanni, qui pro Faſce Regali nanciſcendo ſuo Principi ſubierunt ingens diſcrimen Maris & Prelii. Hoc etiam Divino nutu ſubacti optabant indigenæ Regni, qui non niſi coronato Regi ſervire hactenùs erant ſoliti.* This Quotation being long, I ſhall not trouble you with a literal Tranſlation of it, but ſhall only obſerve from it, that both the *Engliſh* and *Normans* equally deſired that he ſhould be crown'd; and the reaſon is remarkable, becauſe the cuſtom of the *Engliſh* Monarchy required it, for that the Natives of the Kingdom were not wont to ſerve or obey a King unleſs he were crown'd.

* Id. p. 503.

I SHALL now conclude with an Author of our own Country, and it is *Bromton*, who in confirmation of what *Ordericus* has already related, ſays thus, *Cúmque Willielmus Dux Normanniæ Conqueſtor Angliæ, Tyranni nomen exhorreſceret, & nomen legitimi principis induere vellet, à Stigando Cantuar. Archiepiſcopo in Regem petiit conſecrari.* From whence it plainly appears, that if this Author may be believed, Duke *William* did not look upon himſelf as a lawful King, till his Coronation.

Chron. p. 962.

NOW I ſhall leave it to the Judgment of the Ingenuous Reader, whither if Dr. *Brady* had been as candid as my ſelf in fairly citing theſe Paſſages, either in his Hiſtory of the Succeſſion of the Crown, or in his Complete Hiſtory of *England*, he could ever have hoped to make the World believe, that this King's Coronation was a mere Ceremony, and only as a *Recognition* of his former Right to the Crown, either by Donation or Conqueſt?

NOW theſe Omiſſions are the leſs to be excuſed in our Learned Doctor, becauſe he has ſo ſeverely fallen upon his Antagoniſt, the judicious Author of *Argumentum Antinormannicum*, in the anſwer to its *Appendix*, for the like (as he ſuppoſes) wilful Omiſſions.

Vid. p. 315. ubiq; ad fin.

I COME now to the Succeſſion of *William Rufus*, whoſe Right the Doctor wholly founds on his Father's laſt Will and Teſtament, whereby he ſuppoſes him to have bequeathed him the Kingdom: and for this he cites † *Ordericus Vitalis* in theſe words; *Metuens Rex nè in Regno tàm diffuſo repentina oriretur turbatio, Epiſtolam de conſtituendo Rege fecit Lanfranco Archiepiſcopo, ſuóque ſigillo ſignatam tradidit Gulielmo Rufo Filio ſuo, jubens ut in* Angliam *transfretaret continuò.* I confeſs the Doctor has cited the Latin fairly, but did not think fit to tranſlate it, becauſe of an unlucky word in it that would have ſpoiled all; and therefore that the Reader may not be impoſed upon, I will put them into *Engliſh* for him. King *William* (who was now upon his Death-bed) fearing leſt ſome ſudden trouble might ariſe in ſo large a Kingdom, wrote an Epiſtle to Arch-Biſhop *Lanfranc*, concerning the making or ordaining a King, and delivered it under his Seal to his Son *William Rufus*, commanding him that he ſhould preſently go over into *England*,

Hiſt. Succeſſ. p. 307.

† F. 659.

land; where I must observe that the word *constituendo* is a Participle of the *future Tense*, and cannot signify the present making or appointing of a King, or that he was thereby constituted so as the Doctor falsly renders it, but only signifies, that he was yet to be made or constituted; and if the Doctor would have been but pleas'd to have given us this Author's words, that stand but a little higher in the same Page, we might have seen they could have had no other meaning, unless he should downright contradict himself; the words are these, in the long Death-bed Speech which this Author relates King *William* to have made. *Neminem Anglici Regni Hæredem constituo, sed Æterno Conditori, cujus sum, & in cujus manu sunt Omnia, illud commendo; non enim tantum Decus* Jure Hæreditario *possedi, sed Diro conflictu, & maltâ effusione cruoris, perjuro Regi Haraldo abstuli*: i. e. "I do not appoint any "Body Heir of the Kingdom of *England*, but I commend it to the "Eternal Creator, whose I am, and in whose hand are all things; for "I did not obtain so great a Dignity by any *Hereditary Right*, but I "snatched it from that Perjur'd King *Harold* by a cruel Fight, and a "vast effusion of Human Blood. From whence you may observe, that tho this Author represents this King as not to have thought he gain'd the Kingdom only by the Right above-mention'd, yet neither does he found it upon his *Conquest* of the Nation, but upon his Victory over *Harold*. Id. Ib.

I COULD wish that this above-mention'd Epistle which the King wrote to Arch-Bishop *Lanfranc* were now extant; for then we might have judged whither he had bequeathed the Kingdom by an Absolute Right, or else did only recommend his Son to the *Estates* of the Kingdom, to be by them *elected* in persuance of his Testamentary Designation. I confess, *William* of *Malmesbury* informs us that he was, *à Patre, ultimâ valetudine decumbente, in Successorem adoptatus*; but he also adds, that he was much helped by the favour of Arch-Bishop *Lanfranc*, by whose endeavours he was crown'd, and that he was likewise received by the general good Wills of all the * Subjects: but *Bromton*'s Chronicle expressly tells us that he was Crown'd, *Convocatis Terræ Magnatibus*, that is, in or by a Great Council of the Kingdom; and *Polydore Virgil*, I suppose from some *Manuscript* History now lost, says more fully, *Optimates frequentes ad* Westmonasterium *in Concilium convenere, ubi post longam Consultationem* Gulielmum Rufum *Regem fecere*, i. e. The Great men of the Kingdom met in great numbers at *Westminster*, and there after a long consultation they made *William Rufus* King. And that this was a down-right *Election*, I have a much more antient and expres Authority, *viz.* a *Manuscript* History of the Abbey of *Colchester*, written by a Monk of that Place in the Reign of King *Henry* the *First*, in which this Author tells us, that *Eudo*, the King's *Dapifer* or Sewer, (who was the Founder of this *Monastery*) was immediately, upon the Death of King *William*, sent over by his Son *Rufus*, to secure the Castles of *Dover* and some others in *Kent* for him; and accordingly he made those who had the Custody of them to take an Oath of Fidelity to him; by which means, whilst the Lords in *Normandy* were debating about the Succession, *Rufus* by the help of this *Eudo*, was * *elected*, consecrated, and confirm'd in the Throne. * Provincial-lium. * In Bib. Cott. sub Nerone, D. 8. Vid. Mon. *Anglic.* Vol. 2. p. 889. * Eligitur.

NOW I desire the impartial Reader to consider whither † Dr. *Brady* deals ingenuously here or not, when he will only have *Rufus* to † Ib. p. 357, 358.

be recognized as a Teſtamentary Heir, and ſays, that whoever rightly conſiders this Story, cannot call it an *Election*?

BUT as for K. *Henry* the *Firſt*, I need not uſe many words to prove his Title to be wholly owing to the *Election* of the Great Council of the Kingdom; for *M. Paris* expreſly tells us, that they agreed he ſhould be crown'd, upon condition he would reſtore and confirm the Antient Laws of King *Edward*, as he afterwards did: and that this King was not aſhamed to own his Title, he declares it in the very beginning of his Charter of Liberties. *Sciatis me* (ſays he) *miſericordiâ Dei, & Communi Concilio Baronum Regni Angliæ, ejuſdem Regni Regem Coronatum eſſe*, &c.

Ib. p. 365. BUT to theſe ſo direct Authorities the Doctor has nothing to object but this, "That K. *Henry* was a plain downright Uſurper; he had "no pretence of Donation, no Teſtamentary Right from his Father; "and therefore, as *Malmesbury* ſhews us more particularly, he was "advanced by a Faction; there being only five Great Men, (*viz. Ro-*"*bert Fitz Haymon, Richard de Redvers, Roger Bigot, Henry* Earl of "*Warwick*, and *Robert* Earl of *Mellent* his Brother) all *Normans* that "favoured him, and that chiefly by the Contrivance of *Henry* Earl of "*Warwick* he was *elected* King; for all the reſt ſent privately to Duke "*Robert* to come and be their King, and openly reproached *Henry*. "This was an excellent *Election* made by a Faction and an Army, and "perhaps with a *bawling Multitude* after them: and indeed there could "be no other *Election*, than ſuch an one as this; for *Rufus* was ſlain "in *New-Foreſt* on the ſecond of *Auguſt*, being *Thurſday*, and * *Henry* "was Crown'd on the 5*th* of *Auguſt* following, being Sunday: ſo "that it was impoſſible for all that were, or ought to be concern'd in "ſuch an *Election*, all the Kingdom over, to have notice, meet, and "diſpatch that Buſineſs in two days time.

* Flor. Wigorn. f. 649.

NOW I deſire to argue this matter a little calmly with the Doctor, and would fain know of him how this Right of the Nobility and People of *England*, which they enjoyed before the Conqueſt, came to be loſt, whereby they often *elected*, not the next Heir by Blood, but him whom they thought moſt fit for the Throne, during the Minority or the Inevitable Abſence of the next Heir by Blood, and that even when there was no Teſtament of the Predeceſſor to juſtify ſuch an *Election*, as in the Caſe of *Edward* the *Confeſſor* above-mentioned? for as to his being left Heir by *Harde-Cnute* his half Brother, it is mentioned by no other Author but *Guliel. Gemeticenſis*, who being a Foreiner, and living many years after, deſerves no credit, when he contradicts the *Saxon* Chronicle, and all the reſt of our Hiſtorians who lived neareſt that time. And indeed it is highly improbable that this King ſhould be able to make any ſuch Bequeſt of the Crown, ſince he died ſuddenly of a Debauch at *Lambeth* in the Flower of his Youth, when no body expected it; and therefore I would fain be ſatisfied, why the Nobility and People of *England* had not as good a Right to elect *Henry* to be their King, in the abſence of his Brother Duke *Robert* in the *Holy Land*, as they had before to chuſe *Edward* the *Confeſſor*, when *Edward* his Brother's Son remain'd an Exile in *Hungary*, and whom they might as well have ſent for thither, as the Nation could have been without a King till the return of Duke *Robert* from where he was?

AND

AND as to what the Doctor ſays of *Henry*'s being *elected* King by a Faction of Five Great Men, I deſire him to tell me why the ſame Objection might not be made againſt that of King *Edward*, ſince he was advanced to the Throne by the Favour and Intereſt of Earl *Godwin* and thoſe of his Faction? Nor can I ſee, when there was no Law to the contrary, that it was more a Faction of thoſe Noblemen (who were much the greater and ſtronger party) to chuſe *Henry*, than it would have been in the others, who would have made Duke *Robert* King.

BUT the Doctor does not love to follow his Authors farther than he thinks they make to his purpoſe; for if he had, we ſhould have alſo ſeen in * *William* of *Malmesbury*, that *Henry* was *elected* King, not by any Faction, but by the major Votes of the *Common Council* of the Kingdom there preſent; and that after ſome debate, tho chiefly by the Reaſons and Perſwaſion of the Earl of *Warwick*, an honeſt and pious Man (as our Author calls him:) nor does he any where ſay, that none but the five Great Men above-mention'd favoured *Henry*, but that it was done with the general Applauſe and Good-will of the People, who now began to revive after ſo many Oppreſſions: nor does this Author here name one Perſon who either reproached *Henry*, or then ſent to his Brother to come and be their King, as the Doctor there ſuggeſts without any juſt grounds. For what happen'd of this kind, was not till ſome time after the Coronation of K. *Henry*, when Duke *Robert* was return'd from the *Holy Land*; then indeed moſt of the *Norman* Noblemen grew diſcontented, upon ſlight Cauſes, but chiefly becauſe the King refuſed to grant them the Lands they would have begged from him, as the ſame Author acquaints us; and for that reaſon it was that they ſent privately over to Duke *Robert* into *Normandy* to come over and be made their King.

* P. 88.

BUT to conceal none of the * Doctor's Evidence, I grant indeed that in his Hiſtory † he tells us a Story from *Ordericus Vitalis* (whom he commonly follows rather than our *Engliſh* Writers) that upon King *William*'s Death, *Henry* poſted to *Wincheſter*, where the Royal Treaſure was, and demanded the Keys of *William de Breteul* a *Norman* Baron, who followed him in great haſte intending to prevent his Deſign, and ſaid thus to him, *We ought legally to remember the Faith we have ingaged to your Brother Duke* Robert, *who is the firſt-born Son of King* William; *and I, and You my Lord* Henry *have done him Homage, and therefore we are in all things to keep our Faith to him, as well abſent as preſent.* But *Henry*'s Power increaſing, he drew his Sword, and ſwore, he would not permit any Stranger, by frivolous delays, to ſeize upon his Father's Scepter; ſo that at laſt, through the Mediation of Friends, and ſome wiſe Counſellors that were then met together, by their ſound Advice, leſt there might be made a greater Diviſion, the Caſtle and the Royal Treaſure were delivered to *Henry*; and ſo he went to *London*, and was Crown'd as has been already related.

* Ib. p. 234.
† P. 782.

BUT if we examin this Story throughly, we ſhall find the moſt conſiderable Circumſtances of it will prove falſe, or elſe make rather againſt than for the Doctor's partial repreſentation of this matter. For in the firſt place, I believe the Baron above-named did never make any ſuch diſſwaſive Speech to *Henry*, ſince it is mention'd by no other Author

of

of that time: and *Ordericus* is often found too apt to magnify the Rights and Grandeur of the *Norman* Dukes, for a Reaſon I have already mention'd. But if *William de Breteul* did ever give *Henry* ſuch a *Memento*, it was certainly falſe and impertinent; for if *Henry* had ever done his Brother Duke *Robert* Homage, it could only be for ſome Lands and Territories he held of him in *Normandy*, and which the Duke his Brother had either mortgaged or ſold out-right to him; and which he afterwards diſſeizing him of by Force, that Obligation was wholly cancel'd, as all Writers concerning *Feudal* Tenures agree. But that *Henry* never did him Homage for the Kingdom of *England* is certain, for *Robert* was never at any time declared either Heir or Succeſſor of it by his Father; and till this was done, there was no Homage ever due, or to be perform'd by any Subjects of *England*, to the King's eldeſt Son. And for this I appeal to the Doctor's own Hiſtory, concerning the Homages that were done to Prince *William*, eldeſt Son to *Henry* the *Firſt*, and afterwards to his Daughter *Maude* the Empreſs, as alſo to Duke *Henry* upon his Agreement with King *Stephen*, and his being by him adopted for his Son, and declared his Lawful Succeſſor in a Great Council of the whole Kingdom: But as for the reſt of this Author's Relation, had the Doctor been ſo juſt as to have tranſlated it truly, it would then plainly appear, that the delivering up of the Treaſure to *Henry* (as is above reported) as it was done by the beſt Advice of all the Counſellors and Great Men there preſent for the Peace of the Kingdom, ſo it was alſo upon the Challenge or Demand of the preſent Heir, whoſe Power now encreaſing, he clapt his hand upon his Sword, *&c.* for *Ordericus* in the Latin ſays thus, *Multitudine verò circumfluente hæredis præſentis qui jus ſuum calumniabatur, virtus excrevit*; *Henricus manum ad Capulam miſit*, &c. Which words of *Henry*'s challenging the preſent Heir, the Doctor (according to his laudable cuſtom in things of this nature) thought fit to omit.

NEITHER is the Doctor's laſt Objection material againſt the manner of this *Election*, that it was only done by a Faction, and an Army, or perhaps a *bawling Multitude* after them (as the civility of his Phraſe is) which he endeavours to prove by the ſhortneſs of the time (*viz.* two days) between *Rufus*'s Death and *Henry*'s Coronation. As to the Faction I have ſufficiently ſpoken, but as for the Army and the *bawling Multitude's* having any thing to do in this *Election*, it is purely owing to the Doctor's fertile Invention, and for which he has no Author to warrant him.

'TIS true indeed, the above-cited *Ordericus* relates, That at the time when King *William* was kill'd, he was preparing for a Great Expedition into *France*, * that he might hinder his Brother *Robert*'s return into *Normandy*, and alſo take poſſeſſion of *Aquitain*, and extend the Bounds of his Empire as far as the River *Garonne*; and to this end had (at the time of his Death) a great Army and Fleet (which I ſuppoſe lay at *Portſmouth*) ready to ſail.

* Ib. 780.

BUT tho no Author ſays, that this Army did at all concern it ſelf, or influence *Henry*'s *Election*, yet it may very well ſhew us the reaſon why there was ſo great a Confluence of the Nobility then at *Wincheſter*, and who were preſent at K. *William*'s Funeral there; for the greateſt part of the Earls, Barons and Tenants *in Capite*, might be then ſummon'd to go over with the King into *France*; and being now met accordingly, did alſo

alſo attend *Henry* to *London* in order to his intended *Election* and *Coronation*: and this being ſuppos'd (as it may very well) it will be no ſuch great wonder or impoſſibility (as the Doctor makes it) for a great number of the moſt conſiderable Perſons of *England*, not only to have had notice, but to have alſo been preſent at the King's Coronation. And this may ſerve for a ſufficient Anſwer to all that the Doctor hath ſaid againſt the Legality of this *Election*, by reaſon of the ſmall numbers that could be preſent at it through the ſhortneſs of the warning.

BUT admit it were as the Doctor would have it, and that not the one half of thoſe who ought to have appear'd, were preſent at it: yet ſince it was looked upon as a ſufficient Council of the Kingdom at that time, it is no more an Objection againſt King *Henry*'s being then elected by a Great Council of the Kingdom, than it would be againſt a Modern Hiſtorian's relating, that *Richard Cromwel* was choſen or recognized Protector by an Aſſembly which then call'd it ſelf the *Parliament* of *England* (as it was then conſtituted) tho there were indeed few Citizens and no Burgeſſes ſummoned to it, as alſo few or none of the Antient Nobility.

BUT the Doctor ought firſt to prove, that there was at this time a certain courſe of Succeſſion eſtabliſhed in *England*, before he can aſſert this Election of *Henry* to be an Uſurpation.

BUT the Doctor being at laſt convinced, from the general Conſent of all our Hiſtorians, that King *Henry* was thus *elected*, produces a notable Authority from *Henry de Knighton*'s Hiſtory, why *Robert* was rejected and *Henry* choſen: "For, ſays he, this *Robert* was al- "ways ſo averſe and harſh to the Barons of *England*, that by full "Conſent and Advice they voted him *Illegitimate*, becauſe he was "not begotten lawfully by *William* the *Conqueror*; and for that Rea- "ſon, by unanimous Aſſent, they refuſed him, and ſet up *Henry* his "Brother to be their King. And from this Paſſage of *Knighton* the Doctor concludes, that the Baronage of all *England* fixed the Right of Succeſſion in the Legitimate Right of Blood: the reſt being nothing to the purpoſe, I omit. P. 370.

NOW I cannot but here obſerve, that the Doctor is willing to lay hold of a Paſſage in this Modern Author (who often writes things either fabulous or falſe) to prove that the *Engliſh* Barons might very well be juſtified in thus preferring *Henry* before *Robert*, which Relation is certainly falſe; for if King *William* had believed that this eldeſt Son had been none of his by his Queen, who was known to be *Robert*'s Mother, the King would have been ſo far from leaving him any part of his Dominions, that it is moſt likely he would not only have excluded him from the Succeſſion in *England*, but *Normandy* alſo. And this Story of Duke *Robert*'s Illegitimacy, is alſo a great Reflection upon the Chaſtity of Queen *Mathylda*, to whom all Writers give the Character of a chaſte and vertuous Princeſs; and indeed there is no Hiſtorian that I know of, who relates this idle and improbable Tale, except this Author from whom it is borrowed by the Doctor, who does not value how much he detracts from the Reputation of the beſt of Princes, provided he can thereby any way ſupport his own *Hypotheſis*.

BUT I believe (if the truth were known) the main Reaſon why the Doctor is ſo great an Enemy to the Title of King *Henry*, is, not becauſe he thinks him an Uſurper, but rather in that he redreſſed the Grievances of the Subjects, and granted that Charter of Liberty to the Clergy and Laity upon which the Doctor has made ſo long a Comment: for * he tells us, that *Henry* made what haſte he could to get himſelf King; and therefore before it ſhould be known to the Nobility that his Brother was returning home, as a means to accompliſh his Purpoſe, immediately upon the death of his Brother *William Rufus* he ſent his Edict throughout *England*, and prohibited the unjuſt Inſtitutions of him and *Ranulph* Biſhop of *Durham*, the great Oppreſſor of the People under him.

* Argumen. Antinormannicum, p. 265.

THEN the Doctor proceeds to give us the Hiſtory how the Charter above-mentioned came to be granted, and which he will needs inſinuate to have been done only as an Indulgence and Abatement of the rigour of the Common *Feudal* Law, granted to the *Norman-Engliſh*, *viz.* ſuch of them as lived in *England*, rather than to the Antient Natives or *Saxon-Engliſh*.

BUT before I anſwer this, I cannot but here obſerve the * Doctor's great over-ſight, who makes this firſt Reformation of the Abuſes committed by *Rufus*, to have been done by *Henry* only in order to his being made King; whereas any one who reads this Story in *William* of *Malmesbury* (whom the Doctor himſelf cites) may ſee that it was perform'd immediately after his Coronation, and therefore could not be done to curry favour with the Nobility, in order to obtain the Crown, as the Doctor falſly repreſents this Tranſaction.

* Ib. p. 265.

THEREFORE as for the Aſſertion, that the Native or *Saxon-Engliſh* had little or no benefit by this Charter, but only his *Engliſh-Normans*; the truth of this will appear, when the Doctor can make out, that no *Engliſh*-man then held any Eſtate *in Capite* of the King, and in that ſenſe could not be called one of his Barons in this Charter; neither yet was a Tenant by Knight's-Service, nor was concern'd in the Duty of * *Moneage*; nor was concern'd in any Pleas or Debts to the Crown; nor were any of them guilty of any Murders or Manſlaughters, for which the Mulcts or Fines were due to the King; nor had any Intereſt in the Laws of King *Edward*, which he now confirm'd and reſtored to them: I ſay, when the Doctor can prove that no *Engliſh*-man had any ſhare or concern in all or any of thoſe Liberties, Pardons and Privileges granted by this Charter, then, and not before, ſhall I come over to his fanciful Opinion, that all theſe things concerned none but the *Norman-Engliſh*, but that the *Engliſh-Saxons* had little or nothing.

Ib. p. 269.

* *The Latin is* Monetagium. *See for this* Grand Cuſtumier, C. 15. *and Dr.* Brady's *Comment on this Charter*, Ib. p. 266.

I HAVE dwelt the longer upon the manner of this Prince's Acceſſion to the Throne, as well to vindicate his Right to it, as the Power he had to relieve the *Engliſh* Nation from ſo many Oppreſſions they had lain under, and to reſtore the Nobility and People to ſome of thoſe Privileges they enjoy'd in the times of their *Engliſh-Saxon* Kings, and were not (as the * Doctor would have them) *the Grants of an Uſurper who could deny nothing*.

* Ib. p. 266.

HAVING now done with the Reign of King *Henry* the *Firſt*, I come next to that of King *Stephen*; the manner of whoſe obtaining

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the Crown (as the Doctor cannot deny) was by the Election of a great Party of the Biſhops and Lay-Nobility; and as he himſelf recites in his † Charter, he was elected King by the Aſſent of the Clergy and People of *England*, and crowned by the Arch-Biſhop of *Canterbury*. Which Act I will not defend to have been juſtly done, as being contrary to the Oaths and Homages which the Clergy and People of *England* had before taken to *Maud* the Empreſs, as Heireſs to her Father *Henry* the *Firſt*: Yet the Doctor himſelf has found out a very good excuſe for their thus electing Earl *Stephen*, which is a Story related by * *Radulph de Diceto*, who ſays, "that *Hugh Bigot* Steward of "the late King's Houſhold, came quickly out of *Normandy* (where "the King died) into *England*, and made Oath before the Arch-"Biſhop of *Canterbury*, that King *Henry* on his Deathbed, upon ſome "differences which had happened between him and his Daughter the "Empreſs, did diſinherit her, and made *Stephen* Earl of *Boloign* his "Heir: Whereupon *William* ABp of *Canterbury*, giving too much "credit to the words of the Steward, conſecrated this *Stephen* King "at *Weſtminſter*. From whence the Doctor would infer, that if this Story was true, Earl *Stephen* had a Legal Right as Teſtamentary Heir, and by that Right was made King; yet ſince he cannot deny but that there was an *Election* of *Stephen* precedent to his *Coronation*, it ſufficiently confirms my Aſſertion, that notwithſtanding this pretended Will of the deceaſed King, an *Election* of the Great Council of the Kingdom was then thought neceſſary.

† Will. Malmsb. p. 101. a.

* Col. 50.

BUT the Doctor thinks he has got ſome advantage by the Clergy and People of *England* their ſwearing Fealty to the Empreſs *Maud*, "To whom as his only Child King *Henry* had bequeath'd all his Do-"minions, as well on this, as on the other ſide the Sea; and in purſu-"ance of which, when the Biſhops had fallen out with King *Stephen*, "and would unking him, *Henry* Biſhop of *Wincheſter* his Brother, "being then the Pope's Legate, called a Council of the Clergy at that "City, to conſult of the Peace of the Kingdom; where at laſt they "concluded, *That the Right of chuſing and ordaining Kings chiefly be-"longed to them; and therefore having firſt called upon God, they choſe* "Maud *the Empreſs, Queen.* Here the Doctor indeed has alſo given us the Latin, which is ſufficient to ſhew us the unfairneſs of his Tranſlation; the Clergy's Declaration runs thus, *Invocatâ itaque in auxilium Divinitate, Filiam Regis in* Angliæ, *Normanniæque Dominam eligimus*, &c. Now I will leave it to any one to judg, whither *Eligimus in Dominam* can ſignify grammatically, *we Elect her Queen:* For if theſe two Titles had been all one, then there would have been no difference between *Rex Angliæ, & Dominus Hyberniæ*, as our Kings had it engraven upon their Seals, until the middle of King *Henry* the *Eighth*'s Reign; and it would have been very needleſs for the Empreſs *Maud* to have ſtiled her ſelf in her * Seals *Regina Romanorum, & Domina Anglorum*, had ſhe looked upon her ſelf as equally Queen of both Nations: but ſhe very well knew the difference between thoſe two Titles, for at this time, and as far as *Henry* the *Third*, none of our Kings took upon them that Title till after their Coronations; and that *Henry* Biſhop of *Wincheſter* did not believe her to be Queen for all this *Election* that he and the reſt of the Biſhops had made, appears by the Speech of this Biſhop at the next Council at *Weſtminſter*, which

Ib. p. 371.

* *See the Draught of them in* Speeds *Chron. and in* Sandford's *Genealogical History of the Kings of* England.

which he called not long after, when he was now reconciled to his Brother King *Stephen*; where he tells all there preſent, That all thoſe who favoured the Counteſs of *Anjou* (*i. e.* the Empreſs *Maud*) ſhould be *Excommunicated*; and he immediately after calls her *Andigavorum Dominam*, which Title (according to the Doctor's Tranſlation) ſhould be render'd Queen of the *Anjovins*, which (I think) was never heard of.

I COME now to the Doctor's next Proof for the Antient Hereditary Right of the Crown of *England* by Blood, and it is from the Agreement that was afterwards made between King *Stephen* and *Henry* Duke of *Normandy*, Son to the ſaid *Empreſs*, whoſe Title was now quite laid aſide, notwithſtanding her being her Father's Heir, and late elected Queen of the *Engliſh*; and indeed the * Doctor has here begun to give us a very juſt account of this Tranſaction from one who lived very near that time, *viz.* † *Gervaſe* of *Canterbury* who relates that the Arch-Biſhop of that Place and *Henry* Biſhop of *Wincheſter*, and all the Biſhops mediated a Peace beween *Stephen*, and *Henry* Duke of *Anjou*, Son to the Empreſs; by which it was agreed, that *Stephen* ſhould adopt *Henry* for his Son, and after his death ſhould enjoy the Crown, but *Stephen* ſhould quietly wear it during his Life, *&c.* Yet if the Doctor had been pleaſed to have tranſcribed but a little further out of this Author, he would have found theſe words, and he (*viz.* the Duke) at that ſame time gave him (the King) Reverence in the preſence of them all, and acknowledged him as his Father and Lord. But this is more fully expreſt in the Charter of Agreement, between the King and the Duke, which you may find at large in * *Bromton*'s Chronicle, wherein King *Stephen* appoints *Henry* Duke of *Normandy* his Succeſſor by Hereditary Right, and grants and confirms the Kingdom of *England* to him and his Heirs; in conſideration of which Honour, it is there recited, that the Duke pay'd the King Homage, and promiſed upon Oath to be faithful to him, and to preſerve his Perſon, and obſerve all the Agreements contain'd in this Charter.

* P. 372.

† Col. 1375.

* Col. 1037.

NOW it is plain that Duke *Henry* could never ſuccced King *Stephen* by any Hereditary Right, any otherwiſe than by this Adoption, or Declaration above-mention'd; which was agreed to, and ratified by the Great Council of the Kingdom, as appears by what immediately follows in * *Gervaſe* in the leaf above-cited; *viz.* After all theſe things were ſolemnly perform'd, and ratified by the mutual Oaths and conſents of the King, and all the Biſhops and Temporal Lords there preſent, a firm Peace, which had been baniſhed *England* for many years, was at length happily reſtored: with whom agrees *Henry* of *Huntington*, an Author who then lived, and not long after wrote the Hiſtory of this Tranſaction; his words are theſe, *Ipſum (ſcilicet Ducem) ſiquidem Rex in Filium ſuſcepit adoptivum, & Hæredem Regni conſtituit*, i. e. The King adopted the Duke for his Son, and appointed him Heir of the Kingdom. Now our Author muſt certainly here mean as Heir to the King himſelf, and not to the Empreſs his Mother, who was then alive; for it is an old Rule of the Civil as well as of our Common Law, *non eſt Hæres Viventis*, i. e. There can be no Heir to a Perſon ſo long as he is alive.

* Id. ib.

BUT the Doctor wiſely conceals all this, as being directly againſt his *Hypotheſis*; and therefore ſlighting the Writers of that time, he ra-

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ther chuſes to make uſe of more Modern Authors, and would needs have this Agreement to be more fully and clearly related by *Matt. Weſtminſter*; which Paſſage I ſhall give you in *Engliſh* according to the Doctor's Tranſlation (which I grant is always very true when it makes for him) the Paſſage is this: "King *Stephen* not having any Heir, "except only Duke *Henry*, did acknowledg in an Aſſembly (or "Council) before the Biſhops and other Chief Men of the Kingdom, "that Duke *Henry* had the Hereditary Right to the Kingdom of *Eng-*"*land*; and the Duke kindly granted, that King *Stephen* ſhould, dur-"ing his Life, peaceably enjoy his Kingdom. The reſt concerning the Confirmation of the ſaid Agreement of the King, and all the Biſhops and Lords there preſent, that Duke *Henry* ſhould ſucceed after the King's death, I paſs by, as being no more than what others have ſaid before.

BUT in anſwer to this Paſſage, which is found in no other Author but *Matthew Paris*, from whom *Matth. Weſtminſter* borrowed it, this muſt needs be a Miſtake; for how could Duke *Henry* be any ways Heir to King *Stephen*? for tho his eldeſt Son *Euſtace* was dead, yet he had another Legitimate Son named *William*, who was then Earl of *Warren*, as may appear by King *Stephen*'s * Charter above-mentioned: and what Hereditary Right could the Duke then have to the Crown, whilſt his Mother (by whom it came) was ſtill living, and who never made any Grant or Ceſſion of it to her Son, as I can any where find, tho I have looked diligently for it in all the printed and *Manuſcript* Authors that I could meet with? Now I leave it to the Reader's Judgment to determine, whoſe Teſtimony is moſt likely to be true, that of thoſe Authors who either lived in or neareſt to thoſe times, or *Matthew Paris* who lived and wrote above eighty years after, and from whom *Matth. Weſtminſter* tranſcribed it in the Reign of *Edward* the *Third*, above 160 years after King *Henry*'s coming to the Crown?

* *See alſo* Speed's *Chronicle*, *&* Sandford's *Genealogical Hiſtory.*

TO whoſe Reign we are now arrived, and who tho he were thus declared Heir and Succeſſor to the Kingdom (as you have already heard) yet is called by no other Title in *Matth. Paris* and other Authors before his Coronation, than *Henry* Duke of *Normandy*; and that he was not looked upon as complete King before that, the Author laſt mentioned ſhews us by this Paſſage, *viz.* "That after the death of "King *Stephen*, there was notwithſtanding a firm Peace, for Fear "and Love of Duke *Henry*, *Quem omnes venturum, & Regem futu-*"*rum, ſperabant*; whom all hoped would come over, and be made "King. Which were a very impertinent way of ſpeaking, had he then been looked upon as King already. And tho few of our printed Authors do either mention his *Election* or Coronation, yet I find both expreſly mentioned by *Radulphus de Diceto*, as well in the printed as *Manuſcript* Copies, where in the very beginning of this King's Reign, he ſays, 14° *Kal. Jan. die Dominica ante Nativitatem Domini, apud Weſtmonaſterium ab omnibus* electus, *& in Regem* conſecratus *eſt à Theobaldo Archiepiſcopo Cantuarienſi*; that is, *Henry* the *Second*, on the 14*th* of the Kalends of *January*, the *Sunday* before the Nativity of our Lord, was *elected* at *Weſtminſter* by all the People, and was *crown'd* King by *Theobald* Arch-Biſhop of *Canterbury*. Cel. 529.

WHERE the Reader may obſerve, that his *Election* and *Coronation* are here mention'd as two diſtinct Actions, tho he had already been

declared Heir and Succeſſor of the Kingdom: but as for the Empreſs his Mother, ſhe was not only then alive in *France*, but lived there for ſome years after, *viz.* till the 14*th* of this King's Reign, and then died; after whoſe deceaſe his eldeſt Son *Richard* is likewiſe call'd by no other Title in all our Antient * Hiſtorians, than Duke of *Normandy*, as appears by this Paſſage in *Hoveden* which the Doctor has thus tranſlated: "The Arch-Biſhops, Biſhops, Earls, Barons, and a copious multitude "of Knights met him (*viz.* the Duke) by whoſe Advice and Aſ- "ſent the Duke was crowned King of *England* by *Baldwin* Arch- "Biſhop of *Canterbury*, many other Biſhops there named aſſiſting. Now I deſire the Doctor to tell me why it is here ſaid the Duke was crown'd King, if this Author had ſuppos'd he was ſo before his Coronation?

* V. R. *Hoveden*, *M. Paris*, &c. ſub hoc anno.

BUT the Doctor lays moſt ſtreſs on the Teſtimony of * *Ralph de Diceto*, then Dean of St. *Paul*'s, who in the vacancy of that Church, ſupply'd the Office of the Biſhop of *London* at King *Richard*'s Coronation; and he writes thus: *Comes itáque Pictavorum* Richardus, *Hæreditario Jure promovendus in* Regem, *poſt tàm Cleri, quàm Populi ſolemnem & debitam* Electionem, *involutus eſt triplici Sacramento*, &c. "Therefore *Richard* Earl of *Poictou*, being by Hereditary Right *to* "*be made King*, after the ſolemn and due *Election*, as well of the "Clergy as of the Laiety, ſwore to three things, *&c.* Which being the ſubſtance of his Coronation-Oath, I omit; but tho the * Doctor hath put theſe words, *Hæreditario Jure promovendus*, in Capital Letters, yet he does not like to do ſo by the words *in Regem*, &c. that immediately follow; for from hence it would plainly appear, that notwithſtanding all this Hereditary Right, he was ſtill *to be promoted to be King*.

*In hoc anno.

* Ib. p. 373.

BUT that which will beſt explain this Author's meaning, is, that part of the Charge which the Arch-Biſhop gave Duke *Richard* when he was juſt about to crown him, and is ſet down in † *R. Hoveden*, who has given us the moſt particular account of this King's Coronation: the words are theſe, *Deindè ductus eſt (ſcilicet Dux) ad Altare, & ibi prædictus Archiepiſcopus prohibuit ei, ex parte Omnipotentis Dei, ne hunc Honorem ſibi aſſumeret, niſi in mente haberet ſupradicta Sacramenta & Vota quæ fecerat inviolabiter ſervare; & ipſe reſpondit, ſe per auxilium Dei omnia ſupradicta ſervaturum ſine fraude:* i. e. "The Duke "was led up to the Altar, where the ſaid Arch-Biſhop forbad him on "God's behalf not to aſſume to himſelf that Honour, unleſs he fully "reſolved inviolably to keep the Oath and Vow he had now made; "whereupon he anſwered, That he would, by the help of God, "obſerve all the afore-ſaid Particulars without any deceit.

† P. 374. a.

Ibid.

Dr. *BRADY*, being aware of the Cogency of this Proof, would fain leſſen, if not take away the Authority of it, becauſe * *Rad. de Diceto* (then Dean of St. *Pauls*) and who in the Vacancy of the See of *London* (as I have already ſaid) perform'd the Office of that Biſhop at that Coronation, ſays nothing of any ſuch Charge given by the Arch-Biſhop: but this is only a Negative Argument at the beſt, and proves little; ſince not only *R. Hoveden*, but *Matt. Paris* and *Bromton*'s Chronicle do both expreſly relate it, as the Doctor himſelf allows.

* Col. 647.

BUT

BUT before I leave *Richard* the *First*, I only desire the Reader to take notice, that the Great Assembly of the Clergy and Nobility above-mention'd was indeed a Great Council or Parliament, as *Polydore Virgil* thus describes it; *Richardus in Angliam profectus—Londinum properat, convocatóque Concilio, Rex creatur, & à* Baldvino *Cantuariensi Archiepiscopo, more Majorum inunctus sacratur:* i. e. "*Richard* "being arrived in *England*, makes hast to *London*; and a Council (or "Parliament as we stile it) being called, he is made King; and ac- "cording to the Custom of his Ancestors is anointed and consecrated "by *Baldwin* Arch-Bishop of *Canterbury*.

HOWEVER I will not conceal one main Authority, whereby the Doctor would prove, that this King was looked upon, and esteemed a full and complete King before his *Coronation*; for it is true what * *Hoveden* says, that whilst he was in *Normandy*, and before his arrival in *England*, every Freeman of the whole Kingdom, by the Command of his Mother *Eleanor*, † swore Fidelity to *Richard* King of *England*, Son of King *Henry*, as to their Leige Lord, against all men: I confess this would be a very material Authority, could we be assured that these were *Hoveden*'s own words, without any alteration of the Copier's; for tho I grant that the words *Regi Angliæ* are in several *Manuscripts*, as well as in all the printed Books, yet I doubt not but there is a mistake in the writing of this Oath, for in the most antient *Manuscript* Copy of this Author that I have seen, and which formerly was the Lord *Howard*'s of *Naworth*, but is now in the * Library of the Royal Society at *Gresham College*, the Oath we now treat of is thus, † *Quod fidem* portant *Domino Ricardo Filio Regis Henrici*, without the words *Regi Angliæ*, as in the printed Copies.

Ibid.

* F. 373.

† Quod quidem portabit Regi Angliæ Richardo Regis Hen. Filio Fidelitatem, &c.

* Nº. 150.

† P. 94.

AND that this seems to have been the antient reading, will farther appear from the next Reign of King *John* (whom the Doctor also allows to have claim'd by Hereditary Right as well as his Brother) wherein we find the like Oath recited to have been taken to him; as that before Earl *John* arrived in *England*, *Hubert* Arch-Bishop of *Canterbury* and *William* the Mareschal, caus'd all the men of the Kingdom, both of Cities and Boroughs, with the Earls, Barons, and Free Tenants, to swear Fidelity to *John* Duke of *Normandy*, Son of King *Henry* and the Empress *Mathilda*, against all men. Where you see he is not stiled King of *England*, but only Duke, *&c.* and I see no reason, why this Title of *Rex* should have been omitted in the one Oath more than in the other, had he been then looked upon as King of *England*; which does not prove him to be King in a legal sense, any more than the like Oath, as also the Homage which was made to Prince *Lewis* Son to *Philip* King of *France*, after his being *Elected* King by the Barons in opposition to King *John*, when upon his arrival at *London*, (as *Matt. Paris* relates) he received the Homages and * Fealties of all the Barons and Citizens, who there expected his coming; and yet I suppose neither the Doctor nor any body else will affirm, that *Lewis* was ever for all his *Election* above-mention'd called or reputed King of *England*: nor will it avail him to aver, that this was only because *Lewis* was an Usurper, and had no Right to the Crown by Blood; for then the same Objection may also hold good against King *John*, (upon the Doctor's Principles) for Duke *Arthur* was then alive, and claim'd the Crown as Heir to Earl *Geofrey* his Father, and was so according to the Rules of Succession at this day.

* Note, *This Fealty was ever made by Oath, either to the King or to the Lord of the Fee.*

BUT

BUT notwithſtanding all this, the Doctor in his *Exact Hiſtory of*
P. 374. *the Succeſſion* to the Crown, takes no notice of this Uſurpation of Earl *John* till afterwards, as you ſhall ſee by and by; but founds all his Right to the Kingdom (as he had done *William Rufus*'s before) upon the laſt Will of his Predeceſſor; and for this cites this paſſage out of
* P. 449. b. * *Hoveden*, "That when the King *(viz. Richard)* deſpaired of Life, "he deviſed to his Brother *John* the Kingdom of *England*, and all o-"ther his Territories, and made all there preſent to ſwear Fealty to him, "and commanded that his Caſtles, and three parts of his Treaſure ſhould "be delivered to him; and then he goes on to tell us, how all Orders of men ſwore Fealty to him, as has been already ſaid. Here the
* Ibid. * Doctor takes no notice of the Right of Duke *Arthur*, till he comes
† P. 156. to obſerve, that † *Matt. Paris* relates this matter ſomewhat differently from *Hoveden*, *viz.* that when Arch-Biſhop *Hubert*, *William* the Mareſchal, and *Geofrey Fitz-Peter*, and other Great Men of the Kingdom, called before them at *Northampton* all the Chief Nobility, whom they ſuſpected or moſt doubted of; *Fecerunt illis Fidem quod Comes Johannes Jura ſua redderet Univerſis:* They promiſed Earl *John* ſhould reſtore to every one their Rights: and then *Sub tali igitur Conventione Comites & Barones Comiti memorato Fidelitatem contra Omnes Homines juraverunt.* So that it was upon ſuch Condition or Agreement, that the Earls and Barons ſwore Fidelity to the before-mention'd Earl againſt all men.

BUT I deſire the Reader to obſerve from the Doctor, that ſo ſoon as this promiſe of reſtoring every body their Rights was made, from that very moment Earl *John* commences an Uſurper, and now he
* P. 375. has no Right at all to the Crown: for in the * next Page he tells us, "That theſe Rights (if the Hiſtorian had noted them) in all pro-"bability were no other than theirs *(i. e.* the Nobilities) large De-"mands, which they called ſo; and whatever they were, Earl *John* "was forced to grant them, for at that time he was an *Uſurper*; and "the Barons, or major part of them, always bargained and made "Terms with *Uſurpers* to their own Advantage, tho to the Diſadvan-"tage of the Crown, as the Conſtitution of the Government was "then, as they had done with *Henry* the *Firſt*, and King *Stephen*.

NOW I deſire to ask the Doctor this one Queſtion, *viz.* how it comes to paſs that King *John*, notwithſtanding the Crown was bequeathed to him by his Brother King *Richard*, is ſtill a downright *Uſurper*, whereas he gives no ſuch Character of *William Rufus* who reign'd not a hundred years before, and had no better Title? And I would fain alſo have him tell us, how the Law of Succeſſion came to be alter'd within this time? ſince I could never find any Law or Statute for it; and therefore till the Doctor gives us a better Reaſon, I ſhall be very apt to believe, that his great Spight againſt him, is, that he now by theſe Great Men made this gracious Promiſe above-mentioned; but eſpecially for his granting this Charter, which the Doctor would needs have to be gain'd from this *Uſurper* (as he calls him) by mere Force and Rebellion: but he might, if he had pleas'd, have remember'd, that it was not as yet ſettled in *England* by any Law who ſhould ſucceed to the Crown, the Uncle, or the Nephew whoſe Father was deceaſed; ſince it is very certain, that before the Conqueſt the Uncles were always prefer'd to the Throne before the Sons of the Elder Brother,

ther, as I have ſufficiently made out in my *Introduction* to the former Volume; and which is alſo granted by the Doctor in his *Hiſtory of the Succeſſion* now before us: nor was this Point ſettled in the Caſe of private Subjects in the Reign of *Henry* the *Second*, when *Glanvil* wrote his Treatiſe of the Laws of *England*, where in the Seventh Book and Third Chapter, after giving us the Arguments on both ſides, as well for the Nephew whoſe Father was dead, the Grandfather being alive, as alſo for the ſurviving younger Brother, Uncle to the Nephew, he after all leaves it a Moot-point undecided, unleſs in ſome few Caſes which he there puts. And that the Laws of ſeveral Countries in *France* were different about this Matter, appears by what all our Hiſtorians relate (and which the Doctor himſelf here alſo agrees to) that Earl *John* was inveſted with the Sword of the Dutchy of *Normandy* as Lawful Heir to his Brother without any Contradiction; * whereas at the ſame time the Great Men of *Anjou*, *Tourain* and *Maine*, adhered to *Arthur* as their Liege Lord, ſaying, It was the Law and Cuſtom of thoſe Countries that the Son of the Elder Brother ſhould ſucceed before his Uncle in the Patrimony and Inheritance due to him, and which his Father Earl *Geofrey* ſhould have enjoyed if he had out-lived King *Richard*; where it is plain, that theſe Countries held a different Courſe of Succeſſion from that of *Normandy*. Therefore * *Grotius*, in his Learned Work *de Jure Belli & Pacis*, leaves this as a Queſtion not to be decided by the Law of Nature or Nations, but only by the particular Laws and Cuſtoms of ſeveral Kingdoms and Principalities, as you may ſee by the Examples in his *Annotations* to this Section; and where you will alſo find the various Opinions of Authors about this matter; only (he ſays) that among the *Germans* the Law of Repreſentation, *i. e.* that of the Eldeſt Son's Son inheriting before the Uncle, was not obſerved: and for the ſame reaſon, I ſuppoſe, the *Saxons* here being derived from the antient *Goths*, this manner of Succeſſion to the Crown took place in *England*; and therefore (notwithſtanding what modern Hiſtorians have written to the contrary) I am not ſatisfied that King *John* was an *Uſurper* of his Nephew *Arthur*'s Right, either according to the Laws of *England* or *Normandy*; neither ought the Doctor to ſtile him ſo upon his own Principles: for certainly King *Richard* had as much Right to appoint his Brother Heir of that Dutchy, as Duke *Robert* had to declare *William* his Baſtard Heir thereof, to the prejudice of the next Heirs by Blood, which the * Doctor falſly repreſents, as if it had been done by that Duke's ſole Authority; whereas both *Gulielmus Pictavienſis & Gemeticenſis* expreſly ſay, it was done in an Aſſembly of the Eſtates of that Country; and the latter has theſe words: They (*viz.* the Great Men) *Elected William* Succeſſor to his Father, upon his earneſt requeſt to them. But the † Doctor not liking this word *Election*, ſliely paſſes by this Paſſage untranſlated, tho he has ſet down the Latin at large, which yet can deceive no others, than only ſuch as do not underſtand that Language. So likewiſe he would fain top upon them a Paſſage in *R. Hoveden*, who affirms it to have been the Cuſtom in *Norway* (from whence the *Normans* came) for Baſtards to inherit, and that in his time it was ſo. But what is this to *Normandy*, where at this time the Law was otherwiſe, when D. *William* ſucceeded to his Father? Otherwiſe what need had there been for Duke *Robert* to have aſſembled the Eſtates of the

* R. Hoveden, ib.

* Lib. 3. Cap. 7. Sect. 30.

* Ib. p. 886.

† *Hiſt. Succeſſ.* p. 367.

Dutchy to declare his Baſtard Succeſſor, when his own Teſtament had been ſufficient? Neither will the Paſſage he has cited out of *Hoveden* make out what he alledges; for * he only ſays, that it was the Cuſtom in *Norway* even to this day (*viz.* the time when he wrote) that he who is own'd to be the Son of the late King, tho a Baſtard and begotten of a Concubine, challenges as much Right unto the Kingdom of *Norway*, as the King's Son born in Wedlock; and therefore upon the death of the King, there are conſtant Battles between them (the Brothers) till one of them is kill'd, and the other overcomes.

* P. 425. a.

NOW this is not to give a Baſtard a Right to the Throne, but only that he might be one of the Competitors to fight for it, which is not to ſettle any Right of Succeſſion at all, but to leave it ſtill in diſpute. To avoid which, Duke *Robert* wiſely ſettled the Succeſſion of his Dutchy by the Conſent of the Eſtates; and therefore it is falſly concluded by the * Doctor, that from the force of this *Norwegian* Law, the like contention happened in *Normandy* between the Curators of Duke *William* in his Nonage, and the other Pretenders, as Heirs to his Grandfather of that Dutchy.

* Ib.

AND certainly thoſe next Heirs by Blood had been very much in the right, ſince the Eccleſiaſtical or Canon Law was at that time received in *Normandy*, by which Baſtards are expreſly prohibited to ſucceed as Heirs to their Fathers, unleſs they had alſo married their Mothers; which *Arlotte* Mother to this *William*, never was to Duke *Robert* above-mention'd.

BUT to return to the manner of Earl *John*'s Succeſſion to the *Engliſh* Throne, from which (to diſcover the Doctor's unfair dealing) I have made ſome Digreſſion; * *Bromton*'s Chronicle expreſly tells us, that in a Great Aſſembly of Earls, Barons, and other Noblemen, Earl *John* was anointed and * crowned King: and † *Matt. Paris* gives us the Speech that *Hubert* Arch-Biſhop of *Canterbury* then made before his *Election* and *Coronation*, wherein he deſires them all to take no- " tice, that no one ought to ſucceed another in the Kingdom for any " previous Reaſon, or Conſideration, unleſs he were *ab Univerſitate* " *Regni unanimitèr electus*, i. e. *elected* by the General Body of the " Kingdom (right old *Engliſh-Saxon* Doctrin) and which King *John* himſelf acknowledges in his * Charter, wherein he expreſly declares he came to the Crown, (*Jure Hæreditario, & mediante tàm Cleri quàm Populi unanimi Conſenſu & Favore*) not only by Hereditary Right, but by the unanimous Conſent and Favour, as well of the Clergy as Laiety.

* Col. 1281.

* In Regem Coronatur.

† P. 197.

* Vid. Chart. moderationis feodi magni Sigilli an. 1. Johan. ex vet. Reg. in Archivis Archiep. Cant.

I SHALL now anſwer the * Doctor's Objections againſt theſe Authorities: I confeſs he has given us Arch-Biſhop *Hubert*'s Speech at large, as alſo the Relation how it was received by thoſe that heard it, *who durſt not doubt of what he had ſaid, knowing the Arch-Biſhop had not thus decreed this matter without cauſe.* But Earl *John* and all there acquieſced in what he had ſaid, *ipſúmque Comitem in Regem eligentes & aſſumentes, exclamant, dicentes, vivat Rex*, i. e. " chuſing and receiv- " ing the Earl for their King, ſhouted, ſaying, *Let the King live.* Where I cannot but obſerve the Doctor's wonted Artifice, who here tranſlates the word *Aſſumentes*, without any warrant from his Dictionaries, they *chuſing* or *acknowledging* him for their King: Now I deſire him to tell me, whither he thinks chuſing and acknowledging are one and the ſame thing?

* Ib.

* BUT

BUT to come to the Doctor's main Objection againſt this Authority, which is from the words immediately following in this Author: But Arch-Biſhop *Hubert* being asked afterward, why he ſaid theſe things? anſwered, That he gueſſed, and was taught and aſcertained by certain Oracles (or Prophecies) that *John* would bring the Kingdom and Crown into great Confuſion, and therefore leſt he might take too much Liberty in doing it, he affirm'd, he ought to come in by *Election*, and not by *Hereditary Succeſſion:* and ſo he was crown'd, as before is rehearſed.

FROM whence the * Doctor draws this Concluſion, that this learned Doctrin and Preachment of the Arch-Biſhop aſſerts not any Right of *Election* in the Convention of Biſhops, Earls, Barons, and others required to be at the Coronation; but that his own Anſwer, when he was asked why he ſaid theſe things, clearly diſcovers only a Deſign and Artifice in the Arch-Biſhop to cauſe them to ſet up, and make *John* King; by which alſo he denies any ſuch Right of *Election: Hoveden* (ſays he) hath none of (nor doth he mention) this Harangue, and therefore it rather ſeems to be an Invention of *Matt. Paris*, than a Sermon of the Arch-Biſhop's: Hiſtorians commonly make Speeches for other men they write of; *Bromton*'s Chronicle takes no notice of it. Here then the Doctor gives us his words concerning the Oath of Fidelity ſworn to him before his Coronation; which, ſince I have already made uſe of, I paſs by, only muſt take notice, that the Latin words are much more Emphatical than the *Engliſh*, they being thus; *Ab* Huberto *Cantuarienſi Archiepiſcopo inungitur, & in Regem Angliæ coronatur*; where the words being in the Accuſative Caſe, do plainly infer, that it was the *Anointing* and *Crowning* that made him King. But as for *Hoveden*'s omitting this Harangue, to argue from thence that it was never made, is a very fallacious way of proof, ſince one Hiſtorian often ſets down what another omits; nor could this Speech be *Matt. Paris*'s Invention, for the Doctor might alſo have found it in the *Manuſcript* Hiſtory of *Roger* of *Wendover* in the *Cottonian* Library, which he might have ſeen if he had pleaſed. And tho I grant it is ſometimes the Cuſtom of Hiſtorians to make Speeches for thoſe they write of, yet is it not likely this Author did ſo now, ſince all the Circumſtances of it look too exact and particular to be invented; and the Doctor himſelf has put a Bar to this Objection, by admitting the Speech to be real, but that the Arch-Biſhop made uſe of it only as an Artifice to cauſe them to ſet up Earl *John* to be King. Which Inference is certainly falſe, for either the Arch-Biſhop then believed that Earl *John* had an Hereditary Right, or elſe that he had none: if he were perſwaded of the Former, and if all the Aſſembly were of his mind, it had been ridiculous for him to have preached up this Doctrin of an *Election*; and if neither he, nor they were ſatisfied of his Hereditary Right, nor of that by his Brother's Teſtament (which is not here mention'd) then the Arch-Biſhop's Speech was very proper at that time, ſince he could have no other Title but their *Election* (beſides his near Relation to the late King) to recommend him to their Favour. But as for that place the Doctor has cited from *Gervaſe* of *Canterbury*, from whence he would prove that neither *Henry* I. nor any other King came in by *Election*, *for that it was manifeſt and known almoſt to all men, that the Kings of* England *were only obliged and bound to God for*

* Ib.

for the obtaining of the Kingdom, and to the Church of Canterbury *for their Coronation*; this is certainly either a Miſtake, or a manifeſt Contradiction of himſelf in this Author, who expreſly allows King *Stephen* to have been *elected* King by all there preſent: but indeed the words do rather make againſt the Doctor's Opinion; for if God is here excepted, ſo likewiſe is the Church or Arch-Biſhop of *Canterbury*; and ſo the King is by this Doctrin as much obliged for his obtaining or poſſeſſion of the Throne (as the Doctor tranſlates it) to the latter, as to the former; and if that be once admitted, then ſee what he will gain by it, unleſs perhaps he had rather, that Kings ſhould own their Crowns to God and the Arch-Biſhops of *Canterbury*, than to God and the *Election* of the People. But indeed this Authority does not deſerve any ſerious Confutation, for this Monk lays down this Aſſertion from a falſe Prejudice and ſuperſtitious Perſwaſion (then current among them) that it was a Prerogative of the Arch-Biſhop of *Canterbury*, not only to crown, but to make Kings; as may be ſeen by ſome Paſſages in the Letters and Speeches of *Thomas Becket* Arch-Biſhop of *Canterbury* in the enſuing Hiſtory.

BUT to conclude, the Doctor puts a very falſe Gloſs upon the words of King *John*'s Charter above-mention'd, where by the words, *unanimous Conſent of the Clergy and Laiety*, he would needs have no more to be meant than their acknowledgment and ſubmiſſion to him; for (ſays the Doctor) according to *Hoveden*'s Relation of his coming to the Crown (which is the moſt exact we now have) they ſubmitted and ſwore Fealty to him againſt all men ſome time before his Coronation. But to this I need ſay no more than what I have already noted, that this Oath was not taken to him as preſent King, but only as ſuch in Deſignation; for otherwiſe it had been a much eaſier matter for the Arch-Biſhop and others above-mention'd to have made this Oath to be taken to him as King of *England* in direct Terms, without calling him only Duke of *Normandy*, &c. as is expreſſed in that Oath in *Hoveden* above-mention'd. But the Doctor ſlubbers over this Oath, by expreſſing it only in the general Terms of *Him*, without ſaying who was meant by it, whither the Earl or the King.

I AM come now to the laſt King of this Period, of which I have written *(viz. Henry* the *Third)* who if his Father King *John* was an Uſurper, ſo was alſo his Son; for *Eleanor*, Siſter to his Couſin *Arthur*, was living five and twenty years after he came to the Crown. But the Doctor being aware of this Objection, grants as much as I can deſire; for * he ſays, that at this time, *viz.* at his Father's Death, King *Henry* had no good Hereditary Title; and therefore † *Matthew Paris* relates, that King *John*, when he departed this Life, appointed his Son *Henry* to be his Heir: And this Donation of his Father, or his making him his Heir, was his beſt Title; for until *Eleanor* (the Daughter of his Uncle *Geofrey)* died, in the 25*th* year of his Reign (as before has been ſaid) he was not true Heir by Right of Blood.

* Id. p. 377.
† P. 288.

A VERY ingenuous Acknowledgment I muſt confeſs; and then I would fain know of the Doctor, whither this Teſtamentary Right ſignified any thing, or not? If it ſignified nothing, why does he mention it? But if any thing, why ſhall not the like Pretence of Teſtamentary Right ſtill hold good at this day? But tho the Doctor is very loth to

own

own it, yet it will appear, that notwithſtanding King *John*'s Teſtament, this young Prince's beſt Friends did not think fit to rely upon that alone, but rather upon the Conſent and Election of the Great Council of the Kingdom, who met at *Glouceſter* (as *Matthew Paris* tells us) *ut Henricum Filium* Johannis *in Regem exaltarent*, that they might advance *Henry* Son to King *John* to be their King. But another Author of good Credit and Authority, *viz.* * *Walter Hemingford*, in his Chronicle relates, that *William* the Mareſchal, Earl of *Pembroke*, who was at that time a Man of great Authority and Wiſdom, made a Speech to the Great Council of the Biſhops and Nobility then preſent at *Glouceſter*, on the behalf of the young Prince (not yet ten years old) whom he now deſign'd to advance to the Throne, to this effect; "Tho we "have proſecuted the Father for his evil Deeds, and *that juſtly*, yet "this young Infant is pure and innocent from thoſe his Actions: you "know what the Scripture ſaith, *The Child ſhall not bear the Iniquity of "the Father*; therefore we ought to have compaſſion on his tender "Age, and becauſe he is the King's Son, and to be our Lord, *let us "make him King*, and caſt out the *French* King's Son and his Peo-"ple, *&c.* Then after ſome Objections of the Earl of *Glouceſter* againſt it, at laſt the whole Council, as if they had been inſpired from Heaven, cried out with one Voice, *Fiat ſic, fiat Rex, fiat Rex*, let it be ſo, let him be made King: Whereupon they appointed St. *Simon* and *Jude*'s day for his Coronation, when, as *Matth. Paris* and * *Thomas Wikes* both agree, he was encircled with a Chaplet of Gold for want of a Crown; from which day (being the 28*th* of *October*) *William* of *Riſhanger* (*Matt. Paris*'s *Continuator*) reckons the years of this King's Reign, and not from the Death of his Father King *John*; the Author's words are theſe, *Regnavit* (i. e. *Henricus Tertius*) 56 *annos, & amplius, quantum diſtat à feſto* Sanctorum Simonis *&* Judæ *uſque ad feſtum Sancti* Edmundi Pontificis, *id eſt, viginti duebus*; King *Henry* the *Third* reigned 56 years, and as much more as is from the Feaſt of St. *Simon* and *Jude* to that of St. *Edmund* the Arch-Biſhop; that is juſt twenty days. And that this is to be underſtood not only in an Hiſtorical, but a Legal Account, appears by what the above-cited *Thomas Wikes* ſays in the ſame place in theſe words; *From which day* (viz. of his Coronation) *the date of this King's Reign begins in all Writs and publick Writings*. But *Matthew Paris* is more conciſe; who in the very Title to this King's Reign, which he begins at his firſt Coronation with a Golden Chaplet, adds thus, *A qua Coronatione ſupputantur anni Coronationis ejus*. From all which Teſtimonies put together, nothing can be more clear, than that *Henry* the *Third* was not looked upon as a Legal King before the time of his Coronation.

* L. 3. c. 1.

* *In his Chron. under this year.*

NOW let us look back to his Father K. *John*, who you'll find was crown'd the 27*th* of *May* 1199, and deceaſed on the 17*th* of *October*, *Anno Dom.* 1216. being St. *Luke*'s Eve; according to which Account he reigned (ſays * *Thomas Walſingham*) 17 Years, five Months, and four Days; which account being reckon'd from the 27*th* of *May* to the 17*th* of *October*, makes juſt five Calendar Months of 28 days apiece. But his Reign can by no means commence from the day of his Brother King *Richard*'s death, for that fell out on the 6*th* of *April*, juſt ſeven weeks and three days before his Coronation; which if computed into his Reign, would make up not five, but ſix compleat months, beſides

* Ypodig. Neuſtriæ.

three weeks and three odd days, which are never counted into his Reign.

TO proceed higher yet to his Brother K. *Richard*, who had the moſt indiſputable Hereditary Right of any King ſince the Conqueſt, tho his elder Brother the young King *Henry* died without Iſſue; yet you will find that his Reign is alſo computed by all our Hiſtorians, not from the death of King *Henry* his Father, which fell out on the ſixth of *July* 1189. but from his own *Coronation* which was on the third of *September* following: from which time if you count to the *26th* of *April*, A. D. 1199. being the day of his Death, you will find he reigned juſt nine years, ſeven months, and four days; for ſo it ſhould be, and not ſix months, as in the printed Copies of *Rad. de Diceto.* But if we ſhould reckon his Reign from his Father's Death, which was three months before his Coronation, wanting but three days, then he muſt have reigned nine years and nine months wanting but three days, which is more than any Hiſtorian aſſigns him.

SO likewiſe if we compute the years of King *Henry* the *Second*'s Reign from his *Coronation*, (which happen'd on the nineteenth of *December*, *A. D.* 1184.) to the day of his Death, which was on the *Octave* of St. *Peter* and *Paul*, or ſixth of *July* (as hath been already ſaid) you will find it makes thirty four years, ſeven months and four odd days, which is the longeſt time that any of our Hiſtorians allow him to have reigned; but if you ſhould reckon his Reign from the Death of King *Stephen* his Predeceſſor, inſtead of ſeven months and four days, it would make eight Kalendar months and ſix days, beyond what any of our Hiſtorians acknowledged him to have reigned.

HAVING thus calculated the years of the Reigns of theſe four laſt Kings of this Period, contained in the following Hiſtory, and finding every one of them to have begun at their *Coronations*, and not from the Death of their Father or next immediate Predeceſſor, it will be needleſs to look higher back into the Reigns of the four other Kings, ſince it is owned on all hands, that they having no Titles by Right of Blood, could not date their Reigns ſooner than from their *Coronations*; not but that I grant that even ſuch Princes did, by virtue of their bare *Election*, and the Homage and Fealty that had been ſworn to them as Supreme Lords of all the Lands of *England*, exerciſe ſeveral Regal Prerogatives even before their Coronations. Thus you will find in the Reign of King *Stephen*, that in about a month's time which paſſed between his *Election* and *Coronation*, he quell'd an Inſurrection of certain Rebels or Lawleſs Men, who had taken the opportunity of an *Inter-Regnum* to raiſe a Diſturbance in the Kingdom.

See the following Hiſtory.

SO likewiſe the Empreſs *Mathilda*, being declar'd Heir to her Father in his Life-time, and having received by virtue thereof the Homage and Fealty of all the Freeholders of *England*; and being alſo again *elected* Lady of the *Engliſh* by the Biſhops and Clergy at the Council of *Wincheſter*, tho not by the Title of Queen, yet took upon her to create *Milo* her Favorite Earl of *Hereford*, and to confirm her half-Brother *Reginald* in the Earldom of *Cornwal*, which had been before conferred upon him by King *Stephen*; and alſo diſpoſed of ſeveral Caſtles and Crown-Lands to thoſe Great Men that took her part: yet I do not find ſhe ever proceeded to any other higher Acts of Sovereign Power, as either to coin Money, or make Laws; for King *Stephen*

phen was all this while looked upon as King-in-Law, even by his Enemies, and that too whilſt he was in Priſon; for you will find that *Theobald* Arch-Biſhop of *Canterbury* refuſed during that confinement to ſwear Fealty to the Empreſs without that King's Conſent, to whom he then applyed for it; and he is by *William* of *Malmesbury* (who on all occaſions ſhews himſelf his Enemy) ſtiled *King*, notwithſtanding his Impriſonment, and the former *Election* of the Empreſs, which this Author would never have done, had he not believed that this King's *Election* and *Coronation* had conferred upon him, not only a bare Title, but Regal Power and Authority.

THE like I may ſay of Prince *Lewis* of *France*, who after he was *elected* King, and called into *England* by the Barons againſt King *John*, did, by virtue of that, and the Homage and Fealty which all the Barons and Tenants by Knight's-Service then made him, exerciſe many Acts or Prerogatives of Regal Power, as to confer the Honours, Offices and Eſtates of thoſe that held with King *John*, upon ſuch as had ſided with him; yet he never took upon him the Title of King of *England*, becauſe he was never crown'd, and upon that account there was no Renuntiation of his Right to the Crown required of him upon the Pacification that was made between him and King *Henry* the *Third*, as you may ſee in the beginning of his Reign, where all the Conditions are ſet down at large So that I can compare the Authority of ſuch *Elect* Kings to nothing better, than to the Power that Biſhops *Elect* exerciſed in thoſe times; for after their Election by the Chapter or Convent, and that they had been confirmed by the Pope, and had done their Homage to the King for their Temporalities, they could let Leaſes of the Eſtates belonging to their Biſhopricks, but had no place in the Choir, nor in Eccleſiaſtical Synods, till after their Conſecration and Inſtallation in their Sees.

I SHALL now ſay no more concerning this Point of the Succeſſion to the Crown, but ſhall before I conclude, run over the other main Conſtituent Parts of the Government, and inquire how far it was alter'd after the *Conqueſt*.

AND firſt as to the *Repreſentatives* of the Nation in their Great or Common Council of the Kingdom, from what it was during the Government of the *Engliſh-Saxon* Kings: as I have already proved in my laſt Volume that the *Aldermen* or Earls of Counties, as alſo the Superior and Inferior *Thanes*, together with the Repreſentatives or Deputies of Cities and Boroughs had places in them; ſo all the Alteration I can find to have been introduced in the Great Council, or Parliament, after the Conqueſt, was, that Earldoms became now Hereditary, whereas before they were generally for life only.

BUT as for the *Thanes* or Barons by Tenure, whither of the higher or lower Degree, as alſo of thoſe who held of them by like Military Service, and likewiſe as to the Cities and Boroughs, whither there was any Alteration as to their appearing and voting in the Great Council of the Nation from the Conqueſt till the 49*th* of King *Henry* the *Third*, when Sr. *Henry Spelman* and Mr. *Pryn*, (whom Dr. *Brady* likewiſe follows) do aſſign the *Commons* as repreſented by *Knights*, *Citizens*, and *Burgeſſes*, to have been firſt ſummon'd to Parliament; I will not at this time take upon me to treat of it, tho I at firſt intended it, ſince this *Introduction* has already ſwell'd beyond its bounds; and there-

therefore I ſhall reſerve what I have to ſay on that Subject to the *Introduction* before my next Volume, when (God willing if I live) I will fairly repreſent all the Arguments and Authorities that have been made uſe of, either on the one ſide or the other, in this great Queſtion, eſpecially ſince many of the moſt material of them ariſe from a Claim of Preſcription of the Cities and Boroughs made in the Reigns of the three firſt *Edwards*; which falling beyond the Period that this Volume extends to, may more properly ſerve for the ſucceeding.

I SHALL therefore conclude, with giving the Reader ſome Account of the moſt material Alterations that were made in Eccleſiaſtical Matters, either relating to Things or Perſons, after the Conqueſt. And the greateſt Change I can find, as to the latter, was, that of the Tenures of the Biſhops and greater Abbots, in the beginning of King *William* the *Firſt*'s Reign, when they were brought under the Yoke of Knight's Service; and as Barons or Tenants *in Capite* they had from that time a place in the Publick Councils of the Kingdom, whereas under the *Engliſh-Saxon* Kings they ſat there only in their Spiritual Capacities, and as a ſeparate Eſtate, that held their Lands only by *Frank-Almoign*: not but that many of thoſe who did not hold by Barony, were often ſummon'd to the greateſt or moſt General Councils of the Nation, upon extraordinary Occaſions, either to contribute Money, or to give Advice in the moſt difficult and arduous Affairs; as appears by that great Summons to Parliament in the 49*th* of *Henry* the *Third*, when it ſtill remains upon Record, that not only the Abbots, and Priors who held *in Capite*, were then ſummon'd to Parliament, but alſo moſt of that Order in *England*, as Dr. *Brady* in his Anſwer to Mr. *Petyt* ſets forth; which (notwithſtanding the Doctor's Aſſertion of the contrary) I do not believe was a new Inſtitution, ſince, if it had, the Hiſtorians and Annaliſts of thoſe times would moſt likely have taken notice of it as an Innovation, eſpecially when the Service of Abbots and Priors in Parliament was then look'd upon as a Burthen to their Houſe, and an Avocation from their Spiritual Functions. And hence it was, that ſo many of them excuſed their appearance in ſucceeding Times, by pleading they did not hold of the King *in Capite*, nor by Barony, of which you will find many Inſtances in Mr. *Selden*'s *Titles of Honour*.

BUT the moſt conſiderable Change that I can find to have happen'd in the County and other Inferior Courts after the Conqueſt, was, the ſeparation of the Eccleſiaſtical from the Civil Juriſdiction; "For "* whereas under the *Saxon* Kings the Biſhops, and the Earl, or the "Sheriff as his Deputy, ſate together in the County-Court, Hundred, "and Sheriff's Courts and there promiſcuouſly determined both Eccle- "ſiaſtical and ſecular Cauſes; and thus it continued for ſome time after "the Conqueſt, till the year 1085. † Then King *William* ordained, "That no Biſhop nor Arch-Deacon, ſhould for the future hold Pleas "in the County, Hundred, or other Inferior Courts, concerning Epiſ- "copal Laws, or Canons, nor ſhould bring any Cauſe pertaining to "the Government of Souls before a Secular Judicature; but that every "one who had tranſgreſſed the Epiſcopal Laws ſhould be judged in "ſuch place as the Biſhop ſhould appoint, according to the ſame "Laws and Canons; and that if any was ſo obſtinate as not to ap- "pear at the third Summons, he was to be *excommunicated*, and if "need were, the King's or Sheriff's Power was to be added; and "further

*Vid. *Sir* Hen. Spelman's *Epiſt. before the firſt Vol. of Councils.*

† Id. Vol. 2. p. 14, 15.

" further commanded, that no Sheriff, or Lay-Officer, ſhould inter-
" meddle with Epiſcopal Laws.

THIS is the ſum of this King's Writ directed to *R. Bainard* and *G. de Mandevil*, *P. de Valoines*, and all his faithful Subjects of *Eſſex*, as alſo of another like Writ of this King's inrolled by *Inſpeximus* in the *Tower*, and cited by Sir *William Dugdale* in his Preface to his Antiquities of *Warwickſhire*. Cart. Rich. 2. per Inſpex. m. 13. n. 5.

AND from this Time we are to date the beginning of Eccleſiaſtical or Biſhop's Courts, which the King hereby gave them authority to hold in their own Names, as they do at this day.

SO likewiſe in the *Wittena Gemot*, or great Council of the Kingdom, the Clergy and Laiety, till now, ſate and acted together as one Body, as they did under the *Saxon* Government; and the ſame Synod made both the Civil and Eccleſiaſtical Laws, as I have already proved at large in my former *Introduction*: but ſome time after King *William*'s coming in, the Biſhops and Clergy began to hold their Synods or Councils apart, eſpecially whenever the Pope ſent over his Legate into *England*; the firſt Example of which I find A. D. 1070. being the fourteenth year of this King's Reign; when, as *Hoveden* tells us, there was a great Synod, or Council of the Clergy at *Wincheſter*, in which the Pope's Legate, *Hermanfred* Biſhop of *Sedun*, and others preſided, and where Arch-Biſhop *Stigand* was deprived for ſeveral Crimes and Irregularities; as were alſo his Brother *Agelmar* Bp of *Helmham*, and ſeveral Abbots. This is the firſt Synod or Council that ever took upon them to deprive an Arch-Biſhop by their ſole *Authority*, without the Conſent of the Lay-Part of the great Council; but was indeed a *Papal Uſurpation*, the Clergy only being ſummon'd by his Legate without any Lay-men there, as I can find: But before this, that Biſhops were often both *elected* and *deprived* by the whole *Wittena Gemot*, or great Council of the Kingdom, conſiſting both of the Clergy and Laiety, I have already made out in my ſaid *Introduction*, from ſeveral Authorities of the Hiſtorians of thoſe times.

BUT that the Great Council of the Kingdom had not yet wholly loſt their Antient Rights of electing and confirming the Arch-Biſhop of *Canterbury*, even in this King's time, appears by the manner of Arch-Biſhop *Lanfranc*'s Election to that See; Indeed *William* of *Malmesbury* ſays, he was elected by the King; but the Antient Latin Copy of the *Saxon* Annals, that is in *Bennet*-College Library, ſets it forth more particularly, how that this Year *Lanfranc* Abbot of *Caën* being ſent for by the King, came into *England*, and took upon him the Primacy of the Church of *Canterbury* (the reſt I ſhall give you in the Latin Original) *Eligentibus eum Senioribus ejuſdem Eccleſiæ, cum Epiſcopis, & Principibus, Clero, & Populo Angliæ in Curia Regis*: i. e. The Senior Monks of the ſaid Church electing him, together with the Biſhops and Chief Men, *viz.* the Clergy and Laiety of *England*, in the King's Court, or Great Council: with which likewiſe agrees almoſt *verbatim*, that ſhort Account of this King's Reign, which you will find printed at the end of *Taylor*'s Hiſtory of *Gavelkind* from an antient *Manuſcript* in the *Bodleian* Library.

BUT tho the Laiety ſoon loſt their Voices in the *Election* of Biſhops, yet the Suffragan Biſhops of the Province of *Canterbury* long after maintained their Right of joining with the Monks in the *Election* of the Arch-Biſhop, as you will find by divers Inſtances in the enſuing Hiſtory; till at length the latter being ſupported by the Pope, took upon them alone to *elect* the Arch-Biſhop. But the firſt I can find ſo choſen by the Monks, without any precedent or ſubſequent Conſent of the Suffragan Biſhops, was *Stephen Langton*, *A. D.* 1205. for after the Death of Arch-Biſhop *Hubert*, Pope *Innocent* wrote to the Biſhops of that Province, not to intermeddle or moleſt the Monks of *Canterbury* in their choice of an Arch-Biſhop: A Copy of which Letter or Bull you may read at large in * *Matt. Paris*; and the King at the ſame time hoping to make his advantage of the Monks, by cauſing them to elect the Biſhop of *Norwich* (whom he then much deſired to prefer to that See) gave them alſo the ſole Power of chuſing one: but the Pope declaring his Election *void*, *Stephen Langton* was thereupon choſen Arch-Biſhop by a few of the Monks, who had been a little before ſent to *Rome* upon the clandeſtine Election of their *Sub-Prior*, as I ſhall ſhew hereafter. And tho the Suffragan Biſhops then likewiſe ſent their Proctors to *Rome* to proteſt againſt this *Election* of an Arch-Biſhop without their Conſents, yet it ſignified nothing; for the Pope made this ſmall Committee to elect Cardinal *Langton* to that See, as hath been already ſaid. From which time, during the Reigns of King *John*, and *Henry* the *Third*, the Pope, under the pretence of confirming or approving the Election of Biſhops, vacated them at his pleaſure, whenever he did not like the Man they had choſen, or had a mind to prefer a Creature of his own; ſo that the Election of the Convents and Chapters of Churches, then ſignified little or nothing.

* P. 212.

BUT I cannot here omit another very notable Incroachment the Pope now made on the Eccleſiaſtical Juriſdiction of the Church of *Canterbury*: for whereas till the coming in of *William* the *Conqueror*, the Popes ſent Legates but very rarely into *England*, and that only upon great and extraordinary Occaſions; ſo after that time they came not hither but when they were particularly deſired by the King; for the Arch-Biſhops of *Canterbury* were the Pope's conſtant and cuſtomary Legates in this Kingdom: But in the latter end of the Reign of *Henry* the *Firſt*, it is obſerved by *William* of *Malmesbury*, in his * *de Geſtis Pontificum*, that now began the frequent coming over of Legates into *England*, the Pope prevailing upon the weakneſs of Arch-Biſhop *Radulph* to admit him to ſend them when he pleaſed. But the King by his Prudence put a check to this Innovation, and would not after that Arch-Biſhop's deceaſe, own any Legate in *England* beſides the Metropolitan of *Canterbury*; which you alſo find more particularly ſet forth in *Eadmerus*. But this Abuſe was again renew'd in the Reign of King *Stephen*, who ſuffered the Pope to do what he pleaſed here; and was continued, and daily increaſed in the Reigns of his Succeſſors; and at laſt in that of King *Henry* the *Third* came to be an intolerable Grievance.

* L. 1. p. 231.

BUT ſince I am now entred upon this Subject, I ſhall briefly ſhew by what degrees the Popes ſo far advanced their Temporal Power here in *England*, under the ſpecious colour of Spiritual Juriſdiction.

YOU

YOU have already heard how Pope *Alexander* the *Second* ſent Duke *William* a conſecrated Banner, with his Bleſſing and Approbation of his Enterprize againſt King *Harold:* In return to which Favour, Pope *Gregory* the *Seventh* (*Alexander*'s immediate Succeſſor) by his Epiſtle to *William* being now made King, demanded that he ſhould ſwear Fealty, and be wholly obedient to him; a Copy of which Leter you may find among that * Pope's Epiſtles.

* Vid. Epiſt. Greg. VII. l. 7. Ep. 25.

BUT the King was of too haughty a Spirit to yield to ſo mean a Subjection, and therefore return'd this reſolute Anſwer (which is alſo printed among Arch-Biſhop *Lanfranc*'s *Epiſtles)* that † *for the Oath of Fealty he had not taken it, neither would, becauſe he never promiſed it, neither did he find that ever his Predeceſſors had ſo done to* Gregory's *Predeceſſors.* Bnt tho the Pope was much diſpleas'd at this, and chid Arch-Biſhop *Lanfranc* in another Letter for not perſwading the King to do it; yet for all this the Arch-Biſhop could never prevail upon him, and ſo he kept his Point, nor would permit any Pope to be acknowledged here but whom he pleaſed; and alſo retained the old Prerogative of inveſting Biſhops and Abbots, *per Baculum & Annulum*, notwithſtanding the late Decrees of the *Lateran* Council againſt it. Thus it continued during all this King's Reign, as alſo that of *William Rufus* his Son and Succeſſor, for all that the Pope and *Anſelm* Arch-Biſhop could do to the contrary.

† Ep. 2.

Eadm. p. 6.

BUT when King *Henry* the *Firſt* came to the Crown, and *Anſelm* was again returned into *England* from his voluntary Exile, the King demanded of him the accuſtomed Homage, which the Arch-Biſhop refuſed to pay him, alledging the Decrees of the late Council at *Rome*. But tho the King was very loth to loſe the Inveſtiture and Homage of the Biſhops, yet being afraid of the Pope's *Excommunication*, and that he ſhould ſet up his Brother *Robert*'s Title againſt him, he was at laſt forced to be reconciled to the Arch-Biſhop, and give him leave to come home, he having been before baniſhed by this King, who now quitted his Prerogative of Inveſtiture, only reſerving the Ceremony of Homage of the Biſhops in reſpect of their Temporalities; which was alſo allowed by Pope *Paſcal* upon his Agreement with King *Henry*, and by him confirmed in a great Council at *London*. To this alſo Arch-Biſhop *Anſelm* conſented, provided it were done before their Conſecration; and ſo this Cuſtom continues to this day, only it is now done upon every Election or Tranſlation of Biſhops. Yet the ſame Pope having yielded this Right of Inveſtiture to the Emperor *Henry* the *Fifth* (as *Florence* and *William* of *Malmesbury* relate) *Anſelm* thereupon wrote to the Pope, that the King was reſolved to reaſſume the ſame Right too, and that they both actually did ſo. And *Matt. Paris* and *Matt. Weſtminſter* expreſly ſay, That this King inveſted *Richard* (the very next Arch-Biſhop) with the *Staff* and *Ring* after the Antient Cuſtom; tho it ſeems this did not hold long, for upon the Emperor's quitting that Right, I ſuppoſe this King quitted it too.

BUT the King did not then part with this Right of Inveſtiture alone, but in the ſame Council laſt mention'd, he granted the free Elections of all Biſhops, and Abbots; whereas in the Reigns of his Predeceſſors, Canonical Elections were but rare, the King himſelf very often in the Common Council of the Kingdom, nominating the Perſons whom he would have to ſucceed, and their Conſents were given, as it were,

were, by way of Confirmation, to ſuch precedent nominations. And tho after this way was diſuſed, they were choſen by the Deans and Chapter, or the Priors and Convents, according to the cuſtom of their ſeveral Churches; yet notwithſtanding the King ſtill retained his Antient Prerogative, not only in recommending the Perſon he thought moſt fit to be choſen Arch-Biſhop or Biſhop, but alſo, the better to ſecure and influence the Election, often ſent for the Dean and Chapter, or ſome part of them, who ſhould be impower'd by the reſt to come to Court: And ſo likewiſe the Abbey or Convent ſent up their Prior, with ſome of the Senior Monks, fully commiſſion'd for that purpoſe; who meeting in the Royal Chappel, or ſome Church near it, there choſe ſuch Perſons as the King had before recommended to them, as you will ſee in this Hiſtory concerning the manner of *Thomas Becket*'s Election to the Arch-Biſhoprick of *Canterbury*, as well as of his Succeſſors; and the like was alſo done in other Sees.

Vid. *Will.* of *Malmeſ.* BUT 'tis true, that in King *Stephen*'s Reign this Prerogative received ſome Interruption; for that King, having a powerful Competitor in the Empreſs *Mathilda*, was obliged, for obtaining the Pope's Favour, to put all Eccleſiaſtical Matters under the Power and Juriſdiction of his Legate and the Biſhops: And therefore the King's own Brother, the Biſhop of *Wincheſter*, then the Pope's Legate, told him, *That if the Biſhops did any thing amiſs, the King had nothing to do to judg them, but they muſt be left to the Canons; yet that the King was bound to give them an account of his late Actions.*

Id. p. 101.

THUS we ſee how much this King advanced the Papal Authority, by allowing his Legate ſo large a Power, as had never been heard of before in *England:* And now Appeals to *Rome* grew very troubleſome and frequent (as our Hiſtorians complain) and the King ſo far loſt his Prerogative of nominating, or ſo much as recommending any one to a *Biſhoprick*, * that *William* Arch-Biſhop of *York* (tho a very good Man) was depoſed by the Pope, merely becauſe he was nominated by the King, and *Henry Murdack* choſen in his ſtead, without the King's Conſent or Approbation; and about this time the Right of Inveſtitures was again condemned in a Council or Synod held at *Weſtminſter*, *A. D.* 1143. by which alſo no ſecular Perſon was to lay violent hands, or impriſon any one in Holy Orders.

Chron. Gervaſ. Col. 1363.

C. Rich. Hag. Col. 327.

SUCH was the ſtate of things here, when King *Henry* the *Second* came to the Crown; and upon this Impunity of the Clergy, great Inſolences and Villanies were committed by Men in Orders under the colour of Eccleſiaſtical Liberty, or the unaccountableneſs of Clergymen for their Actions to any Civil Tribunal: Which when the King went about to reform, he was openly oppoſed by Arch-Biſhop *Becket*, who would not ſuffer any ſuch Perſon to be delivered to Juſtice, tho after Degradation; nay, he retracted his own Conſent to the Conſtitutions of *Clarendon*, wherein he had owned that Power in the Temporal Courts; for all which I refer you to the following Hiſtory.

BUT the Arch-Biſhop being afterwards murther'd, the King, to make his Peace with the Pope, was not only forced to renounce all intermeddling in the Elections of Biſhops and Abbots, but alſo to leave the Perſons of Eccleſiaſticks to be puniſh'd only by their own Ordinaries, or Abbots; ſo much did *Holy Church* (as they called it) then domineer over the *Civil Power*.

IN

IN the next Reign of King *Richard* the *Firſt*, the great Affairs of the Nation were almoſt wholly manag'd by the Pope's Legats, during his abſence in the *Holy Land*; and in the latter end of his time, the Pope began to take upon him to diſpoſe of the beſt Eccleſiaſtical Preferments in *England*, either by Tranſlations, Proviſions, or Collations.

BUT this was carried much higher after King *John*'s Reſignation of his Crown to the Pope's Legat, to whom he did Homage, and ſwore Fealty for his Kingdoms, under a certain Tribute of a thouſand Marks *per Annum*: * After which Pope *Innocent* the *Third* by his Bull, not only accepted of this Reſignation, but declared, That "whereas "before theſe Kingdoms were ſubject to the *Roman* See in *Spirituals*, "they were now become ſubject in *Temporals* too; and from thence- "forth required an Oath of Fealty from the King himſelf, and all his "Succeſſors. But tho the King and Parliament did, in the fortieth Year of King *Edward* the *Third*, deny to pay the Pope any more Tribute, becauſe of the Invalidity of King *John*'s Charter, as being granted without any conſent of the Great Council or Parliament; yet we muſt remember what Pope *Gregory* the *Sixth* had before wrote to the Princes of *Spain*, *That a Kingdom once belonging to the See of* Rome, *can never be alienated from it; and altho the Uſe be diſcontinued, yet the Right ſtill remains.*

* Vid. Odor. Reynald. A.D. 1213. n. 83. Regiſt. P. Innocent. L. 16. Ep. 131.

Greg. Ep. lib. 1. Ep. 131.

AND it is alſo certain, that King *Henry* the *Third* did Homage, and ſwore Fealty to the Pope at his Coronation; and promiſed to pay the above-mention'd Tribute, as he did ſeveral times during his Reign. However the * whole Body of the People proteſted againſt it in the "Council of *Lyons*, as a Grievance, which was extorted by the *Roman* "Court unjuſtly in a time of War, and to which the Nobles of the "Kingdom had never given their conſents, nor ever would. But whatever opinion the *Nobles* were of, the Pope had the Biſhops ſure to him, for upon his Meſſage to them ſome time after, *they all ſet their Hands to a Manuſcript of King John*'s Charter, becauſe the Original was then loſt or burnt: which ſo highly provoked the King, that he ſolemnly ſwore, *he would ſtand up for the Liberty of the Kingdom, and never pay the Tribute more whilſt he breathed.* But he had not Courage enough to keep his word: For notwithſtanding all the late Complaints made by the *Engliſh* Deputies in the Council of *Lyons*, *of the infinite number of* Italians *who were then beneficed among them, and that more Money went out of* England *into* Italy *every year, than the King's Revenues amounted to; and that the Pope's Legates grew every day more intolerable, and by their Reſervations and Proviſions, and one Trick or other, the Patrons were defrauded of their reaſonable Penſions; and whoever would not preſently ſubmit, his Soul was immediately put into the Devils Cuſtody by Excommunication:* Notwithſtanding, I ſay, all theſe Complaints, the Pope goes on in the ſame way with them, and reſolved to try how much the *Aſſe*'s back would bear without *kicking*. The *Engliſh* Ambaſſadors go away highly incenſed from the *Council*, and reſolved to defend their own *Rights*; but they yet wanted a Prince of Spirit enough to head them. Before this time the Inſolence of the *Roman* Clergy was grown ſo intolerable to the Nation, that the Nobility and Commonalty joyned together in a Reſolution to free themſelves from this *Yoke*, and threatned the *Biſhops* to burn their Goods if they went about to defend them; they

Mar. Paris. A. D. 1216.

* Id. p. 666. Univerſitas Regis.

Id. p. 681.

Id. p. 667.

Mat. Paris, A.D. 1231. p. 371.

ſent abroad their Letters to ſeveral places, with a *Seal* with *two Swords*; between which were written *Ecce duo Gladii*, in abuſe of the *Roman-Court*; and it ſeems they deſtroyed the Goods of ſeveral *Roman* Clergymen; but *Matt. Paris* ſaith, *they were all excommunicated by the Biſhop of* London *and ten Biſhops more:* although *Matt. Weſtminſter* ſaith, *the Biſhop of* London *was cited to* Rome, *for favouring them, and having his Purſe well emptied was ſent home again.*

Mat. Weſtminſter, A.D. 1232.

IT ſeems the *Pope* was ſo nettled at the *Remonſtrance* of the *Engliſh Nobility* at the *Council* of *Lyons*, that he entred into a ſecret conſultation with the *King* of *France*, either to *depoſe* the *King* of *England*, or to bring him wholy to his will, ſo that neither he nor his People ſhould ſo much as dare to mutter againſt the Oppreſſions of the *Roman Court*: and the *Pope* offered the utmoſt aſſiſtance of his Power for it, but the *King* of *France* declined the employment. However the Pope goes on with his Work, and grants a Bull for raiſing ten thouſand Marks out of vacant Benefices in the Province of *Canterbury*; which ſo incenſed the King, * that he iſſued out a Proclamation, that whoſoever brought any Bulls of *Proviſion* from *Rome*, ſhould be taken and impriſoned: but this did little good, ſaith *Matt. Paris*, becauſe of the fickle and uncertain humour of this King. The † ſame year a Parliament was called about the intolerable Grievances of the *Roman* Court; which yet had no effect, becauſe many of the Biſhops favoured the Pope's Party: But at the Parliaments next meeting at *Wincheſter*, the Ambaſſadors were newly returned from the Pope, who gave a lamentable account of their Ambaſſy, *viz.* that inſtead of any redreſs, the Pope plainly told them, the King of *England kicks and plays the Frederick* (whom he had lately depoſed from the Empire in the Council of *Lyons*) *the King hath his Council, and I have mine, which I will follow*; and withal * they ſay'd, *they were ſcorned and deſpiſed as a company of Schiſmaticks for daring ſo much as to complain.* Upon this the King iſſues out another Proclamation, that no Money ſhould be ſent out of *England* to the Pope: At which his Holineſs was ſo enraged, that he ſent a ſevere Meſſage to the Biſhops of *England* under the pain of *Excommunication* and *Suſpenſion*, to ſee his Money punctually paid to his Nuntio, by ſuch a day in *London*; and at laſt the King by the perſwaſion of the Biſhop of *Worceſter* and ſome others, fairly yields, and gives up the Cauſe to the Pope.

Mat. Paris, p. 691.

* Id. p. 693.

† Id. p. 691.

* Id. p. 705.

AFTER this the Pope ſends for a third part of the Profits of all Benefices from *Reſidents*, and half from *Non-Reſidents* throughout *England*, with an *Italian* Gentleman called *a non obſtante*, that almoſt undid the Nation: the Clergy meet at *London* about it, and make a grievous Remonſtrance of their ſad condition, declaring, *that the whole Kingdom could not ſatisfy the Pope's Demands*; but it ſeems the Biſhops brought the Inferior Clergy to their Beck againſt the conſent of the King and Parliament.

Id. p. 716.

Id. p. 719.

THE next Year the Parliament made another Remonſtrance of the Grievances of the Clergy and People of *England*, which they ſent to the Pope and Cardinals; wherein they declare, that it was impoſſible for them to bear the Burdens laid upon them; that the King's neceſſities could not be ſupplied, nor the Kingdom preſerved, if ſuch vaſt Payments were made; that the Goods of all the Clergy of *England* could

Id. p. 721.

could not make up the Sum demanded: but all the effect of this, was only a Promiſe, *that for the future the King's leave ſhould be firſt deſired*; which, ſaith *Matthew Paris*, came to as much as nothing. By which we may judg of the miſerable condition of this Nation under the intolerable Uſurpations of the Court of *Rome*, during the long and uncertain Government of this Pious but Weak Prince, with whoſe Reign I conclude this Volume.

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A CATALOGUE

Of the AUTHORS both in *Print* and *Manuſcript* that are made uſe of in this Volume, and how denoted in the Margin.

Engliſh and *Norman* Writers.

* Note, *Thoſe that are not denoted by their initial Letters, are ſuch as are but ſeldom cited, and then are named.*

ANNALES Monaſterii *Burton.* edit. *Oxon.* 1684. Tom. 1. *A.B.*
* Annales de *Margan*, edit. *Oxon.* 1687. Tom. 2.
Annales *Waverleienſes*, in eod. Tomo——— *A.W.*
Chronicon *Thomæ Wikes*, Canonici *Oſnienſis* in eodem Tomo ——— *T.W.*
Chronicon *Walteri Hemingford* Canonici *Gisborn.* in eod. Tom.—*W.H.*
Chronica *Normanniæ* ad finem ſcriptor. *Norman.* edit. per *Andream du Cheſne*, ——— *C.N.*
Chronicon *Johan. Bromton* Abbatis *Jornalenſis* inter *Decem* Scriptores Hiſtoriæ *Anglicanæ*——— *C.B.*
Chronica *Gervaſii* Monachi *Cantuarienſis* in eodem vol. ——— *C.G.*
Chronica *Will. Thorn* Monach. *Sancti Auguſtini Cantuar.* in eodem Vol.
Thomæ Stubbs Dominicani actus Pontificum *Eboracenſ.* in eod. V.
Eadmeri Hiſtoria Navorum, edit. per *Johan. Seldenum* ——— *Ead.*
Florentii Wigornienſis Monachi Chronicon ——— *F.W.*
——Ejuſdem continuatio per Monachum ejuſdem Monaſterii — *C.F.*
Flores Hiſtoriarum, per *Matth. Weſtmonaſterienſem* Monachum— *M.W.*
Geſta Willielmi Regis *Anglorum*, &c. per *Will. Pictav.* inter ſcriptor. *Norman.* edit. per *Andr. du Cheſne*——— *W.P.*
Geſta Regis Stephani, per Author. Anonym. ad fin. ejuſd. Vol.—*G.R.S.*
Giraldi Cambrenſis, *Hibernia* expugnata, inter Scriptor. *Anglic.* & *Norman.* edit. *Franc.* ——— *G.C.*
Gulielmi Newbrigenſis Canonici, Hiſtoria Regum *Angliæ*——— *G.N.*
Henrici Huntingdon. Hiſtor. edit. *London.* inter Scriptor. *Anglic.* edit. per *D. Hen. Savil*, *Lond.* ——— *H.H.*
Hiſtoria *Richardi* Prioris *Haguſtald.* de Geſtis Reg. *Stephani*, & de *Bello Standardi*——— *R.Hag.*
Ingulphi Croylandenſis Abbatis Hiſtoria ——— *Ingul.*
——Ejuſdem continuatio per *Petrum Bleſenſem.*
Itinerarium Hieroſolymitanum Richardi Regis Anglorum———*It.R.R.*
Matthæi Paris Monachi *Albanenſis* Hiſtoria Major. edit. per *D. Thom. Wats* ——— *M.P.*
Orderici Vitalis Monachi *Uticenſis*, *Hiſtoria Eccleſiaſtica*, inter Scriptor. *Norman.* edit. per *And. du Cheſne* ——— *O.V.*
Polydori Vergilii Urbinatis Hiſtoria *Anglic.*
Rogeri de Hoveden Annal. pars prior & ſecunda inter Scriptor. Anglic. edit. per *Hen. Savil*——— *R.H.*

Radul. de Diceto Decani London. Imagines Hiſtoriarum, inter decem Scriptor. edit. *Lond.* ——— *R. D.*
Simeonis Dunelmenſis Monachi Hiſtoria de Geſtis Regum Angliæ, in eod. Vol. ——— *S. D.*
Ejuſdem Continuatio per *Johan. Prior. Haguſt.* ——— *Jo. Hag.*
Thomæ Walſingham Ypodigma Neuſtriæ, inter Scriptor. Ang. & Norman. Franc.
Williel. Gemeticenſis Monachi *de Ducibus Normanniæ,* in eod. Vol. — *W. G.*
Williel. Malmesburienſis Monachi de Geſtis *Regum Angliæ,* inter Scriptor. Anglic. edit. per *D. Hen. Savil. Lond.* ——— *W. M.*

Hiſtories in Engliſh.

John Stow's Annals.
John Speed's Chronicle.

Britiſh or *Welch* Hiſtorians.

Caradoc of *LLancarvon's* Chronicle, put out and continued by Dr. *Powel* ——— Dr. *P's* Chron.

Scotiſh Hiſtorians.

Chronica de Mailros, in I. Tomo Scriptor. edit. *Oxon.*
Hectoris Boethii Hiſtoria Regum Scoticorum.
Georg. Buchanani Rerum Scoticarum Hiſtoria.

French Hiſtorians.

In *Latin.*

Rigordus de Geſtis Regis Philippi Auguſti.
Willielmus Brito, ſive Armoricus, de Geſtis ejuſdem Regis.
——Ejuſdem *Willielmi Philippidos,* ſive de geſtis ejuſdem Regis, ſunt in Tomo V. Hiſtor. *Franc.* per *Francis Ducheſne.*
Pauli Æmylii Hiſtoria Regum *Franciæ.*

In *French.*

Hiſtoire Generale *de France, par Francois de Belleforeſt.*
Hiſtoire Chronologique *de Franee, par le Sieur de Mezeray.*

Chronicles and Hiſtorians in Manuſcript, *Latin.*

Annales *Monaſt. Sancti Auguſtini Cantuarienſis in Bib. Coll. Sancti Benedicti Cantab.* ——— *A. S. A.*
Annales *Civitatis London.* ex antiquo Libro de Legibus ejuſdem *Civitatis* ——— *A. L.*
Benedicti Abbatis Petriburgenſis Hiſtoria Reg. Henrici II. in Bib. *Cotton. Jul.* A. 11. ——— *B. A.*
Vita *S. Thomæ Archiepiſcopi Cantuar. per Guil. Stephanidem,* ſive *Fitz-Stephen.* in eodem Vol. ——— *F. S.*

Edwardi

Edwardi Ryme de vita ejuſdem in Bib. Reg. Societatis in Collegio Greſham.

De vita & Proceſſu ejuſdem; *quod Quadrilogus* nuncupatur, quia ex quatuor Scriptoribus compilatum in ead. Bib.——— *Q.*

Giraldi Cambrenſis Inſtitutio Principis, in Bib. Cotton, Julius C.

Radulphi Nigri Monachi Burienſis Chronicon. Radulphi Abbatis de Coggeſhal ejuſdem continuatio, ſunt ambo in uno vol. in ead. Bib. ——— *R. C.*

* This is printed in Father Dachier's Spicilegium, but I have made uſe of the Manuſcript as more correct.

* *Nicolai Trivet Fratris Dominicani, Chronicon generale in Bib. Col. Reginæ Oxon.*——— *N. T.*

Walteri Coventrenſis Memoriale Hiſtoriarum, in Bib. Col. Sancti Benedicti Cantab. ac etiam in *Bib. Cotton Vitell. E.* 13.——— *W. C.*

Manuſcripts in Engliſh.

Robert of *Glouceſter*'s Chronicle of *England*, in old *Engliſh* Verſe, in *Bib. Cotton.* as alſo in *Bib. Bodleiana, Oxon.*

Antient Manuſcripts and Charters relating to the Laws of England.

The Antient Survey of King *William*, commonly call'd *Doomeſday-Book.*

The Black-Book of the *Exchequer*, commonly called *Gervaſius Tilburienſis, de neceſſariis Scaccarii obſervandis*, in the Keeping of the Remembrancer of the *Exchequer.*

Two antient Originals of King *John*'s *Magna Charta*, the one in the *Cotton Library*; the other among the Archives of the Dean and Chapter of the Church of *Salisbury.*

* You will find them particularly recited in the end of K. Henry 3d's Reign.

Several other * antient Manuſcript Copies of *Magna Charta*, and *Charta de Foreſta*, dated *Anno ſecundo*, and again confirmed *nono* of King *Henry* the *Third.*

An Original Charter of *nono* of that King, now in the poſſeſſion of Sir *Nathaniel Powel* Baronet.

The Reader is deſired that, as to all the Authors already cited, where the Page is not ſet down, he would conſult the Year of our Lord.

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Adver-

THE General Hiſtory OF ENGLAND BOTH Eccleſiaſtical and Civil.

VOL. II. BOOK I.

The Reign of King *William* I. commonly called the Conqueror.

SINCE we are now arrived at a Period, in which the violent Entrance of a Foreign Prince, and the coming over, and ſetling of ſo many Strangers in this Kingdom, produced ſo great a Change in the Laws, Cuſtoms, and Manners of the *Engliſh* Nation: It will not be amiſs in the firſt place to give you *William of Malmeſbury*'s Account of the difference between the *Engliſh* and *Norman* way of Living, that ſo you may be able to make a better Judgment of the Change which was introduced by the Latter. * Hiſt. Lib. 3. p. 10.

An Account of the old *Engliſh* way of living.

It was the manner, ſays he, of the *Engliſh* Nobility and Gentry of thoſe Times to live in mean Houſes, and to ſpend the greateſt part of their Revenues on good Chear and Drink, in both which they were Intemperate: As for their Habits, they uſed ſhort Coats reaching but to their Knees, wearing their Hair cropt, loading their Arms with gold Bracelets, and ſtaining their Skins with various marks, though in what manner it was done he does not inform us.

The manners of the *Normans*.

As for the *Normans*, he deſcribes them to have been very curious in their Cloaths, choice in their Diet, but without Exceſs; being a People uſed to War, and ſcarce knowing how to live without it; quick in aſſaulting their Enemy, and if open force could not prevail, they would either over-reach them by Trick and Stratagem, or corrupt them with Money; they built large Edifices, though they lived in

them at a moderate Expence; they were apt to envy their Equals, and desired to surpass their Superiors, yet defended those that were Subject to them from the violence of Strangers; *they were, whilst pleas'd, faithful to their Lord*, yet would easily renounce their Fidelity on a slight occasion, judging of their Perfidy according to Success, and changing Sides for Advantage; yet being very Humane, they treated Strangers with the same Civility and Respect as they did themselves, nor did they disdain to marry with those that were Subject to them; and this must be own'd for their Honour, that by their coming hither they revived the Discipline of the Christian Religion, then almost extinct in *England*: Whence (as our Author observes) you might see Churches new built in the Towns and Cities, and Monasteries erected after a nobler way of Architecture, insomuch that the whole Country began to flourish in a better manner.

The Advantages of the *English* Nation by the coming in of the *Normans*.

These were the Advantages the Nation reapt in general by this Change, though it proved destructive to several Noble Families; to which we may also add, That the *English Nation* had before been but little known abroad for Atchievements either of Peace or War, their Princes seldom or never making Invasions upon their Neighbours; nor do we read of any Foreign Expedition by the *English*, unless when King *Cnute* made use of their Assistance in his Wars against the *Swedes*, as has been already related in the former Volume. But you will find in this, that the *English Nation* under the Conduct of their Princes of the *Norman* Race made a greater Figure abroad, and in a short time conquer'd that Country by which they had been before subdued.

But since the coming in of the *Normans* was the cause of so many and such great Alterations, it is fit we should say something more of their Nation, of which (as we have hinted somewhat already, so) we shall from *Cambden*'s Introduction to his *Britannia* go on to give you a short Account of the Original of this *Nation*, and how they came to be first settled in *Normandy*.

Their Original.

As in former Ages the *Franks* first, and afterwards the *Saxons*, that came out of the *North-East* parts of *Germany*, for many years plagu'd *Gaul* and *Britain* with their Piracies, and Invasions; so in succeeding Times the *Danes* first, and then the *Normans* following the same method, came from the same Coasts; and had the like Success over the *Franks* and *English-Saxons*; as if Providence had so order'd it, that those Countries should constantly produce, and send forth a Race of men to Conquer a great part of *France* and *England*, and to establish new Kingdoms in them.

The *Normans* whence deriv'd.

These *Normans* took their names from the Northern Parts from whence they came, (for *Normandy* signifies no more than the Country of *Northern* men) in which Sense they are likewise term'd in * *Saxon*, *Nordleudi*, i. e. *Northern* People, as being a mixt multitude of *Norwegians*, *Swedes* and *Danes*, that in the time of *Charles* the *Great* carried on their Piracies after such a barbarous manner, both in *Friseland*, *England*, *Holland* and *France*, as made that † Prince, when he saw their Vessels in the *Mediterranean*, to cry out with a deep sigh, and with tears in his Eyes: *How am I troubled that they should venture upon this Coast, even while I am living? And I foresee what a plague they are like to prove to my Successors*, and therefore in the publick Prayers and Litanies of the Church there was afterwards inserted this Clause; *From the fury of the Normans, Good Lord deliver us:* * And at last they brought the

* Helmoldus.

† Lib. Sangal. de Gestis *Caroli Magni.*

The Mischiefs they did in *France*.

the *French* to ſuch extremities, that *Charles*, Sirnamed the *Bald*, was forced to buy a Peace of *Haſting*, the Chief Commander of theſe *Norman* Pirates, with the Gift of the County of *Chartres*; and *Charles* the *Groſſe* gave *Godfrid* the *Norman* part of *Neuſtria* with his Daughter in Marriage; ſo that by force of Arms they fixed themſelves near the mouth of *Seine*, in thoſe parts which formerly (by corruption) had been called *Neuſtria*, as being part of *Weſtraſia*, (for ſo the Writers of the middle Age term it) by the *Germans* ſtil'd *Weſtenrich* (*i. e.* the *Weſtern* Kingdom) containing all that lies between the *Loire* and the *Seine*, to the Seaward. Whence you may obſerve that the *Normans* had ſeized great part of *Neuſtria*, before its laſt Invaſion and total Conqueſt, by *Rollo* the *Norman* or *Norwegian*, *Anno Dom.* 910, and *Charles* the *Simple*, King of *France*, being at laſt forced to make Peace with him, granted him this Country in Fee, together with his Daughter in Marriage, and then it firſt began to be called *Normandy*.

Anno Dom. MXXXI.

Rollo firſt Duke of *Normandy*.

This *Rollo*, who at his Baptiſm was named *Robert*, is by ſome thought to have turn'd Chriſtian out of deſign only, but by others, not without Deliberation and Piety; theſe latter add, that he was moved to it by God in a Dream, which ſounding ſo like a *Legend*, I ſhall not trouble my Reader with it; only this much is certain, that *Rollo* then became a Chriſtian, and all his Followers with him.

Anno Dom. MXXXII.

This Prince had a Son named *William*, who ſucceeded him, and was called *Longa Spata*, from a Long Sword he us'd to wear, and this *William*'s Son was *Richard*, the firſt of that name, who was ſucceeded by his Son, and Grand-child both likewiſe *Richards*; but *Richard* the Third dying without Iſſue, (and by Poiſon as was ſuppos'd) his Brother *Robert* ſucceeded to the *Dukedom*: This Prince, after about eight years Reign, being touched in Conſcience for the death of his Brother, (of which it ſeems he thought himſelf guilty) reſolved to expiate that offence by a Pilgrimage to *Jeruſalem*; but before he undertook it, he ſummon'd the Eſtates of *Normandy* to *Feſcamp*, and acquainted them with his deſign; and to ſecure the Succeſſion in his Family, he ſhewed them a young baſe Son of his, called *William*, whom he had begot upon one *Arlotta*, the Daughter of a Skinner of *Falaiſe*; (whom he had for ſome time kept inſtead of a Wife) this Child he earneſtly * intreated them to own for his Succeſſor, telling them, that tho' he was yet in his tender years, he doubted not but they ſhould have great cauſe to rejoice in him; whereupon the Eſtates freely agreed to elect him for their Prince, immediately ſwearing fealty to him, as Succeſſor to his Father.

The Succeſſors of *Rollo*.

Anno Dom. MXXXIII

* *Guil. Pictav.*

William, ſirnamed the *Baſtard*, declar'd Succeſſor to his Father Duke *Robert*.

Duke *Robert*, having thus obtain'd his deſires, committed his Son to careful Tutors, and having ſettled the Government of the Country during his Abſence, as well as he could, immediately began his Pilgrimage to *Jeruſalem*, and performed it; but in his Return home he died at *Nice* in *Bythinia*, being (as were alſo the reſt of his Predeceſſors) a Prince of great Valour and Perſonal worth, ſo that out of that love and reſpect his Subjects bore him, all things continued in Peace and Tranquillity, ſo long as they thought him alive; yet no ſooner did they receive the news of his death, but they fell into great tumult and diſorder, by reaſon of the contending Factions of the Nobility, ſome of whom being nearly related to the late Duke, thought themſelves to have a better Title to the Dutchy than this Boy, whom they looked upon as a Baſtard.

Who then went to the Holy Land, but died in his Return.

Anno Dom. MXXXIV

Anno Dom. MXXXIV

But ſince he proved afterwards ſo great a Prince, it will not be amiſs to give you a ſhort view from *Will.* of *Malmesbury*, and *Tho. Walſingham's Ypodigma Neuſtriæ*, and other Writers, of the principal Actions of his Life, before he obtained the Crown of *England*.

* Now *Eu* in *Normandy*.

Gilbert Count of * *Ou*, who had been appointed Tutor to this young Prince by the Duke his Father, (tho' under the protection of *Henry* King of *France*) performed his Truſt with great Fidelity; but upon the news of the Duke's death (as you have heard) the People's Love and Dutiful Affection, quickly changed; ſo that all the Noblemen began to fortify their Towns and Caſtles, and to ſeek all occaſions of quitting their Allegiance to the young Prince; by which means Count *Gilbert* had much ado to defend his Right againſt them; and at laſt he being ſlain by one *Ralph* his Couſin, the whole Country became broken and divided; Civil Diſſentions, Robberies, Murders, and Burning of Towns were every where practiſed, inſomuch that *Solomon's* ſaying was remarkably made good, *Wo be to that Land whoſe King is a Child.*

The State of Affairs in the Minority of Duke *William*.

* *Will. Gemet.*

The firſt that preſumed openly to queſtion his Title, was * *Roger de Tony*, Standard-bearer of *Normandy*, who was deſcended from *Malehulein* Unkle to *Rollo* the firſt Duke, and an Adventurer with him in the Conqueſt. This *Roger* being newly return'd out of *Spain*, (where he had performed great things againſt the *Saracens*) and finding Duke *William* then but a Child, to have lately ſucceeded *Robert* his Father, was much diſpleaſed at it, and ſcorned to obey him, ſaying, that a Baſtard ought not to rule over the *Normans*: Whereupon confederating with divers other Conſpirators againſt the young Duke, he entred the Territory of *Humphry de Vetulis*, deſtroying it with Fire and Sword. But *Roger de Beaumont*, *Humphry's* Son, encountred *Roger de Tony* with what Forces he could raiſe, and with ſuch good ſucceſs, that he routed his Army, and ſlew both him and his two Sons, *Helbert* and *Elinant*.

Who was firſt oppoſed by *Roger de Tony*.

As alſo by *Guy* Count *de Vernon*, and others.

The reſt, who after him gave Duke *William* any diſturbance, were *Guy*, *Count de Vernon*, and *Brion* a *Burgundian* by Nation, Grand-ſon to Duke *Richard* the *Second* by his Daughter, who, (though bred up with Duke *William*, and obliged to him for many favours, yet) unmindful of theſe benefits, combined with *Nigel*, Viſcount of *Conſtantine* *, *Radulph*, Viſcount of *Tembray*, and other Noblemen of that Country, and raiſed a dangerous Rebellion againſt the young Duke, in which War the ſeveral Towns and Caſtles that were taken and retaken on either ſide are too tedious to relate. But in ſhort, the King of *France*, not being unmindful of the Duke his Father's Kindneſſes (who had contributed very much to the making him King) and finding it now abſolutely neceſſary to aſſiſt his Pupil, raiſed an Army, and fell upon the Rebels at a place called *Waleſdune*, where many thouſands of them were ſlain and drowned, in paſſing over the adjoining River *Olne*; Count *Guy* himſelf narrowly eſcaping, ſaved himſelf in the Caſtle of *Bryon*, but was at laſt forced to ſeek for Peace, and within a ſhort time after quitting the Country came to an untimely End.

* Now call'd *Cotantin*.

Anno Dom. MXLVII.

The Battel of *Waleſdune*, wherein the Rebels were routed. *Ypodig. Neuſtriæ*, 434.

Sometime after this *Geoffrie*, Sirnamed *Martel*, Earl of *Anjou*, Invaded *Normandy*, and took the Caſtle of *Damfront*, which Duke *William* Beſieging, and finding it too ſtrong for him, blocked up, and went his way; for being told by certain Spies, that the Caſtle of *Alençon* might be eaſily taken, he marched towards it; but finding in a certain Fort, not far from it, ſome Soldiers in Gariſon, and having taken it by Storm, he not only

Duke *William's* Wars againſt the Duke of *Anjou*.

only burnt it, but commanded the hands and feet of thoſe who held it, to be cut off, becauſe they had cried out when he came before it, *La Pel, La Pel,* (*i.e.* the Skin, the Skin) reproaching the Duke with the baſeneſs of his Birth, which Severity (when thoſe in the Caſtle heard of it) ſo terrified them, that they preſently ſurrendred to him: From thence he returned to *Damfront*, where the Beſieged hearing how he had already treated thoſe of their Party, ſtreight deliver'd up the Caſtle to him, notwithſtanding Count *Geoffry* had marched to its Relief with a numerous Army, and alſo made great brags in a meſſage to Duke *William* what feats he would do when he arrived; yet for all this he was forced to Retreat out of the Country, for the Duke not only took that place, but removing thence, ſurpriſed *Hambrieres* a Frontier Town belonging to Count *Geoffrie*, where the Duke built a Caſtle on the Bank of the River, and having ſtrengthened it with a Gariſon and ſtore of Proviſions, he returned to *Rouen* in Triumph.

Anno Dom. MXLVII. His Victories.

Theſe Aſſaults abroad, and Conſpiracies at home, he had paſſed over before he was full Twenty two years of Age: But now to ſtrengthen himſelf againſt future Attempts, he Summon'd an Aſſembly, or great Council of his Prelates, Barons, and Noblemen, cauſing them to renew their Oath of Fealty, and Raze their Caſtles; which being done, and all things ſettled, he Married *Matilde*, the Daughter of *Baldwin*, the Fifth Earl of *Flanders*, though not without great trouble; for his Unkle *Mauger*, Archbiſhop of *Rouen* ſoon after Excommunicated him for Matching within the forbidden Degrees of Conſanguinity, ſhe being the Daughter of *Eleanor*, who was Daughter to Duke *Richard* the *Second*, and ſo his Father's Siſter's Daughter; to expiate which Offence (upon a Diſpenſation obtained from Pope *Victor*) they were enjoined the Building of certain Hoſpitals for Blind People; and Two Monaſteries, the One for Men, the Other for Women, which were both Erected at *Caën*.

He cauſes the Eſtates of *Normandy* to renew their Fealty to him.

Marries the Daughter of the Earl of *Flanders*.

Sometime after this, *William*, Count of *Arque*, the Duke's Unkle (but baſe born) who had been always changeable and unfaithful, raiſing another Rebellion, Fortified the Caſtle of *Arque* againſt him, having corrupted thoſe to whoſe charge the Duke had committed it; but he quickly marching thither, Beſieged his Enemy therein, and blocking it up by raiſing a ſtrong Fort before it, preſently marched off to more important Undertakings; for he knew that *Henry* King of *France* being now jealous of his ſucceſs, was about to bring Relief to the Beſieged; and though the Duke declin'd meeting with him in open Field, yet the King at length (things going ill on his ſide) was forced to return into *France*; whereupon the Count *d' Arque* being cloſely Beſieged, and almoſt Famiſhed, was forced to ſurrender the Caſtle, his Life only being granted him.

W. M. *p.* 54. *William* Count of *Arques* Rebels againſt Duke *William*.

Is aſſiſted by *Henry* I. King of *France*.

But King *Henry* did not indulge his eaſe, for being vexed that Duke *William* had thus gained the better of him, he raiſed a great Army, and with it Invaded *Normandy* in Two Bodies, which obliged Duke *William* alſo to divide his Forces in like manner, and marching gently toward the King's Camp, that then lay in the County of *Eureux*, ſo ſtreightned him, that he gave him neither leave to fight, nor yet to waſte the Country before him; whilſt the Duke's Commanders, *Robert* Count *d' Eu*, and *Hugh de Montfort*, with others, ſate down before

Anno Dom. MLIV.

Id. Ib. Ypod. Neuſt. King *Henry* renews the War againſt Duke *William*.

Anno Dom. MLIV.

Is put to flight by the Duke's Commanders.

before *Mortimer* Caſtle, to ſtop the progreſs of Count *Odo* the King's Brother, who engaging in a Fight, and making ſmall Reſiſtance, for the Number of his Forces (as not being able to bear the ſhock of the *Normans*) firſt turn'd his back and fled, whilſt *Guy* Earl of *Pontieu* was there taken Priſoner, together with many others of great quality.

* W. M. *p.* 97.

* So ſoon as Duke *William* received this news, he immediately cauſed it to be proclaimed near the King's Tent; which when he had heard, after ſome days ſtay in *Normandy*, he retired into *France*; and not long after, Ambaſſadors paſſing between them, a Peace was concluded upon theſe Conditions, "That the Priſoners taken by the Duke ſhould be "diſcharged, and that he ſhould alſo reſtore to Count *Geoffrie* what-"ever had been taken from him.

Idem. ib.

It would be tedious and unneceſſary to relate how great the Quarrels were between theſe Two Princes, and how Duke *William* ſtill got the better of him, and that with ſuch a wonderful preſumption of ſucceſs, that he ſcorned to ſet upon his Enemies by ſurprize, and before he had ſent word what day he would give them Battle; the greatneſs of his Courage contemning the more cautious, though ſafer method of Fighting uſed in our times.

Duke *William*'s Generoſity towards his Enemies.

I ſhall paſs by the particular Relation of the next War between that King and the Duke, and how the former breaking the League he had lately made, again Invaded *Normandy*, and came as far as the River *Deive*, bragging, that only the Ocean ſhould ſtop the progreſs of his Arms. Duke *William*, who found himſelf (by reaſon of this late diſſembled Peace) extremely ſurprized, was forced to retire for a while; but watching his Advantage, he ſoon ſet upon one part of the King's Forces as they were going over the River, whilſt the other part of them who were already got over, were not able to aſſiſt them; and he gave him ſuch a terrible Defeat, that moſt of the *French* Forces were either cut off, or taken Priſoners; whereupon the King was obliged with all ſpeed to retire out of *Normandy*; and after this *France* ſtood in dread of nothing more than to provoke the *Norman* Courage; but the haſty death of King *Henry*, as alſo of Count *Martel* not long after, put an end to theſe quarrels. I ſhould have been more exact in ſetting down the particular years when theſe great Actions were done, had *Guil. Gemet. Ordericus Vitalis*, and *Walſingham* in his *Ypodigma Neuſt.* thought fit to Note them.

† Claims the Earldom and City of *Mans* as his Inheritance, and takes the City of *Mans*.

† But I cannot here omit the War which the Duke made ſome years after upon the Earldom and City of *Mans*, to which he laid claim by the Teſtament of *Hugh* the laſt Earl thereof: When the City rather inclining to take *Walter* Earl of *Medant* for their Prince, were made dearly to repent of their Error, the Town being taken, and all the Caſtles throughout the whole Country ſubdued, in which the Duke placed ſufficient Gariſons to reſtrain their Inſolence for the future; ſo having taken the Oath of Fidelity from the Subjects of that Country, he returned home with Honour. This was the laſt Expedition the Duke made before his coming over into *England*, being about the time that Earl *Harold* was driven into the Country of *Pontieu*, as you have already heard; and though Duke *William* made another Expedition into *Britain*, Earl *Alan*, then but in the prime of his Youth, was ſo afraid of him, that coming to him of his own accord, he yeilded himſelf and his Country to his Diſcretion.

Some

Some years before the death of King *Edward* the *Confeſſor*, [1.] *Ingulph* relates, that Duke *William* found leiſure to come over to viſit his Coſin King *Edward* with a great Retinue, and that the King received him very Honourably, and entertaining him here for ſome time, carried him on Progreſs to ſhew him the principal Cities and Caſtles of the Kingdom; ſo that in all probability he came upon ſome more important Affair than a meer Viſit; but yet for all this, the ſame Author tells us, That though the Duke had ſome hopes of his Succeſſion to the Crown, yet there was then no mention made of it: So that the time when the King declared the Duke to be his Succeſſor is very uncertain; for as for his aſſuring him of it about a year before his Death, by *Robert* Archbiſhop of *Canterbury*, it muſt needs be a miſtake, That Archbiſhop being deprived and dead long before, as has been already ſhewn in the former Volume; only this we may depend on for Truth, That King *Edward* did ſometime before his Deceaſe really nominate Duke *William* for his Succeſſor, or elſe he could never have had the confidence to have pretended it. *Anno Dom.* MLIV. [1.] *P.* 510.

For this year King *Edward* deceaſing, Duke *William* demanded the Crown from *Harold*, and being refuſed ſuch his reaſonable demand, he Invaded *England*, and meeting with *Harold* near *Haſtings*, fought that bloody Battel ſo fatal to the *Engliſh*, in which that King was ſlain, as has been already related; ſo that beginning to continue the thread of our Hiſtory, and report from *Guil. Pictavienſis*, (who was then one of Duke *William*'s Domeſtick Clerks, or Chaplains) what was perform'd by the Duke in purſuance of his Victory. *Anno Dom.* MLXVI.

The day after the Battel above-mentioned, he commanded the dead Bodies to be buried, which being performed, he purpoſed to make the beſt advantage he could of his ſucceſs, and therefore like a wiſe General, before he proceeded any further, reſolved not to leave any ſtrong place untaken behind him; ſo having left a ſufficient Gariſon in the late built Fort at *Haſtings*, he marched from thence to *Romney*, and revenged himſelf upon the inhoſpitable Inhabitants of that place, for the ſlaughter of ſome of his Men, who by a miſtake had landed there. *Will. Pictav. p.* 204. His Actions after the Victory.

[2.] He continued his march along the Coaſt as far as *Dover*, whither a great multitude of People of thoſe parts had fled for Refuge, as to a place, which, by reaſon of the ſtrength of its Caſtle, was then eſteemed impregnable; yet all theſe upon the firſt approach of the Conqueror without making any Defence, tamely yielded to mercy; after which beſtowing about Eight days in the further Fortification of the Caſtle, and leaving there his Sick Men, who had many of them been taken with the Bloody Flux, by reaſon of the too much freſh Meat they had eaten; he marched from *Dover* towards *London*, when not far off the *Kentiſhmen* came in to him of their own accord, Swearing Fealty, and giving Hoſtages for the performance; whereupon the City of *Canterbury* preſented him with her Submiſſion by certain Deputies ſent for that purpoſe: This Relation being made by ſo faithful an [3.] Author and Eye Witneſs of theſe Tranſactions, may ſerve ſufficiently to confute that plauſible (but fictitious) Story related by *Thomas Spot*, Monk of the Abby of St. *Auguſtine*'s in *Canterbury*, in his Manuſcript Hiſtory of the Abbots of that Abby, and which is alſo from him repeated by *William Thorne* in his [4.] Hiſtory of the ſame Abbots, [2.] *Id. ib.* *Dover* Caſtle and *Canterbury* ſurrendred to him. [3.] *Guil. Pictav.* [4.] Vid. *Decem Scriptor. Col.* 1786.

Anno. Dom. MLXVI.

Abbots, who both ſay, that after the Battel of *Haſtings*, *Stigand* the Archbiſhop of *Canterbury*, and *Egelſin* the Abbot of St. *Auguſtine*'s, being the chief Perſons of *Kent*, and ſenſible that (though as yet there were no Villains in *England*) they ſhould all be now in Bondage to the *Normans*, they ſummon'd the whole Country, and ſhewed them their imminent danger, the inſolence of the *Normans*, and the ſad condition of the Slavery they were like to be put under; whereupon they unanimouſly reſolved, rather to die fighting than loſe their Country's Liberties, and ſo they choſe the Archbiſhop and the Abbot for their Leaders, and at a ſtated day they all met at *Swaneſcomb*, and there hiding themſelves in the neighbouring Woods, with their Boughs in their hands, they beſet the way, carrying every one of them a green Bough in his hand.

Kentiſhmen, the Story of their Treating with King *William*.

[5.] *Id. ib.*

The next day as the Duke was Marching near *Swaneſcomb*, he ſeemed amazed to behold a [5.] moving Wood, as he thought, approaching towards him; and at the ſame time the *Kentiſhmen* betook themſelves to their Arms, whilſt the Archbiſhop and Abbot went directly to the Duke, and ſaluted him with theſe or the like Expreſſions, *viz.* "Behold, "Sir, the *Kentiſhmen* are here come out to meet you, being willing to "receive you as their Leige Lord upon this condition, That they "may for ever enjoy their ancient Laws and Liberties; which if de-"nied, they denounce War againſt you, and are here ready to defend "them. The *Norman* Duke perceiving himſelf in this ſtreight, wiſely complied with their Requeſt, and Hoſtages being given on both ſides, the *Kentiſhmen* directed the *Normans* the way to *Rocheſter*, and delivered up the whole County to him, with the Caſtle of *Dover*. And it is to this Action that Authors aſcribe the cuſtom of *Gavelkind*, and the reaſon why there were no Villains in *Kent* in their times.

Gavelkind in uſe before Duke *William*'s coming here.

But the learned Mr. *Somner* in his Treatiſe of *Gavelkind* has, one would think, ſufficiently confuted this Relation, not only proving that there were Villains in *Kent* long before Duke *William*'s coming over, but alſo that *Gavelkind* was in uſe there before that time; and we have already ſhewed from the Authors abovementioned, that the Duke did not immediately march towards *London* before he had taken *Dover*, which was not ſurrendred to him by Compoſition as theſe Monks report; not to mention the improbability of Green Boughs in the beginning of *November* when Duke *William* marched that way. So that though this Story has been made uſe of by divers Writers, yet it is certainly no better than a Monkiſh Fiction, to magnify the Valour of their Abbot and the *Kentiſhmen*. So that we may now return again to our Hiſtory, which the ſame [1.] Author thus continues.

The Story examined and diſproved.

[1.] *Guil. Pictav. p.* 205.

The Duke being now come as far as a place called *Fracta Turris*, the *Broken Tower*, (where it was we know not now) he received Intelligence, that *Stigand* Archbiſhop of *Canterbury*, together with the Earls *Godwin* and *Morchar*, and they backed by the City of *London* and its *Mariners*, intended to ſet up *Edgar Atheling* for their King, whereupon the Duke reſolved to make what haſt he could to prevent them, and ſo marching towards *London*, encamped not far from thence; but ſome Troops ſallying out upon the Duke's Forces, he detatched Five hundred *Norman* Horſe, who ſoon drove them back over the Bridge into the City, with the Slaughter of a great number of them.

Received Intelligence that the *Engliſh* were about to make *Edgar Atheling* King.

Marches towards *London* but finding himſelf unable to take it,

[2.] But

But the Duke, not being able as yet to enter the Town, was reſolved, firſt to ſubdue the Countries lying *South-Weſt* on the other ſide of the *Thames*; ſo having fired all the Buildings (which we now call *Southwark*) lying on that ſide the River, he marched towards *Wallingford*, whither *Stigand* Archbiſhop of *Canterbury*, and divers of the *Engliſh* Nobility followed him, and, renouncing Prince *Edgar*, made their Peace with the *Norman*, and received him for their Sovereign. And thus far theſe Foreign Writers and Ours agree. *Anno Dom.* MLXVI.

[2.] *Id. Ib.* Marches into *Berkſhire.* Archbiſhop *Stigand* and the *Engliſh* Nobility come to *Wallingford*, and there ſubmit to him.

But *Florence* of *Worceſter*, and *R. Hoveden*, more at large relate, that Duke *William* marching clean through *Suſſex*, *Kent*, *Hampſhire*, *Middleſex*, and *Hertfordſhire*, abſolutely reduced thoſe Counties to his Obedience; nor ceaſed he burning of Towns, and killing the Inhabitants, until he came to a place called *Beorcham* (being that which we now call *Berkhamſtead*) where *Aldred* Archbiſhop of *York*, *Wulſtan* Biſhop of *Worceſter*, with *Edgar Atheling* himſelf, and other Noblemen, finding it in vain any longer to reſiſt, quitted *London*, and ſubmitting themſelves, Swore Fealty to the Duke, and upon their giving Hoſtages, he made a firm * League, or Contract with them; nevertheleſs he ſtill permitted his Men to Burn and Plunder all the way they marched.

Aldred Archbiſhop of *York*, with other Noblemen, meet him at *Berkhamſtead*. * *Fœdus Fepigit.*

Now this muſt be underſtood of ſuch places as had not yet ſubmitted to him, otherwiſe it had not only been unjuſt, but alſo impolitick to deſtroy thoſe who had already yielded. Note.

The Feaſt of *Chriſtmas* now approaching, Duke *William* with all his Army marched up towards *London*, that ſo he might be there acknowledged King, the Chief Men of the City going out to meet him; at which time all the Biſhops and Lay Nobility requeſted, That he would accept the Crown, ſaying, *That they had been always accuſtomed to Obey Kings*, and therefore they would accept him for their Lord and King; whereupon the Duke adviſing with thoſe who had accompanied him in this Expedition, and of whoſe Prudence, as well as Courage he had had long experience, he communicated to them the main Obſtacles that moved him to deny their Requeſt; for he alledged, that at preſent his Affairs were diſturbed and unquiet, and that many continued ſtill in Arms, therefore he rather deſired to ſee the Kingdom better ſettled before he accepted of ſo great a Dignity, and (which if God thought fit he ſhould attain to) he deſired his Wife might be Crown'd with him.

Idem. Duke *William* received by the Biſhops, Nobility, and City.

[3.] *Guil. Pict. p.* 205. *Brompton's* Chron.

[4.] *Id. Ib.* He is deſired by all Parties to be Crowned King.

[4.]But his intimate Counſellors diſſuaded him by all means from theſe delays, becauſe they very well knew the Army deſired nothing more than his Coronation; and *Haimar* of *Aquitain*, One of his Chief Commanders, who was both Eloquent and Valiant, farther told him, that the common Soldiers were never conſulted in ſuch Debates, nor was there need of any long deliberation about that which every one deſired might be ſpeedily performed: So the Duke having well weighed all theſe matters within his own Breaſt, conſented at laſt to the requeſt of ſo many ſeveral Parties, who at once unanimouſly deſired the ſame thing, hoping that as ſoon as he ſhould have taken upon him the Title of King, he could the more eaſily cruſh all thoſe who might preſume to Rebel againſt him; yet e're he would enter *London*, he ſent ſome of his Men before, to build a Fortreſs that ſhould ſecure the City, and others were diſpatched to prepare all things befitting a Royal Coronation.

Anno Dom. MLXVI. tion. So that all danger being now over, he for ſome time took his pleaſure in Hunting and Hawking, and did not return to Town untill a little before *Chriſtmaſs*.

He abhors the Name of a Tyrant.

Brompton's Chronicle farther informs us, That the Duke abhorring the Name of a Tyrant, much rather deſired the Title of a Lawful Prince, and therefore at firſt ſeem'd willing to be Crown'd by Archbiſhop *Stigand*, but he (as ſome relate) refuſing to lay his hands on a Cruel Man, and the Invader of another's Right, could by no means be perſuaded to do it; wherefore *William*, when he came to be King, though he ſeem'd to pay him great Reſpect, yet could never afterwards endure him; but this ſounds like the invention of ſome *Engliſh* Monk that loved not King *William*'s Memory; for what *Florence* of *Worceſter*, and *Simeon* of *Durham* both affirm, is much more probable, *viz.* That Archbiſhop *Stigand* then ſtanding accuſed to the Pope for not having obtained his Pall Canonically, Duke *William* therefore refuſed to be Crown'd by him.

Anno Dom. MLXVII. But leaving theſe Circumſtances, all [5.] Writers agree, That on the day of Chriſt's Nativity he was ſolemnly Crown'd King in the Abby-Church at *Weſtminſter*, the manner of which I ſhall here give you at large from the abovementioned *Guil. Pictavienſis*: The day of his Coronation being now come, *Aldred*, Archbiſhop of *York*, who was to perform this Ceremony (for being a Wiſe Man he thought it beſt to yield to the times, and ſubmit to Divine Providence) in a handſome but ſhort Speech, firſt asked all the *Engliſh* there preſent, whether they did Conſent to have the Duke Crown'd King, who all chearfully, and with one voice, gave their Aſſents; in the mean time the Biſhop of *Conſtans*, making a ſpeech in *French* to the *Normans* to the ſame effect, asked likewiſe their conſent.

[5.] *W. M.* p. 57, 58. *W. P.* p. 205, 206.

The Duke is Elected.

William being thus * *Elected King*, Archbiſhop *Aldred* ſet the Crown upon his Head, and placed him on the Throne in the preſence of all the Biſhops, Abbots, and Lay Nobility; and the old Book of † *Ely*, as alſo *Florence* of *Worceſter*, gives us the Form of the Coronation-Oath which was then taken by him (‖ being the ſame in effect with that of the *Engliſh-Saxon* Kings) Swearing at the High Altar before all the Clergy and Laity, "That he would Protect the Holy Church and "its Governors (*i. e.* the Biſhops) That he would Govern all the "People Subject to him prudently and juſtly; That he would ordain "and keep right Law, and wholly forbid all Rapines and unjuſt Judg-"ments; to which [1.] *William* of *Malmesbury* alſo adds, "That he "would behave himſelf mercifully towards his Subjects, and would "Govern both the *Engliſh* and *French* by the ſame equal Law.

* *Electus in Regem.* And then Crown'd King.

† MS. *Penes* R. Dr. *Gale.*

‖ See the Form of this Oath, Introduct. to Volume I. *p.* 58.

[1.] *De Geſt. Pontiff.* p. 154. *b.*

From whence we may obſerve, That this Prince was ſo far from claiming as a Conqueror, that he accepted the Crown upon the ſame conditions, and took the like Oath which the *Saxon* Kings, his Predeceſſors, had done before.

Nor can I here omit one Circumſtance which is likewiſe related by the [2.] ſame *Norman* Hiſtorian, that during the Coronation, thoſe Guards of Horſe and Foot which were placed about the Church to ſecure the ſolemnity, miſtaking the great noiſe of the People's Approbation within, for ſome ſudden Tumult, raſhly ſet Fire on the City; though what the event of it was, this Author does not tell us, but only thus purſues this Relation; that after the Coronation was over, the

[2.] *W. P. Ib.*

the new King [3.] did not act like many Princes, who indulge their Pleaſures upon their firſt Acceſſion to the Throne, but immediately began to perform Acts worthy of a King; ſo that this Prince ſeemed inflamed with a new zeal of performing great and worthy Atchievements, uſing his utmoſt endeavours, both in Divine and Secular Affairs; for in the firſt place he diſtributed a great deal of that Treaſure which had been hoarded up in King *Harold*'s Exchequer, amongſt his faithful Friends and Followers; as alſo a great many rich Gifts which he beſtowed on the Monaſteries, and the ſeveral Alms he gave to the Poor; in the doing of which he was very much aſſiſted by the Benevolence of all the Cities, and of divers great and wealthy Men, to obtain the favour of their new Lord; he likewiſe preſented the Pope with a great Sum both in Gold and Silver, beſides that memorable Standard of King *Harold*, which hath been already deſcribed.

Anno Dom. MLXVII.

[3.] His Actions after his Coronation.

[4.] In the mean time moſt of the Monaſteries of *France* ſang *Te Deum* for his late Succeſs, to whom in gratitude he ſent Guilt Croſſes, or other rich Preſents; but *Normandy* was ſo tranſported with Joy, that all its Cities, Towns, and chief Monaſteries, ſent Deputies to Congratulate his Acceſſion to the Throne.

[4.] *Id. Ib.* *Te Deum* is Sung in *France* for King *William*'s Succeſs.

[5.] Then after a great Eulogy given to this Prince, as if *England* had not been enough ſenſible of its happineſs, the ſame Author proceeds to acquaint us what the King perform'd before he left *London*, where he ordered all things, *Juſtly*, *Wiſely*, and *Mercifully*, ſome of which tended to the particular Honour and Advantage of that City, whilſt others proved highly Beneficial to the whole Nation; and in all other matters he cheifly conſulted the good of the Church and Kingdom; ſo that whatever Laws he conſtituted, it was ſtill upon the beſt and moſt prudent conſiderations, nor did any one in vain appeal to his Juſtice, though a domineering Injuſtice under a ſpecious pretence of puniſhing the Guilty, too often condemned the Innocent to get his Eſtate; yet this King (at firſt) condemned none, unleſs it were ſuch whom it had been greater injuſtice not to have puniſhed: Then he farther tells us, "How he enjoined all his Great Men to obſerve Equity "in all their Actions, and ever to regard that Eternal Monarch by "whoſe Aſſiſtance they had overcome; and that though they were "Victors, yet they ought not to Oppreſs the Conquer'd, who were likewiſe *Chriſtians* as well as themſelves, leſt they might by their Injuries provoke thoſe to riſe up againſt them whom they had already "ſubdued.

[5.] *Id. p.* 207.

The new King perform'd many things for the good of the Nation.

In the next place he reſtrain'd the common Soldiers by ſevere Edicts from violating the Chaſtity of the Women, or ſo much as frequenting common Stews and Taverns, ſince Drunkenneſs too often produces quarrels, and frequent Murthers; he alſo ſtrictly forbad all Murthers, Robberies, and Tumults; thus as he bridled the People by Arms, ſo thoſe very Arms were reſtrained by juſt Laws, appointing Judges to inflict ſevere Puniſhments upon thoſe common Soldiers who ſhould dare to tranſgreſs his Orders; and he was no more partial to his *Normans*, than to any other Nation at that time in his Service.

Id. Ib. Reſtrains the Inſolence of the common Soldiers.

[1.] And tho he did not approve of *Stigand*'s continuing Archbiſhop, becauſe he judged it not to be Canonical, yet he thought it better to expect the Judgment of the Pope, than too precipitately to depoſe him himſelf; beſides he had other reaſons inducing him to comply with the

[1.] *Id. p.* 208. How he dealt with Archbiſhop *Stigand.*

Anno Dom. MLXVII. times, and therefore rising up to him, and also giving him the chief place in all solemn Processions, he still treated him with much outward respect, and the more so, because his Authority was then very great among the *English*; though at the same time the King was thinking with himself how he might advance to the Metropolitan See some worthy Person of a holy Life and unspotted Reputation, who might not only set a good Example to his suffragan Bishops, but be also highly Beneficial to the Church by his vigilant care over his Flock.

These were the happy beginnings of this King's Reign, but he not staying long in *London*, soon after his Coronation retired to a place not far off, called *Berking*, where he spent his time in Rural Sports, until the Fortress that had been begun at *London* was finished; for he saw it was absolutely necessary to Curb the fickle Humours of that great and stubborn People.

Retires out of *London* for some time to *Berking*.

[2.] [1.] W. P. *ib.* The Earls *Edwin*, *Morchar*, and *Coxo*, with many other Noblemen submit to him.

At [1.] this time also, as the same Author (with greater probability, than the other Historians) relates, That the Earls *Edwin* and *Morchar* being the greatest Men in *England*, both for Nobility and Power, submitted themselves to the King's Mercy, begging his Pardon for having offended him; in which they were followed by many other Noblemen of great Estates, among whom was that stout and honest Earl *Coxo*; to all whom (trusting to his Clemency) he restored their Estates, and having taken their voluntary Oaths of Fidelity, he received them into his Favour.

[2.] *Id. ib.* Goes on Progress through divers Parts of the Kingdom.

After this, [2.] he made a Progress into divers Parts of the Kingdom, every where ordering such things as were not only profitable for himself, but for his People in general; and now where-ever he went he found none to oppose him, nor the Roads any ways obstructed, all Men willingly submitting themselves to him, whilst he lookt upon the Common People with a benign Aspect, commiserating their Condition, and ordering his Men to treat them with Mercy, especially when he observed poor Widows with their little Children on their Knees imploring his Clemency.

[3.] *Id. P.* 208. How the King advanced *Edgar Atheling*.

As [3.] for *Edgar Atheling*, whom the *English*, after the fall of *Harold*, would have made King; to alleviate the Regret he might receive by so great a loss, he conferr'd upon him very large Possessions; and likewise gave Lands to many of the *English*, as a Token of his Royal Bounty, and as an Addition to the Estates they had already received, either from their Ancestors, or former Kings; he also distributed great Rewards to many of those who had been hitherto Partners of his former Dangers and Labours: *Yet* (says my [4.] Author) *nothing was bestowed on any* Frenchman, *which had been unjustly taken away from any* Englishman; which must be understood in the beginning of this King's Reign, for, before the middle of it, I grant it was much otherwise.

And also Rewarded his own Soldiers.

[4.] *Id. ib.*

Lastly, He placed strong Garisons of *Frenchmen* in his principal Castles, and particularly at *Winchester*, which our Author calls a strong and noble City, whose Citizens, as well as the Inhabitants of the adjoyning Country, were rich and daring, but unfaithful, and who could easily call in the *Danes* to their Assistance: Here therefore he built a strong Citadel within the Walls of it, and therein placed *William Fitz-Osborn*, one of the chief Commanders of his Army, and

The strong Places garison'd with *Frenchmen*, and divers new Castles built.

and in whose Fidelity, as having been bred up with him, he had an intire Confidence, that he might govern (under himself) the *Northern* Parts of the Kingdom; but as for the Castle of *Dover*, he committed that, together with the adjoyning Coasts and County of *Kent*, to *Odo*, Bishop of *Bayeux*, his half-brother by the Mother, who was one of known sufficiency both for Ecclesiastical and Secular Affairs: And here our Author runs out into mighty Eulogies upon this Prelate's great Parts and Merit; for the History was written about the beginning of this King's Reign, when as yet this Bishop stood very high in his Prince's Favour, which how he afterwards lost, you will hear in due time. *Anno Dom.* MLXVII.

I have been the more exact in this Account of King *William*'s Access to the Throne, and how he carried himself when he first came to it, which I have fairly given you from *Guil. Pictav.* abovementioned, that so the Reader may the better Judge whither this Author (who then served him as his Chaplain) took King *William* for an Absolute Conqueror, or that he at that time treated the *English* as Slaves and Vassals; for in respect to the *French* Garisons, which he placed in the Castles, it was no more then what the Exigence of his Affairs then required; and if this King did afterwards behave himself more severely towards the *English* Nobility, they might in great part thank themselves for it, since they so highly provoked him by their frequent Rebellions. Whither King *William* then pretended any Claim by Conquest.

Nor can I here omit that King *William*, before his Return into *Normandy*, gave Orders for the building of that noble Monastery, called *Battle*-Abby, near *Hastings*, in Memory of that great Battle, which was there fought between himself and King *Harold*, and to pray for the Souls of those that were there Slain; the [4.] High-Altar of the Church being set upon that very Spot of Ground, where King *Harold*'s Standard was taken up; others say where his Body was found. This Monastery was dedicated to St. *Mary* and St. *Martin*, and was filled with *Benedictine* Monks from the greater Monastery of *Winchester*; and it was by the King's Charter not only discharged from all dependance on that Abby, but was also thereby exempted from all Episcopal Jurisdiction whatsoever, as appears by the Charter at large, which you may see in *Monasticon Angl.* and though without any date, yet it could not be seal'd till above four Years after its Foundation, as appears by Archbishop *Lanfranck*'s Subscription to it. He gives Orders for the building of *Battel*-Abby. [4.] Vid. *Hist. MS. hujus Abbatiæ in Bib. Cot. Domitian. A* 2. Printed in *Monast. Angl.* Vol. I. P. 311, 312. *Id. ib.*

I have nothing more to add concerning this Abby, but that there was here kept an ancient List of all the Noblemen and Gentlemen's Families, that came over with King *William*; this was called *Battle*-Abby-Roll, of which *Stow* and *Hollinshed* have each of them given us Copies, though with some difference as to the Names therein contained; but whither it proceeded from the difference of Copies, or mistakes of the Writers, I cannot decide. Of the List of those Noblemen and Gentlemen, that came in with King *William*, call'd *Battel*-Abby-Roll.

There is also another Catalogue of the chiefest of those Noblemen and Gentlemen, which you will find in Mr.* *Foxe*'s *Acts* and *Monuments*, and was taken out of *William Tayleur*, a *Norman* Chronicler of good Credit; but whither right, or no, I will not affirm; since the Names of a great many Families, which were certainly *French*, or *Norman*, are not there to be found; and divers Earls and Great Men are there set down, tho we do not find that they ever came over with King Divers Copies of it, scarce any of good Authority. * Vol. 1. Edit. 1641. p. 236, 237.

Anno Dom. MLXVII. King *William* at all; ſuch as are the Count *D'Anjou*, the Count *de Deneverſ*, the Prince *de Alemaigne*, &c. but ſince I do not pretend to play the Herauld, I ſhall refer the Reader that is curious in ſuch matters, to the Authors abovementioned.

[5.] *Britan.* p. 152. Therefore [5.] Mr. *Camden*'s Cenſure of this Roll in his Remains, though very ſevere, yet is not to be ſlighted, as proceeding from an Author of ſo great Judgment, *viz.* "That whoſoever conſiders it well, "ſhall find it to be forged, and thoſe Names to be inſerted, which the "time in every Age favoured, and were never mentioned in that "Authentick Record.

[1.] W. P. *p.* 208, 209. The King returns into *Normandy*. But [1.] the King having now ſettled his Affairs in *England*, as well as it was poſſible in ſo ſhort a time, reſolved to return into *Normandy*; and therefore having committed the Government of the Kingdom to Biſhop *Odo*, and *Willian Fitz-Osborn* abovementioned, he took his Journey to *Pevenſie*, where he had firſt landed, and where his Fleet then lay ready to receive him, being attended thither by moſt of the chief Men of *England*, as well of the Clergy as Laity; ſome of the Principal of whom he reſolved to carry over with him, being thoſe, of whoſe Power and Fidelity he was moſt Jealous; ſuch as were Archbiſhop *Stigand*, *Edgar Atheling*, with the Earls *Siward*, *Morcar*, and *Waltheof*, and ſeveral others of the firſt Nobility, whom he deſigned to keep as Hoſtages till his Return; ſince he very well knew, that a whole Nation is never able to Rebel, when the Perſons moſt fit and able to Head them are abſent.

And takes divers of the *Engliſh* Nobility over with him as Hoſtages.

[2.] *Id. ib.* 211. He is received at *Roüen* with great Solemnity. King [2.] *William* being happily arrived in *Normandy* in the beginning of *March*, made his Entry into *Roüen* in great Triumph, the whole City going out to meet him; what he did in particular, whilſt he ſtayed in *Normandy*, is not my Province to relate, only that in general he beſtowed great Gifts upon the principal Churches there, eſpecially that of St. *Stephen*'s in *Caën*, which he himſelf had founded; he kept his *Eaſter* at the Abby of *Feſcamp*, together with a great number of Biſhops and Abbots, the new Church being then conſecrated, where alſo met him, *Rodolph*, the Potent Father-in-Law to the King of *France*, with many of the *French* Nobility, the handſomeſt of whoſe Youth envied the Beauty of the young *Engliſh* Gentlemen, whilſt others admired the richneſs and magnificence of the King's Habit, as well as thoſe of his Attendants, as alſo the number of his Silver and Gold Plate, which (according to our Author) would be incredible to relate; ſo that when theſe Noblemen returned home, they did nothing as it were but extol their magnificence, more eſpecially the Generoſity of their Maſter, who paſſed all that Summer, and the beginning of the Winter following, in his own Country.

The *French* Nobility come to Congratulate him.

[3.] *Wil. Pictav. p.* 212. How his Lieutenants uſed their Power in his Abſence. Whilſt the King thus remained in *Normandy*, it is fit we relate what happen'd in *England* during his abſence, [3.] where *William Fitz-Osborn* and Biſhop *Odo*, whom he had left here as his Lieutenants, (according to this Author) govern'd the Provinces committed to their charge with great Prudence and Juſtice, ſometimes acting ſeparately, and ſometimes joyntly, aſſiſting each other as occaſion required; but the *Engliſh* could neither by Fear, nor Favour, be kept in quiet, yet *Ordericus Vitalis* gives us another different, and (I believe) truer Account of the behaviour of theſe two Lieutenants, and the *Normans*, who were left in *England*; as that the *Engliſh* were extreamly

treamly harraſſed and abuſed by their Inſolencies, and that the leſſer Governors of Caſtles and Places of Strength did alſo oppreſs and vex the noble as well as the middle ſort of People with great Exactions and many Contumelies; and eſpecially Biſhop *Odo* and *William Fitz-Osborn*; who being too much tranſported by Succeſs, refuſed to hearken to the Complaints of the *Engliſh*, ſo as to do them right; but rather countenancing their Soldiers in their Robberies and Rapines, and deflowring their Women. *Anno Dom.* MLXVII.

But which of theſe Reports is moſt in the right, I will not preſume to determine; but however it ſeems, as if theſe Abuſes were chiefly (if not only) in *Kent*, and the Countries adjacent, which were under the Government of Biſhop *Odo*, and thoſe were ſo great, that he thereby cauſed the *Engliſh* of thoſe Parts to Rebel: And ſome of the Chief of the *Kentiſhmen* ſent privately to *Euſtace*, Earl of *Boloign*, (a skilful Warrior) and told him, That if he would come over into *England*, and beſiege the Caſtle of *Dover*, they would joyn with him. [3.] The Earl therefore paſſing over by Night, was very like to have ſurprized the Caſtle; Biſhop *Odo*, and *Hugh de Montfort*, (who had the next Command under him) being then both abſent on the other ſide of the *Thames*; but the Gariſon ſallying out, and making a vigorous Defence, the Earl was forced to betake himſelf to his Ships with but a few Men, for moſt of the reſt in their Flight towards the Sea, were driven down the Rocks and Precipices, and there broke their Necks; as for the Earl himſelf, he was, for all this, not only ſome time after reconciled to the King, but alſo highly honoured and entruſted by him.

Biſhop *Odo* provokes the *Engliſh* by his Severity.

Whereupon the *Kentiſhmen* invited over *Euſtace*, Earl of *Boloign*.

[3.] *Guil. Gemet.* L. 7. C. 39.

There [4.] was alſo at this time a certain Potent Nobleman in the Borders of *Wales*, called *Edric*, (Sirnamed the *Wildman* or *Foreſter*) whoſe Lands (becauſe he refuſed to ſubmit himſelf unto the King) the Gariſon of *Hereford*, and *Richard Fitz-Scrope*, frequently waſted; but as often as they made Incurſions upon him, they were forced to retire with the loſs of a great many of their Men; therefore the better to ſecure himſelf againſt the *Normans* for the future, he called into his Aſſiſtance, *Blethyn* and *Rywalhon*, the two Princes of *Wales*; and about the Feaſt of the Aſſumption of our Lady, the ſaid *Edric*, together with the *Welſh* Forces invaded and ſpoiled the County of *Hereford*, as far as the Bridge over *Lucge*.

[4.] F. W. *Edric*, Sirnamed the *Foreſter*, holds out in the Borders of *Wales*.

About this time likewiſe, that Noble Earl *Coxo* was Slain by his own People, for continuing firm to King *William*, and not taking up Arms againſt him, with the reſt of his Countrymen.

About [5.] the beginning of Winter, the King having now ſettled his Affairs in *Normandy*, and left the Government of it to the Queen his Wife, and his Eldeſt Son *Robert*, (who was then in the prime of his Youth) returned into *England*, to prevent the Deſigns of the *Engliſh* and *Danes*; and having landed at *Winchelſea* went to *London*, where he was received with a Solemn Proceſſion, and all other tokens of Reſpect: he then treated the *Engliſh* Biſhops and Nobility with great Affability and outward Kindneſs, granting them whatſoever they asked, and readily hearing what they offer'd to him; he alſo cajoled the *Welſh*, who then made him their Addreſſes; yet he privately forewarned the *Engliſh* to be prepared to prevent their Treacheries; ſo that all Countries where the King had been, and where he

[5.] O. V. *p.* 509.

The King returns into *England*.

Anno Dom. MLXVII.

he had placed Garisons, readily obeyed; only the *Western* and *Northern* Parts gave him some Disturbance; the occasion of which was thus.

[1.] F. W. Some Rebellions after his Return, by reason of his imposing a great Tax.

The [1.] King, not long after his Return from *Normandy*, laid a heavy Tax upon the *English* Nation, though indeed it was no other then that of **Daneguelt**, which had been remitted by King *Edward* the *Confessor*, as you have already heard in the former Volume; yet this being again set on foot by the Power of the King's Prerogative, *without the Consent of the Great Council of the Kingdom*, seems to have been the occasion of a fresh Rebellion; for first, the City of *Exeter* refused to swear Fealty to him, or admit of a Garison there, although they offer'd to pay him Tribute; but not being at all satisfied with this, he sent them word, That he was not used to such Subjects; therefore, though it was now Winter, he marched in Person with an Army against them, still placing the *English* in the Front: when he drew near the City, divers of the principal Citizens went out to meet him to Treat of Peace; and in order thereunto promised to do whatever he Commanded, and presently gave such Hostages for their performance, as the King thought fit to accept; but in the mean time, the ordinary sort of Townsmen refused to deliver up the City, whereupon he commanded his Army to make their Approaches to it; then bringing one of the Hostages before the Gate, there put out his Eyes, and beginning to batter and undermine the Walls, they within at last implored his Mercy, which he readily granted, by the Mediation of those that at first came out to him, as also of the Clegy, who all submitted themselves, confessing and excusing the Folly and Obstinacy of the Common People; so that all things were forgiven them, and they had their Goods secured from the Violence of the Soldiers, by placing Guards at the Gates to keep them out: Thus was this stubborn City after a short Siege reduced to Obedience.

The City of *Exeter* refuse to swear Fealty to him, or admit of a Garison.

But at last was brought to Obedience.

But *Githa*, Mother to King *Harold*, with divers others, (who had for their greater Security retired hither) fled out of the Town upon the King's first approach, and with great Riches passed over into *Flanders*: Then the King, having chosen a place within the Walls fit to build a Castle on, left *Baldwin* the Son of Earl *Gilbert* to see it performed, with many Soldiers, to be made a Garison; and marched into *Cornwal*, and having settled all things in those Parts to his satisfaction, he dismissed his Army, and returned to *Winchester*, there to recreate and refresh himself after so great a Fatigue.

[2.] H. H. The King then divides the forfeited Lands among his Soldiers.

The [2.] same year also, not long after the late *Western* Expedition, (as *Henry Huntington* relates) the King divided the Lands among his *Norman* Commanders, as well as those of other Nations; which is yet to be understood, only of the Lands of those who had been slain fighting with King *Harold* in the Battel of *Hastings*, or else had escaped out of it; as also of those who had been engaged in the late Insurrections against him; but *Mat. Paris* indeed says, That the King now turn'd many of the *English* Nobility out of their Estates, and bestowed them upon his Commanders and Soldiers; and that which was left to the Natives was clog'd with the burthen of perpetual Servitude; by which I suppose he means, that of *Knight Service*, which about this time began to be imposed upon all Lands held of the Crown

Imposes *Knight-Service* upon all Lands held by Gentlemen.

Crown: And though it was in uſe among the *Engliſh* for ſome Lands held by the chief Nobility and Gentry before this time, yet did it not till now become the general Tenure of moſt Eſtates of Men of Quality. *Anno Dom.* MXLVII.

The Spring after the King's Return out of *Normandy*, [3.] *William Gemeticenſis* informs us, That he diſcovered a dangerous Conſpiracy of certain *Engliſh* (whom this Author calls) Robbers, and ſeem moſt likely to have been ſuch as the King had lately turn'd out of their Eſtates; their deſign was to deſtroy the King himſelf, and all his Followers, as they were to go to Church bareſoot on *Aſh-Wedneſday*; but theſe Conſpirators being diſcovered, fled into certain inacceſſible Places in the *North* Parts, and there fortified themſelves within a ſtrong Fort at the City of *Durham*; but however true the former part of this Relation may be, the latter cannot fall out now, (as he lays it) ſince *Durham* was not ſeized by the *Northumbers* till the year following, as you will find by and by; though it is very probable that divers of the *Engliſh* Nobility, who had lately loſt their Eſtates, fled into the *Northern* Parts, which were not then fully ſubdued, or elſe took Refuge in *Scotland*, and others in *Denmark*, where they ſollicited King *Sweyn* to invade *England*. *Anno Dom.* MLXVIII. [3.] Lib. 7. Cap. 40. A dangerous Conſpiracy of certain *Engliſhmen* diſcovered.

About [4.] *Eaſter* following, *Mathilda*, Wife to King *William*, arrived in *England*, being ſent for over by the King, her Husband, and ſoon after ſhe was Crowned Queen with the uſual Solemnities, by *Aldred*, Archbiſhop of *York*; and before the end of the Year, ſhe was brought to bed of a Son, named *Henry*, who was afterwards King; her two other Sons being born in *Normandy* before her coming over hither. [4.] F. W. The Queen ſent for over to be Crowned.

And much about this time [5.] (as *Ordericus Vitalis* relates, for it is found in no other Author) happen'd the firſt Rebellion of the Earls, *Edwin* and *Morchar*, the occaſion of which was thus; Earl *Edwin* had been promiſed by the King one of his Daughters in Marriage; but through the envious Perſuaſions of ſome of his *Normans*, he had not kept his Word with him, which double dealing with this young Nobleman, (who had for ſome time expected his Miſtriſs) and the late Affront he put upon him, in carrying him beyond Sea againſt his will, to be ſhewn as it were in Triumph, provoked him and his Brother *Morchar* now to take up Arms; and they being both very popular, many in the *Northern* Parts, where their Governments lay, came into their Aſſiſtance, eſpecially their Nephew *Blethyn*, Prince of *North Wales*, with a good number of *Welſhmen*. [5.] Page 511. The Earls *Edwin* and *Morchar* Rebel, and on what occaſion.

Upon this, King *William* inquired into all places of Strength, which he thought might be of Service to them for a Retreat; and to prevent their ſeizing them, fortified ſuch as he found moſt advangeous; as the Caſtle of *Warwick*, which he now built, and committed to the Cuſtody of *Henry de Beaumont*, (or *de Newburgh*, a Place in *Normandy*, where he was born) afterwards made firſt Earl of *Warwick*. The King at the ſame time, likewiſe, built *Nottingham* Caſtle, and gave the Cuſtody of it to *William Pendel*, a *Norman*, which ſo diſcouraged the Earls abovementioned, that doubting of their Succeſs, they ſoon craved the King's Mercy, and ſubmitted themſelves, and were thereupon (in outward ſhew at leaſt) received again into favour; then thoſe *Engliſh* at *York*, as ſoon as they heard this News, *Id. Ib.* Whereupon he builds and fortifies divers Caſtles. The Earls ſubmit, and crave Pardon.

Anno Dom. MLXVIII

delivered up the Keys of the City (which they had hitherto kept for their Earl) to the King, who was then marched down on purpoſe to take it; but he ſuſpecting their Fidelity, immediately raiſed a Fortreſs in the City, placing there a Gariſon of choice Soldiers. Hereupon one *Archil*, a Potent Nobleman of *Northumberland* made his Peace with the King, and delivered his Son as an Hoſtage to him; likewiſe *Egelwin*, Biſhop of *Durham*, was now received into Favour, and by his Mediation, Conditions of Peace were offer'd to *Malcolme*, King of *Scots*, which being by him accepted, he then ſwore to a faithful Obſervance of this Peace with King *William*; who in his Return from this Expedition, built Caſtles or ſtrong Forts at *Lincoln*, *Huntington*, and *Cambridge*, placing in each of them Valiant Commanders.

The King of *Scots* accepts Conditions of Peace.

[1.] *Saxon* Chron. *Sim. Dunelm. Flor. Wig.* Earl *Goſpatric*, *Edgar Atheling*, and others, fly into *Scotland*, and are there received.

[1.] But this Peace with the *Scotiſh* King did not laſt long, for about *Autumn* following, the Earl *Goſpatric*, and another *Northern* Nobleman, called *Marleſweyn*, with ſeveral of the *Northumbrian* Nobility, (fearing they ſhould be clapped up in Priſon, as many others at that time were) taking along with them *Edgar Atheling*, (whom they had drawn into their Party) together with his Mother *Agatha*, and his Siſters, *Margaret* and *Chriſtina*; they all paſſed by Sea out of the *North* of *England* into *Scotland*, where being kindly received by King *Malcolme*, they remained all that Winter in peace.

Many Noble *Scotiſh* Families derive their Original from thence.

And it is to this coming in of the *Northumbrian* Nobility, that the *Scotiſh* Hiſtorians attribute the Original of ſeveral of the moſt Ancient and Noble Families in *Scotland* (needleſs to be here particularly recited) who having had Eſtates conferr'd upon them there, have continued in that Country ever ſince.

[2.] *O. V.* p. 512. Divers *Norman* Gentlemen return home, with the Reaſon of it.

[2.] About this time *Ordericus Vitalis* relates, That divers *Norman* Gentlemen, either being weary of *England*, or elſe having a mind to retire to their own Eſtates and Wives, (who it ſeems could not live longer without them) took their leaves of the King, and returned into *Normandy*; ſuch as were *Hugh de Grentmeſnel*, and *Humphry de Teliol*; the former, Governor of the Caſtle of *Wincheſter*; the latter, of the Fort of *Haſtings*; with many others, whom he does not name. And beſides theſe Commanders, very many Common Soldiers tired out with the perpetual Deſolations of the Country, where they ſaw nothing but Rapines and daily Slaughters committed, not only by themſelves, but by the Natives, iſſuing out of the Woods and other Retreats, and killing the *Normans* at unawares, deſired now to be Disbanded, that ſo they might return into their own Countries, there to live in Peace and Quiet; which requeſt was readily granted by the King, who kindly diſmiſſed them, having firſt well paid and rewarded them for their late Services. This I take notice of, to let the Reader ſee, that all Foreign Officers and Soldiers had not Lands given them in *England*, as ſome have (without juſt grounds) ſuppoſed.

N. B.

A great miſtake in the Chronology of the *Saxon* Annals.

Nor can I here omit taking notice of a great miſtake in the *Saxon* Annals under this Year, in which they are followed by *Matt. Paris*, who both make *Edgar Atheling* to have come with the *Normans* to *York*, and that King *William* marching down thither with all his Army, deſtroyed that City: which was not ſo, for neither did *Edgar Atheling* then invade *England*, nor did King *William* deſtroy *York*, which

which was not burnt till the Year following, as you will ſee by and by. *Anno Dom.* MLXVIII

But whilſt [3.] theſe things were tranſacting, *Godwin*, *Edmund*, and *Magnus*, Sons of the late King *Harold*, coming out of *Ireland*, landed in *Somerſetſhire*, whom *Eadnoth*, that had been formerly Maſter of the Horſe to King *Harold*, being ſent to oppoſe with an Army, and joyning Battel with them, was Slain, beſides a great many others: Theſe young Princes thus obtaining the Victory, carried away a great deal of Plunder out of *Devonſhire* and *Cornwal*, and ſo returned into *Ireland*. [3.] F. W. The Sons of the late King *Harold* invade *England*.

And to this Invaſion, I refer that Paſſage of [4.] *William* of *Malmesbury*, when he ſays, That in the Third Year of this King's Reign, the *Engliſh* that had before fled into *Ireland* and *Denmark*, now invaded *England*, againſt whom the King ſent as General, one *Ednoth* (for ſo is his Name in the Margin) with an Army all of the ſame Nation; in which (ſays he) the King imitated the Policy of *Cæſar*, who when he had ſubdued the *Gauls*, made uſe of their own Arms againſt each other, whenever they rebell'd. [4.] Page 58. *b*.

[3.] As to Eccleſiaſtical Affairs nothing happen'd worth our notice, only that there was this Year a great Schiſm at *Rome*, two Popes being choſen at once, *(viz.) Alexander*, Biſhop of *Lucca*; and *Cadolus*, Biſhop of *Parma*; the former of whom clearing himſelf of Simony, which (it ſeems) was laid to his Charge, was within ſome time after generally own'd for Pope, and the latter quite laid aſide. [5.] F. W. A great Schiſm at *Rome*.

[4.] The King having reſolved to ſettle and reduce that Part of *Northumberland*, lying North of *Tine*, entirely to his Obedience, by ſetting a new Governor over it; to that end created *Robert Cumin*, a *Norman*, Earl of that Country, who preſently marched into the *North* with a ſmall Force, and came as far as *Durham*; near which, *Egelwin*, the Biſhop, meeting him, adviſed him to beware of Treachery; but he deſpiſed his good Advice, for he did not believe any one would dare to oppoſe him; but the *Northumbers* having before hand unanimouſly reſolved never to ſubmit to a Stranger, agreed either to kill him, or elſe to dye themſelves. But the Earl coming to *Durham*, ſuffered his Men to treat the People like Enemies, killing ſome of the Biſhop's Tenants; and yet for all this he was kindly and honourably received by him; but the Rebellious *Northumbers* being now got together, and marching all Night, came to *Durham* by break of Day, and forcing open the Gates, killed the Earl's Followers, they being wholly unprovided for any Defence; ſo that great Cruelty was there uſed, and the Soldiers being tired, were Slain in the Houſes and Streets; then they aſſaulted the Biſhop's Palace, in which the Earl was quartered, but finding thoſe within reſolved to defend themſelves with Arrows, they ſet fire to the Houſe, and therein burnt the Earl, and all that were with him; and there was ſo great a Slaughter that the Streets ran down with Blood, ſo that of Seven hundred Men, but one eſcaped; this cruel Maſſacre was acted on the 28th of *January*. Nor had the Church been preſerved, had not a ſtrong *Eaſt* wind riſen of the ſudden, and driven the Flames from it; which our Author makes to have been done by a Miracle of St. *Cuthbert*. *Anno Dom.* MLXIX. [4.] *Id.* S. D. *Robert Cumin*, a *Norman*, made Earl of *Northumberland*. The new Earl coming to *Durham*, and having uſed the People ill, is there killed.

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[5.] S. D. The King ſends down an Army to revenge his Death.

[5.] As ſoon as King *William* heard of this Inſurrection, he ſent down a certain Commander (whom our Author does not Name) with an Army to revenge the Earl's Death, but when they came as far as *Alverton*, (now *North Allerton*) and were that Morning about to march to *Durham*, ſo thick a fog aroſe, that they could ſcarce ſee each other, and ſo could not find their way; whereupon fancying that this miſt was raiſed by St. *Cuthbert*'s means, they all agreed to March back again; ſo that thoſe againſt whom they were ſent, never knew any thing of it, till after they were gone; which Relation ſounding ſo like a Legend, and not meeting with it in any other Author, I ſhall not inſiſt upon the truth of it; but for ought we can find, the *Northumbrian* Rebels kept *Durham* (though without doing the Biſhop, or his Clergy, any Injury) until the beginning of Winter following, when King *William* marched thither on purpoſe to take in that place.

[1.] F. W. S. D. The two Sons of *Sweyne*, King of *Denmark*, invade *England*. And are joyn'd by *Edgar Atheling*, *Goſpatric*, and other Noblemen.

[1.] For about the end of *Auguſt*, *Harold* and *Cnute*, Sons of *Sweyne*, King of *Denmark*, together with Earl *Osborn*, their Uncle, as alſo another *Daniſh* Earl, called *Turkil*, (being incited by the exiled *Engliſh*) ſailing from *Denmark* with two hundred and forty Ships, arrived in the Mouth of the River *Humber*, where *Edgar Atheling*, Earl *Waltheof*, and *Merleſweyn*, and divers other Noblemen, coming thither by Sea, met them; in the mean while Earl *Goſpatric*, with the *Northumbrian* Forces marched by Land to their Aſſiſtance, being all reſolved to the utmoſt to oppoſe the *Normans*: But ſo ſoon as *Aldred*, Archbiſhop of *York*, heard of their coming, he fell into a deep Melancholy, which brought him into ſuch a lingring Sickneſs, that about the beginning of *September*, he ended his Days, as he had before deſired of God, and was buried at *York* in the Church of St. *Peter*: But [2.] *William* of *Malmesbury* relates, That though this Archbiſhop once loved King *William* like a Son, and honoured him as his King, whilſt he uſed any Moderation towards his Subjects; ſo, when he had impoſed that inſupportable Tribute upon them already mentioned, the Archbiſhop ſent Meſſengers unto him about it, (and I ſuppoſe to put him in mind of his Coronation-Oath) who being hardly admitted, and diſmiſſed with a rugged Anſwer; the Archbiſhop immediately upon their return denounced a Curſe againſt the King, and all his Poſterity, ſaying, That he might very deſervedly beſtow his Curſe, where he had undeſervedly before beſtowed his *Benediction*, which when it was told the King, he ſent ſome to appeaſe him, but before they arrived, the Archbiſhop was Dead.

Aldred, Archbiſhop of *York* dies.

[2.] *De Geſt. Pontif. Lib. 3. p. 271.*

But firſt beſtows a Curſe upon the King and all his Poſterity.

[3.] *Idem.* The City of *York* burnt by the *Normans*.

But [3.] about eight days after the Biſhop's Death, the *Normans* who kept the Caſtles of *York*, fearing leſt the Houſes near them, being pulled down, might help the *Danes* to fill up the Ditches, ſet them all on Fire, which raged ſo violently by reaſon of a high Wind, that it ſoon burnt the whole City, together with the Cathedral Church, and the Monaſtery of St. *Peter*; but the Divine Vengeance ſeverely puniſhed this Barbarity, for before the City had done burning, the *Daniſh* Fleet arrived, and then both the *Danes* and *Northumbers* beſieging the Caſtles, quickly took them, *Robert Fitz-Richard* the Governor, with Three thouſand *Normans* being there Slain; and only *William Malet*, then Sheriff of *Yorkſhire*, his Wife, and

The Caſtles of *York* taken by the *Danes*, and the Governor kill'd.

and Two Children, and *Gilbert de Gant*, with ſome few others eſcaped with their Lives: then the *Daniſh* Fleet, together with the *Northumbers*, being loaded with Plunder, retired to their former Quarters. *Anno Dom.* MLXIX.

[4.] *Ordericus Vitalis* paſſes by the Death of theſe *Normans*, and falſely makes the *Northumbers* to have only Slain the Governor of the Caſtle; but that *William Malet* ſtill kept the City for the King, and that it was then beſieged by the *Danes:* but what follows is more certain, That *Edgar Atheling*, and the Noblemen abovementioned, preſently joyned themſelves with them, upon which ill News the King in all haſt ſent away the Queen into *Normandy* for her greater Security, before he would go to Chaſtiſe thoſe Rebels. [4.] Pag. 515. *Ordericus*'s miſtake in this Relation. The King ſends away the Queen, and then Marches towards the *North.*

But before I relate the reſt of this warlike Expedition, I cannot omit a moſt remarkable Civil Tranſaction, that happen'd ſome time before it: For to this Year I refer, what *Matthew* of *Weſtminſter* now relates, That King *William* upon receiving this ill News, and perceiving the greateſt part of his danger to have proceeded from his too ſevere Uſage of the *Engliſh* Nobility, he was now reſolved to mollify them as much as he could, and therefore before this Northern Expedition, he ſomewhat curbed the Inſolence of his *Normans*, and recalling many of the *Engliſh* Noblemen from Baniſhment, made a firm League with them.

To this time, whilſt the King was under this Apprehenſion, we may alſo refer that conſiderable Tranſaction related by [5.] *Roger* of *Hoveden*, (though under the Reign of King *Henry* the II.) and which is alſo to be found in the old Chronicle of *Litchfield* to the ſame effect, *viz.* That King *William* in the Fourth Year of his Reign, (this very Year) by the Council of his Barons, cauſed certain Wiſe and Noble *Engliſhmen*, throughout all the Counties of *England* to be ſummoned, that he might hear from them the Laws and Ancient Cuſtoms thereof; whereupon Twelve Men were choſen from each County of the whole Kingdom for that purpoſe, who firſt took an Oath, that they would without any Prevarication faithfully ſet down their Ancient Laws and Cuſtoms, not omitting or adding any thing whatſoever; Now theſe Men being met, and beginning with the Rights of Holy Church, they delivered the Laws concerning their Liberties and Securities in the Form there ſet down; which, though they may be genuine in the moſt material Points, yet certainly have had many later Additions made to them by ſome Monkiſh Interpolator, as appears by that Copy which *Hoveden* has given us of them; many of which Interpolations are not found in two other very Ancient Manucript Copies of thoſe Laws, in the *Cottonian*-Library, and in that at *Lambeth.* [5.] Pag. 301. The Laws of King *Edward* again renew'd and confirm'd.

I ſhall now give you the occaſion of the promulgating theſe Laws, which was this: King *William* (ſays our Author) did more approve of the *Daniſh* Laws, which were obſerved in *Norfolk*, *Suffolk*, *Cambridgeſhire*, and *Deira*, (i. e. *Northumberland*) where the greateſt part of the *Danes* and *Norwegians* formerly inhabited, and he would therefore fain have had them obſerved throughout his whole Kingdom, becauſe all his Predeceſſors, and moſt of the *Norman* Barons had come out of *Norwey*; but ſince *R. Hoveden*'s Account is more particular in the reſt of this Tranſaction, then the Book of *Litchfield*, I ſhall from him tranſcribe it Verbatim in *Engliſh.* [1.] *Id.* p. 304.

The

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The [2.] Noblemen of *England* (who had before delivered thoſe Laws but now mention'd) hearing that King *William* was reſolved to make the *Daniſh* and *Norwegian* Laws (eſpecially thoſe concerning Fines and Forfeitures) to be obſerved all over *England*, they thereupon were very much dejected, and unanimouſly intreated him to ſuffer them to enjoy their own Laws and Ancient Cuſtoms, in which they and their Anceſtors had lived, and been brought up, becauſe it ſeemed very hard for them to receive unknown Laws, and to judge concerning thoſe things of which they were ignorant; but the King being very hard to conſent to it, they again importuned him, beſeeching him, *by the Soul of King* Edward, *who had bequeathed him the Kingdom, and whoſe Laws theſe were*, that he would not compel them to live under other Laws, than thoſe of their own Country; thereupon the King adviſing with his Barons, did at their Intreaty conſent to it: From which time (ſays my Author) the Laws of King *Edward*, which had been firſt ordained by King *Edgar*, his Grandfather, being now confirm'd by the King's Authority, became reſpected, and obſerved throughout all *England*, before all other Laws of that Kingdom.

[2.] *Id. Ib.* The *Engliſh* Nobility Petion the King to be govern'd by their own Laws.

N. B.

Yet I muſt own, that this could not be literally true, ſince in all other Writers we find, That in this King's Reign, as alſo in thoſe of his Succeſſors, great Complaints of the Breaches that were made on thoſe Laws of King *Edward*; and that therefore King *Henry* the *Firſt* was at his Election and Coronation, particularly ſworn to obſerve them. But as for thoſe Laws, the Reader may find them at large in *Hoveden* and Mr. *Lambard's Archaionomia*, from whence I have tranſlated them into *Engliſh*, and are inſerted at the end of the Reign of King *Edward* the *Confeſſor*, in the former Volume of this Hiſtory; yet, that King *William* did not long keep his fair Promiſes he now made to the *Engliſh*, you will find by what he did the Year following.

But it is now time to return to Martial Affairs. After this Council or Aſſembly was over, King *William* having heard what was done in the *North*, [3.] ſwore he would quite extirpate the *Northumbers*, and to that end reſolved to March againſt thoſe Rebels, who were joyn'd with the *Danes* at *York*; but [4.] he was firſt obliged to go a little out of his way, becauſe the City of *Oxford* had, about the ſame time, likewiſe preſumed to Rebel againſt him; but ſo ſoon as he had laid Siege to it, he took it, for part of the Wall falling down of its own accord, it gave an eaſy Entrance to his Soldiers, from whence he marcht on by [5.] *Nottingham* towards *York*, and coming to *Pontfract*, was there forced to make ſome ſtay, the River being at that time unpaſſable, and the Bridges broken down, till one *Luſoi*, a Valiant Knight, diſcovered a Ford, where the King going over with his Army, marched through a rough and woody Country, till he arrived in *Yorkſhire*, which was then part of the Earldom of *Northumberland*. Where moſt of the People he put to the Sword, and laid the whole Country waſt, to prevent the Enemies harbouring themſelves there, who now with their *Engliſh* Confederates lay encamped at *York*. [1.] Here the King coming to a Battle with them, and routing the *Daniſh* Army, he thereby ſo daunted the *Engliſh* in the City, that they ſoon ſurrendred it; yet *William* of *Malmesbury* makes this Victory

[3.] R. H.

[4.] W. M. *p.* 158. *b* The King reduces the City of *Oxford*.

[5.] O. V. *p.* 514. Thence he Marches towards *York*.

He in his way deſtroys the Country with its Inhabitants.

[1.] *M. Paris.* The King fights the *Danes*, puts them to flight, and takes *York*.

over

over the *Danes* and *Engliſh*, not to have been ſo eaſily obtain'd; but that Earl *Waltheof* in this Fight at *York*, cut off the Heads of a great many *Normans* one after another, as they would have forced a Gate which he took upon him to defend, when King *William* took that City; but whether this happen'd before, or after this Fight, is uncertain. *Anno Dom.* MLXIX.

Therefore [2.] *Ordericus Vitalis* deſerves not much credit, when he relates, that ſo ſoon as the King drew near to *York*, he received intelligence that the *Danes* were all retired from thence; but this ſeems more likely, that he left certain Officers and Commanders to repair the Caſtles, whilſt he himſelf in the mean while marched into certain Mountainous, inacceſſible Places, and purſued and drove out his Enemies that there lay lurking; ſo that his Army ſpread it ſelf for near a hundred Miles in compaſs: Nor did the King ever ſhew greater Cruelty, whilſt his Army alike deſtroyed both the Innocent and the Guilty, in which Action he is (as our Author ſays) no way to be excuſed; yet this Severity had this good effect, that [3.] the Rebels in *Durham* hearing the ill Succeſs of their Confederates, and fearing the Kings ſpeedy coming againſt them, retired into certain remote places by the Sea-ſide, and getting aboard ſome Ships, made a Pyratical War. [2.] *Ib.* What the King did after the taking of *York*. [3.] W. G. *l.* 7. *c.* 42. The Rebels quit *Durham*.

Let us now ſee what was done in the mean while in the Southern Parts of *England*, [4.] where during the King's Abſence in the *North*, the Sons of the late King *Harold* having procured from *Dermot*, King of *Ireland*, a Fleet of Sixty ſix Sail, with Seamen ſufficient to Man them, they again landed not far from *Exeter*, and like cruel Pyrates plundering and burning where-ever they came, ruin'd the Country; but *Brien*, Son to *Eudo*, Earl of *Bretaign*, met and fought them twice in one day, killing Seven hundred of their Men, with divers of the *Iriſh* Nobility, the reſt flying to their Ships, returned into *Ireland*, where they cauſed great Lamentation for the loſs of ſo many of their Relations. [4.] W. G. *l.* 7. *c.* 40. O. V. *p.* 513.

I have placed this Action here, becauſe it is ſet by our Author preſently after King *William*'s Expedition into the *North*, and was certainly a different Invaſion from that which the Sons of King *Harold* made the Year before in the ſame Country, when they went off victorious. But to return again to the buſineſs of the *North*.

The King now finding it for his advantage to make a Peace with the *Danes*, and being very deſirous to rid the Kingdom of them, [5.] ſent privately to Earl *Osbern*, their General, promiſing him a great Sum of Money, and alſo permiſſion to take what Proviſions he pleaſed for his Army all along the Sea-Coaſt, provided he would quietly leave the Country, ſo ſoon as the Winter was over: which Conditions he readily embraced, though he did not (it ſeems) ſet Sail for *Denmark* till about Midſummer following; where as ſoon as he arrived, the King, his Brother, baniſht him that Kingdom, being ſuſpicious of his Fidelity. [5.] F. W. The King makes Peace with the *Daniſh* General, and gives him Money to leave the Kingdom.

Nor can I here omit a Paſſage related by [1.] *Simeon* of *Durham*, that upon the news of King *William*'s Approach, *Egelwin*, Biſhop of that City, being afraid of his Indignation, and adviſing with the Elder Monks what to do, they all reſolved to take up the Body of St. *Cuthbert*, and to carry it into the Iſle of *Lindisfarne*, which they immediately [1.] *Hiſt. Eccleſ. Dun. Col.* 39. The Body of St. *Cuthbert* removed into the Iſle of *Lindisfarne*.

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diately performed, and got in Four Days to the Sea-ſide, where (if you will believe our Author) it being full Sea, it ebbed on the ſudden to give them a free paſſage to that Iſle; (but for this we have only the Monks Credit); here they ſtayed till the *Lent* following, and then their Peace being made with the King, they carried back the Saint's Body to its former ſtation.

[2.] *H. Ib.*

The [2.] ſame Author alſo tells us, that King *William* in his March from *York* towards *Durham*, found all the Country between *Teys* and *Tyne* utterly deſerted by its Inhabitants, they being all fled into the Woods and Mountains, and the Church of St. *Paul* at *Girwy*, (or *Tarrow*) being Burnt, certain of the King's Soldiers, who had Robbed the rich Crucifix of that Church of the Gold and Silver with which it was covered, were taken and brought before him, whom he ſent (as the greatneſs of their Crime deſerved) to the Biſhop to be puniſhed; but the Good Man immediately let them go without any puniſhment at all; either being afraid of further provoking the King, or elſe that he thought he had no power to do it. Then King *William* ſo ſoon as he arrived at *Durham*, ordered a Caſtle to be Built there, as well for the ſecurity of the Biſhop, as to keep the City in due Obedience; he likewiſe then confirmed to that Church all its ancient Rights and Priviledges.

How the King dealt with certain Soldiers that had Robbed a Crucifix.

All the Country between *York* and *Durham* Uninhabited.

But all our Hiſtorians agree, that in this War all the *Northern* parts were ſo miſerably depopulated by the *Danes* and *Normans*, that between *York* and *Durham* there remained no Town Inhabited, but the Land lay waſte for above nine Years; and indeed it muſt needs be a miſerable ſight to behold ſo many Carcaſſes lie unburied for want of hands. This was alſo attended by ſo terrible a Famine in all thoſe *Northern* parts, that this year, as well as the next, thoſe few People that remained, were forced to eat Horſes and Dogs, nay even Man's Fleſh, to ſave themſelves from Starving.

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[1.] O. V. 514. The King keeps his *Chriſtmas* at *York*.

[2.] W. M.

The Feaſt of [1.] *Chriſtmaſs* approaching, that King cauſed his Crown to be brought from *Wincheſter* with the other Regal Ornaments, and returning to *York*, there kept that ſolemnity with as much ſtate as the turbulency of the times would permit. Whilſt the King continued here, the Earls *Waltheof* and *Goſpatric* made their Peace with him, and renewed their Oath of Fealty; and though the former had lately ſlain many *Normans* with his own hand, [2.] yet the King ſo much admired his vaſt Strength and Courage, that he was not only reconciled to him, but not long after gave him his Neice *Judith* in Marriage, together with the Earldoms of *Northampton* and *Huntington*.

[3.] O. V. *p.* 514. The King Marches againſt the reſt of the *Northern* Rebels.

But it was not the King's temper to waſte his time in idle Jollity when greater Affairs lay upon his hand, but as ſoon as the [3.] Holydays were over, he marched againſt a Party of Rebels who had Fortified themſelves in an inacceſſible Angle of that Country, almoſt encompaſſed either with Bogs, or by the Sea; but they hearing of his approach, ſtole away thence by Night, he following them as far as the River *Teys*. Then (having now ſettled his Affairs in the *North*) he marched over the Mountains, and through Woods, almoſt croſs the Kingdom, into *Cheſhire*, to be revenged on the *Welſhmen*, who had lately Beſieged *Shrewsbury*; but upon his arrival with his Army at *Cheſter*, he thereby quieted the whole Province of *Mercia*, and *Edric* the Foreſter having now made his Peace, the King Built a Caſtle there, and

And then paſſes into *Cheſhire*.

and another in his Return out of thoſe Parts at *Stafford*, putting ſtrong Gariſons into both: from thence he marched Southwards as far as *Salisbury*, where he kept his *Eaſter*, and then largely rewarding his Soldiers for their Pains in this Expedition, he diſmiſſed them. *Anno Dom.* MLXX.

The King having met with ſuch great and unexpected Succeſs in his late *Northern* Expedition, and having now no more Enemies to fear, [5.] (being over-perſwaded by the ill Advice of *William Fitz-Osbern*, Earl of *Hereford*) he in *Lent* after his Return cauſed all the Monaſteries in *England* to be ſearched, and there ſeized upon all the ready Money, which the richer ſort of the *Engliſh* had laid up in them, to ſecure it from his Violence; which tho the Monks exclaim againſt as a high Breach of the Privileges of their Houſes, yet certainly it was not Sacriledge, but rather down right Robbery, ſeeing that Money was not given to them, but only depoſited for the Owner's uſe. But it is much worſe, if it were as *Matt. Paris* relates, That the King alſo (to add the greater Contumely to the Church) did not ſpare ſo much as the Chalices and Saints Shrines; though I believe it much more certain, what immediately follows in the ſame Author, That this Year he forced the Biſhopricks and Abbies, that held Baronies, (hitherto free from all Secular Servitude) to hold them by Knights Service, enrolling and appointing, according to his Pleaſure, how many Men he would have each of them to maintain in time of War; but by thus laying up theſe Rolls of Eccleſiaſtical Servitude in his Exchequer, he drove many Clergymen out of his Kingdom, who utterly refuſed to ſubmit to this hard Conſtitution.

[4.] *Mat. Paris.*

The King ſeizes on all the Money and Plate laid up in Monaſteries.

As alſo the very Chalices and Shrines of Saints.

He alſo made the Biſhopricks, and greater Abbies, to hold by Knights Service.

Notwithſtanding, this Author's being thus tranſported againſt this Law, as a thing not only new, but illegal; yet Mr. [5.] *Selden*, in his Titles of Honour, is of opinion, That this Burden was not laid upon the Biſhopricks, and greater Abbies, without their own Conſents given in a Synod, or great Council of the Kingdom, which the King held this Year at *Wincheſter*, as you will find by and by; though the Law by which it was ordained, be now loſt; for the Clergy were then too powerful a Body to have ſuch a Burthen impoſed upon them by the King's ſole Prerogative, without any Law made for that purpoſe.

[5.] Page 578. Mr. *Selden*'s Opinion, that this was not done by the King's ſole Power.

[1.] About this time alſo *Egelwin*, Biſhop of *Durham*, after his Return to his See, finding the State of *England* very turbulent, and dreading the Dominion of Strangers, whoſe Language he did not underſtand, was reſolved to quit his Biſhoprick, and live like a baniſhed Man, where-ever he could find a ſafe Retreat; ſo having provided a Ship, and ſtored it with all things neceſſary, he lay waiting for a Wind in the Port of *Wiremuthe*, where he alſo found divers other Ships, under the Command of *Edgar Atheling*, *Siward* (Sirnamed *Barrie*) *Marleſweyn*, and divers other *Northumbrian* Noblemen, who upon the late Taking of the Caſtles at *York*, and the Return of the *Danes* into their own Country, whom they had aſſiſted, (as you have already heard) lay here waiting for a Wind, to carry them into *Scotland*: But I could have wiſht our Authors would have told us, where they had ſtayed ever ſince that Action, which happened the laſt Year, when as the ſame Writers acknowledge the whole *North* was reduced unto the King's Obedience.

[1.] S. D. K. H. *Egelwin*, Biſhop of *Durham* endeavours to leave *England*.

He meets with *Edgar Atheling*, and other Noblemen, who intend to Sail for *Scotland*.

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Not long after, [2.] a great Army of *Scots*, under the Command of King *Malcolme*, paſſing through *Cumberland*, and then turning *Eaſtward*, deſtroyed all *Teyſdale*, and the Parts adjacent on both ſides, and beyond it, with a miſerable Depopulation; but when they came to a place called in *Engliſh*, *Hundred's Kelde*, (i. e. *a hundred Springs*) they there met with, and killed certain *Engliſh* Noblemen; then the King kept part of his Army with him, and ſent a great Detachment back again the ſame way they came with much of the Plunder, which he alſo did with this deſign, that ſo the Inhabitants (who had before fled away, or hid themſelves) returning again ſecurely to their Houſes, he might there take them unawares, as he did; for having laid waſt great part of *Cliveland*, he alſo did the like in *Heorterneſſe* by a new and ſudden Incurſion, and from thence marching through the Lands of St. *Cuthbert*, (*i. e.* the Biſhoprick of *Durham*) bereſt all the Inhabitants of their Goods, and ſome of them of their Lives: He then alſo burnt the Church of St. *Peter* in *Weremuthe*, himſelf looking on; as alſo divers other Churches, together with thoſe who fled thither for Refuge.

[2.] *Il. Ib.* *Malcolme*, King of *Scots*, again invades *England*.

He plunders the Inhabitants of the Biſhoprick of *Durham*, and *York ſhire*.

But [3.] whilſt he rode near the River *Weere*, feeding his Eyes with theſe ſad Spectacles, it was told him, That *Edgar Atheling*, and the Ladies his Siſters, together with many *Engliſh* Noblemen, were arrived in the Mouth of that Harbour; whereupon the King went preſently to meet, and bid them all welcome, and promiſed them a ſafe Retreat in his Dominions.

[3.] *Idem.* He meets with *Edgar Atheling*, and the Ladies, his Siſters.

[4.] Whilſt the *Scots* committed theſe Spoils and Devaſtations, *Goſpatric*, Earl of *Northumberland*, (having lately bought that Earldom of the King for a great Sum of Money) in return, entred *Cumberland*, which was then part of King *Malcolme's* Dominions, and having there made great Depredations, he retired and fortified himſelf in *Bebbanburgh* (now *Bamborough*) Caſtle, from whence often ſallying out, he much weaken'd the Forces of the Enemy; But when King *Malcolme* heard what Outrages *Goſpatric* had committed upon his Subjects, he was ſcarce able to contain his Paſſion, and commanded for the future that they ſhould ſpare none of the *Engliſh* Nation, but either kill or carry them away Captives; which Order being thus given, it was a miſerable ſight to behold the Slaughter that was then made; Old Men, Women, and Children, meeting with the like ſad fate from the Cruelty of the *Scots*, whilſt the Young Men and Maidens, who were fit for Labours, were driven away Priſoners, and kept as Slaves; ſo that *Simeon* of *Durham* tells us, That in a very little time *Scotland* was ſo ſtockt with *Engliſh* Servants, that there was hardly a Village, nay, Houſe without them.

[4.] S. D. R. H. Earl *Goſpatric* enters *Cumberland*.

But ſince *Hector Boethius* and *Buchanan*, have given us a far different Relation of this War between the *Engliſh* and the *Scots*, I ſhall here give you their Account of it, yet without any diſtinction of Years, becauſe they do not ſet down any certain time, when thoſe things were done, only tell us in general, That *Syward*, Earl of *Northumberland*, ſiding with Prince *Edgar*, who was then again fled into *Scotland*, had alſo joyned his Forces with the *Scots*; and that thereupon King *William* being now puffed up with this late Succeſs, and believing that he might eaſily ſubdue the *Scots*, ſent one *Roger*, a *Norman* Nobleman, with ſome Forces into *Northumberland*, who being

The Errors of *Hector Boethius*, and *Buchanan*, in their Relations of this War.

being conquer'd, and put to flight, and not long after killed by his own People, *Richard*, Earl of *Glouceſter*, was ſent with a much greater Army; but he being tyred out by *Patric Dunbar* in divers ſmall Skirmiſhes and by him ſtopped from proceeding farther, when he could do no Good, Biſhop *Odo* King *William*'s half Brother led a much ſtronger Army thither; and having waſted almoſt all *Northumberland*, and ſlain ſome, who hindered his Depredations, King *Malcolme*, and Earl *Syward* ſet upon him as he was returning Home with a good Booty, and they killed and took priſoners a great Part of his Army. *Anno Dom.* MLXX.

But of all this we find not a Word in any of our *Engliſh* Hiſtorians, ſo that the moſt Part of this Relation is meer Romance, and the reſt very uncertain; for in the firſt Place, Earl *Robert Cumin*, whom their *Scotch* Authors falſely name *Roger*, never invaded the *Scottiſh* Dominions at all, being ſlain almoſt ſo ſoon as he came to *Durham*, as you have already heard: And as for *Richard*, Duke of *Glouceſter*, who is ſaid to have been worſted by *Patric Dunbar*, it is ſo far from being True, that there was not then, nor long after, any ſuch Duke; for *Robert*, baſe Son, to King *Henry* I. by him created Earl of *Glouceſter*, was the Firſt who enjoyed that Title: And as for Biſhop *Odo*'s being worſted by King *Malcolme*, we cannot find in any of our Hiſtorians, that ever he marched at all into the *North*, till he was ſent *Ano. Dom.* 1080, and then not againſt the *Scots*, but to revenge the Death of *Walcher* Biſhop of *Durham*, as you will hear anon.

King [5.] *Malcolme* being returned Home, found *Edgar Atheling* and thoſe Noble Men that attended him ſafely arrived, whither alſo ſoon after came Biſhop *Egelwin* above mentioned, whom a contrary Wind had driven into *Scotland*, though his Intentions were to Sail for *Germany*. [5.] *Idem.*

About this Time, alſo King *Malcolme* married the Lady *Margaret*, Siſter to Prince *Edgar*, who though Noble by Her Royal Extraction, yet was much more ennobled by Her Prudence and Piety; through whoſe perſwaſions and endeavour the King himſelf laying aſide his former Roughneſs, became more gentle and civilized: By this Lady he had ſix Sons, (*viz.*) *Edward*, *Edmund*, *Edgar*, *Alexander*, and *David*, (the three laſt of whom ſucceeded each other in the Throne,) beſides another Son called *Ethelred*, who as well as his two eldeſt Brothers dyed without Iſſue; there were alſo two Daughters, *Matilda* Queen of *England*, and *Mary* married to *Euſtace*, Earl of *Boloign*. King *Malcolme* Marries *Margaret* Siſter to *Edgar Atheling*.

The War being now over, King *William* ſpent the reſt of this Year in Acts of Peace, and of this Time [1.] *Ordoricus Vitalis* relates, That Peace and Security began to be reſtored to the Kingdom by the Suppreſſing and Puniſhing of Thieves, and Robbers; and the *Engliſh* and *Normans* lived quietly together in the Cities and Towns, Marrying among each other; ſo that the Markets and Fairs were full of *French* Tradeſmen, and Commodities, and the *Engliſh* were much alter'd in their Habit; and now no Body daring to Rob, they fell to tilling the Ground, whilſt the Churches were either repair'd, or new Built; and where the Prieſts conſtantly celebrated Divine Service: Thus the King's care and diligence was not at all want- [1.] P. 520. How much *England* began to Flouriſh after this War.

Anno Dom. MLXX.V.

ing to promote what was Good, and he by his Example excited others to do the like.

[2.] *Idem.* A Synod held at *Winchester*, where Archbishop *Stigand* is deposed.

But to look back to the Affaires of the Church: This [2.] Year also was held a great Council, or Synod, at *Winchester* on the *Octaves* of *Easter*, eight Days after *Easter*, King *William* not only appointing it, but being present at it; the Pope also approving it, and giveing it his Authority by his *Legates Hermenfred* Bishop of *Sedun*, and *John* and *Peter* presbyter-Cardinals; in which Council *Stigand*, Archbishop of *Canterbury*, was solemnly degraded for three Causes, (*viz*) *First*, Because he had held the Bishoprick of *Winchester*, together with the Archbishoprick of *Canterbury*; and *Secondly*, For that he had not only assumed it, (Archbishop *Robert* being then alive,) but also had sometimes made use of his Pall (which he had left behind him) in the Celebration of Mass; and *Lastly*, Because he had received another Pall from the pretended Pope *Benedict*, whom the Church of *Rome* had excommunicated, because he had simoniacally intruded into the Apostolick Chair.

Likewise *Agelmar* Bishop of *Helmham* as also divers Abbots.

Agelmar Bishop of *Helmham*, Brother to the Archbishop, was at the same time likewise degraded, as were also divers Abbots by the Kings procurement; and divers of the *English* being thus deprived, the King the better to strengthen and support his Power, put those of his own Nation into their Places, and for the same End got some other Bishops and Abbots to be deprived of their Dignities, and kept them Prisoners during their Lives, whom neither Councils nor the Laws of the Land would have condemned: And this barely out of a Jealosy, that they endeavour'd a new Revolution of Government.

[3.] F. W. R. H. *Wulstan* Bishop of *Worcester* Challenges divers Possessions detained from his Church.

[3.] But [3.] in this Council, whilst others were afraid, lest they should be deprived of their Dignities, *Wulstan*, that venerable Bishop of *Worcester*, stoutly challenged divers Possessions which had been detain'd by Archbishop *Aldred*, when he was translated from the See of *Worcester* to *York*, and which (he being deceased) were now come into the King's hands, and thereupon desired Justice to be done him by the Legates, as well as the King himself; but because the Church of *York*, had not then a Prelate who should maintain her Cause, it was adjudged that his Claim should remaine undecided, till a new Archbishop was appointed, that should defend that Church by answering his Demands, so that both sides being fairly heard a just Sentence might be given thereupon.

And in this great Council (though it be not expresly mentioned) I suppose the Bishops and greater Abbots gave their Consents, that for the Future their Lands should be held by *Knights Service* (as we find related in *Matthew Paris* at the beginning of this Year). And from this time the Bishops and Abbots who sate before in our Councils and Synods as meer Spiritual Persons, appeared hence forward in the Great Councils of the Kingdom among the Lay-Nobility, as they do to this day.

[4.] W. M. *De Gest. Pont. Lib.* 1. *P.* 117. *b.* The deposed Archbishop kept Prisoner during his Life.

The late Archbishop *Stigand* being thus deprived, as you have heard, [4.] he was all the rest of his Life kept close Prisoner at *Winchester*, where he sustained Nature with very mean Fare; for his Allowance which was out of the King's Exchequer being but small, he

by

by reaſon of his natural covetouſneſs would not afford himſelf any thing out of his own Eſtate; but when his Friends, and particularly Queen *Edgitbe*, the Widdow of King *Edward*, perſuaded him to live more plentifully, he ſwore by all that was Holy, that he was not worth a Farthing; but the great Riches that were found hidden under ground after his deceaſe, ſufficiently declared his Perjury, which was diſcovered by a little Key, that was, when he was dead, found hanging about his Neck, and belonged to a certain Box or Cheſt he had, which being opened, Notes were there found that diſcovered both the quantity and quality of that hidden Treaſure. *Anno Dom.* MLXX.

On [5.] *Whitſunday* following, the King being at *Windſor*, beſtowed the Archbiſhoprick of *York* upon *Thomas*, *Chanon* of *Bayeux*; and he gave the Biſhoprick of *Wincheſter* to *Walkelyn* his Chaplain; and the next day *Armenfred* Biſhop of *Sedun*, the Pope's Legate, again held the Synod alone (the Two Cardinals being then returned to *Rome*) in which *Agelric* Biſhop of *Selſey* was alſo Degraded, but not Canonically, and the King preſently committed him cloſe Priſoner to *Mearleaſbeorge* (i. e. *Marleborough*) Caſtle, though without any Crime laid to his Charge. [5.] F. W. R. H. *Thomas* the King's Chaplain made Archbiſhop of *York*. Another Synod held, in which *Agelric* Biſhop of *Selſey* is Degraded.

There were alſo many Abbots depoſed at the ſame time: The King in the room of thoſe Biſhops who were thus Deprived, conferred the Biſhoprick of *Helmham* upon *Arfaſt*, and that of *Selſey* on *Stigand*, who were both his Chaplains; and he gave the Abbies to ſome *Norman* Monks; and becauſe the Archbiſhop of *Canterbury* was then Depoſed and the Archbiſhop of *York*, Elect, not yet Conſecrated, *Walkelin* abovementioned, was by the King's Command on the Octaves of *Pentecoſt*, Ordained Biſhop by the ſaid Legate: And about the ſame time alſo the Valiant Earl *Edrick* (Sirnamed the *Forreſter* abovementioned) was reconciled to the King.

About this time [1.] the King having ſent for *Lanfranc*, Abbot of *Caën*, out of *Normandy*, a *Lombard* by Nation, and a Man throughly Learned, and well verſed in all the Liberal Arts, as well as in all Divine Knowledge, and as prudent in his Councils and the management of ſecular affairs, he appointed him on the day of the Aſſumption of the Bleſſed Virgin, Archbiſhop of *Canterbury*, and ſometime after he was conſecrated at his Epiſcopal See, by *Giſo* Biſhop of *Wells*, and *Walter* Biſhop of *Hereford*, with others of his Suffragan Biſhops, and the reſt who were abſent, either by their Deputies or Letters, gave him the reaſons why they could not be there to aſſiſt. [1.] *Idem. Lanfranc* made Archbiſhop of *Canterbury*.

But though our Hiſtorians mention Archbiſhop *Lanfranc*'s being choſen by none but the King, yet it appears from the *Saxon* Annals, that he was *Elected*, or at leaſt *Confirmed* by a *Great Council* of the whole Kingdom, the Elders (*i. e.* the Chief, or Senior Monks) *of the ſaid Church Electing him, together with the Biſhops, Chief Men, Clergy, and People of* England, *in* Curia Regis (that is, in the King's Great Council, or Parliament, as we now call it) which is alſo confirmed by the [2.] Author of the ſhort Relation concerning King *William*, Printed at the end of *Silas Taylor*'s Hiſtory of *Gavelkind*, which relates, "That *Lanfranc* being arrived in *England*, the King committed to him the Church of *Canterbury*, *with the Conſent and Advice of all the Barons, Biſhops, and Abbots, and alſo of the whole People of* England, becauſe the King was well ſatisfied that he knew how to Govern it as he ought. *Vid.* The Latin Copy of thoſe *Saxon* Annals in *Bennet* Coll. Library, Printed at the end of Mr. *Wheelock*'s Edition of *Bede*. And the manner of his Election. *Ex* MS. *per-antiquo in Bib. Bodleian.*

From

Anno Dom. MLXX.

From whence we may obſerve, notwithſtanding the encroaching Power of the Pope, and the growing Prerogative of the King, the Great Council of the Kingdom had not then loſt its ancient Priviledge of Confirming the Two Metropolitans of the *Engliſh* Church.

De Geſt. Pontif. l. ib. 1. p. 117. a.

And the ſame Year (as the *Saxon* Annals and *William* of *Malmeſbury* inform us) *Thomas* Archbiſhop of *York* came (according to Cuſtom) to *Canterbury* to be there Conſecrated by that Archbiſhop, and then *Lanfranc* demanded of him a Profeſſion in writing, declaring his Canonical Obedience, and that alſo confirmed by an Oath, according to the Cuſtoms obſerved by his Predeceſſors; whereupon the ſaid *Thomas* anſwered, That he would never do it, unleſs he might firſt read ſome written Authorities concerning that matter, and hear ſome Witneſſes that ſhould aſſert its Antiquity, ſince he could not do it without prejudice to his Church, before he had heard ſufficient reaſons for it: But this (ſays our Author) was the effect rather of his Ignorance than Pride; for being a Stranger, and wholly ignorant of the Cuſtoms of *England*, he had given too much credit to Flatterers; [2.] whereupon Archbiſhop *Lanfranc* commanded thoſe Biſhops who were come thither for this ſervice, to Diſrobe him, which was done accordingly; [3.] and ſo the Archbiſhop Elect for that time departed without any Conſecration: But the King hearing of it took it very ill, ſuppoſing Archbiſhop *Lanfranc* had truſted to his own Learning, rather than the truth and reaſon of the thing, though *Thomas* himſelf was not wanting neither in Wit nor Learning: But after ſome days *Lanfranc* coming to the King's *Court* (or Great Council) demanded Audience of the King, and having there given him his reaſons, he himſelf was not only very well ſatisfied with them, but alſo all the Foreigners there preſent; and as for the *Engliſh* who knew the matter, they gave Teſtimony for the Archbiſhop's aſſertion; therefore by the King's Command, and by the common Decree of all there preſent, it was Ordained, That for the preſent *Thomas* ſhould return to the Mother Church of the whole Kingdom, and there write his profeſſion of Obedience, and having Subſcribed it, ſhould read it aloud, and then deliver it to Archbiſhop *Lanfranc* to be examined in the preſence of all the Biſhops, in which *Thomas* ſhould abſolutely promiſe (without any conditions) that he would obey his Commands in all matters Eccleſiaſtical, yet that he ſhould not do it for his Succeſſors, until ſufficient reaſons ſhould be ſhewed him in an Epiſcopal Synod, whereby it ſhould be evidently proved, that all his Predeceſſors had ever performed the ſame to the See of *Canterbury*; ſo he having obeyed theſe Commands, was immediately Conſecrated, and not long after *Lanfranc* required and received the profeſſions of Obedience from all the Biſhops of *England*, who had been conſecrated by ſeveral former Archbiſhops.

A Relation of the great difference that now aroſe between the Two Archbiſhops about the Profeſſion of Obedience.

[2.] C. S.

[3.] W. M. *Ib.*

To this Year alſo (though we cannot fix the preciſe time further than that it was not long after *Lanfranc*'s being made Archbiſhop) may be alſo referred that remarkable Tranſaction, which [4.] *Matthew Paris* in his Life of Abbot *Fretherick* thus relates, That when King *William*, (being now encouraged by having the Archbiſhop of *Canterbury* on his ſide) began more openly and ſeverely to Oppreſs his *Engliſh* Subjects; they, ſeeing their Lives and Eſtates to be now in danger, aſſembled together, and made a numerous Army, chuſing *Edgar Atheling*, that Valiant young Prince, for

Abbot *Fretheric* joining with *Edgar Atheling* riſes in Arms.

[4.] *Vit. Vitas. Abbatum.* S.H. St. Alban. *p.* 47. Edit. Uſſ.

for their Leader, One in whom remain'd all the hopes of the *Engliſh*, and of whom they had made this Rhime. *Anno Dom.* MLXX.

Edgar Atheling, *England*'s Dearling.

Alſo *Fretheric*, Abbot of St. *Albans*, a generous Man, and not a little formidable for his Riches and Power, was a chief Ring-leader and Promoter of his Deſign; then the King began very much to fear, leſt he ſhould looſe the Kingdom, which he had acquired with ſo great an Effuſion of Blood. Wherefore following Archbiſhop *Lanfranc*'s prudent Advice, he began to deal more gently with the *Engliſh* Noblemen, and propoſing to them Terms of Peace, he invited them to a Subdolous Treaty (for ſo it proved in the end). But the *Engliſh* Nobility not ſuſpecting any Treachery, under the Conduct of Abbot *Fretheric* met the King at *Berkamſtead*, where after many Diſputes he in the preſence of Archbiſhop *Lanfranc* to obtain Peace, ſwore upon the Holy Relicks of the Church of St. *Albans*, as alſo upon the Holy Evangeliſts, (Abbot *Fretheric* adminiſtring the Oath) "*That he would* "*obſerve the good, approved and ancient Laws of the Kingdom, which the* "*Holy and Pious Kings, his Predeceſſors, and chiefly King* Edward *had* "*ordained*; ſo the *Engliſh* being herewith pacified, they all return'd home. *Id. ib.* The King forced at laſt to ſwear to obſerve the Laws of King *Edward*.

But the King cunningly concealing his Deſign, within a few days after privately and ſuddainly endeavoured to ruin thoſe ſingle and apart, whom being confederate together, he could not overcome; and this he perſormed by killing ſome, diſinheriting others, and outlawing a great many, violating the abovementioned Laws, and ſpoiling the *Engliſh* of their Eſtates at his pleaſure, without any legal Judgment, and thereby enriched his *Normans* to the great Grief of his *Engliſh* Subjects, *who had of their own Accord made him King*. Prince *Edgar* ſeeing theſe things fled again into *Scotland*, and did ever after bear him a Grudge; then likewiſe many of the *Engliſh* Nobility fled into *Denmark*, and ſome into *Norwey*, avoiding as much as they could the *Norman* Yoke. *Id. ib.* Yet is afterwards revenged on thoſe that had made him do it.

Sometime after, Abbot *Fretheric* began very much to fear, leſt the King, or his new Archbiſhop, ſhould fall upon him, as the principal Patron of the *Engliſh*, and depriving him of his Dignity, ſhould either put him to Death, or commit him to perpetual Priſon; and therefore one day coming into the Chapter-Houſe, he before all his Brethren, breaking forth into Tears, thus ſaid, Brethren and Sons, according to the Goſpel-precept, *we ought to fly from thoſe who perſecute us, from one City to another*. And upon this, with the advice and leave of the Convent, taking with him ſome Books, Cloaths, and Neceſſaries for his Journey, he privately fled to the Iſle of *Ely*, (being then under the Power of the *Engliſh* Lords, who had lately rebelled againſt King *William*) where falling Sick, a few days after he ended his days. King *William* hearing of the Death of this Abbot, kept the Abby of St. *Albans* vacant in his Hands, and very much oppreſſed it by cutting down the Woods, and impoveriſhing the Tenants; and unleſs he had been reſtrained by the Reproofs of Archbiſhop *Lanfranc*, he had irreparably deſtroyed the whole Monaſtery; but the Archbiſhop at laſt procured of him, that one *Paul*, his Kinſman, *Id. ib.* Abbot *Fretheric* reſigns for fear of the King.

Anno Dom. MLXX. man, (ſuſpected to be his Son) whom he had brought over into *England*, ſhould be made Abbot thereof; but this did not happen till ſome years after, (*viz.*) *Anno* 1077. Thus I have faithfully given you *Mat. Paris*'s Account concerning this great Action, which if it be true (for ſome queſtion it, ſince it is related by no other Author) ſhews, That the *Engliſh* did not then own King *William* as a Conqueror, and that by the Oath abovementioned he wholly barred himſelf out of that Claim.

But ſince this Author could not well invent this Story (being moſt probably found by him in the Annals of his Abby) I think there can be no reaſonable Cauſe to deny the Truth of it; only this muſt be acknowledged, that *Edgar Atheling* could not be at all concern'd in this Affair, for he had fled into *Scotland* near two Years before, nor did he return into *England*, till about three Years after, when he came back in order to reconcile himſelf to the King, as you will find in its proper place; though this Author makes him to have done this the Year before.

Anno Dom. MLXXI. [1.] At the beginning of this Year, Archbiſhop *Lanfranc*, together with *Thomas*, Archbiſhop of *York*, went to *Rome*; where when *Lanfranc* arrived, Pope *Alexander* ſhewed him great Reſpect, riſing up to him, and kiſſing his Cheek; yet at the ſame time profeſſing he did it not as to an Archbiſhop, but to his Maſter in Learning; and he likewiſe gave him not only a Pall conſecrated at the Altar of St. *Peter*, but alſo another in Token of his Love, in which he was wont to ſay Maſs himſelf. Then Archbiſhop *Thomas* began to renew his former Challenge, of being exempted from ackowledging the Archbiſhop of *Canterbury* for his Superior, alledging, That Pope *Gregory* had appointed them both to be of equal Power and Dignity, only he was to have the Precedence who was firſt conſecrated; but Archbiſhop *Lanfranc*, though he reſented this very much, yet anſwered with great Moderation, that that Conſtitution was not made concerning *Canterbury* and *York*, but *London* and that See; However the Pope declin'd giving any Judgment in this matter, ſaying, It ought to be determin'd in *England*, in a Synod, by the Judgment of all the Biſhops and Abbots.

[1.] F. W. W. M. *De Geſt. Pontif. p.* 117. *a.* The Diſpute between the Archbiſhops of *Canterbury* and *York*, heard before the Pope.

Then [2.] Archbiſhop *Lanfranc*, to be even with *Thomas*, charged him in the Pope's Preſence as Uncanonical, and ſo uncapable of that Archbiſhoprick, becauſe he was the Son of a Prieſt, and yet no Canon was then in force to debar Prieſts Sons from Spiritual Preferments, though indeed ſome years after, in the Council of *Clermont*, ſuch a Prohibition was made.

[2.] *Eadmerus Hiſt. Novar. Lib.* 1. The Archbiſhop of *York*, and the Biſhop Elect of *Lincoln*, are found to be Irregular.

Then [3.] Archbiſhop *Lanfranc* likewiſe charged *Remigius*, Biſhop Elect of *Lincoln*, for being Irregular, becauſe he was guilty of Simony, not that he had paid any Money for his Biſhoprick; but that upon King *William*'s Invaſion of *England*, he had ſo far aſſiſted him in that Deſign, that by his diligent Service and Solicitation, he had as it were purchaſed that place of King *William*; whereupon both theſe Biſhops, having nothing left to excuſe themſelves, voluntarily ſurrendred their Rings and Croſiers, imploring the Pope's Clemency. He thereupon referred the matter wholly to *Lanfranc*'s own Arbitration; and upon his ſhewing the Pope how neceſſary thoſe two Prelates were for the King's Affairs, in the new Orders he had made

[3.] *Idem. Ibid.* Who thereupon reſign their Biſhopricks to the Pope. But upon Archbiſhop *Lanfranc*'s Interceſſion, they are reſtored.

made for the Kingdom; the Pope aſſented to it, bidding the Archbiſhop do what he thought was moſt expedient for his Country; whereupon he immediately in the Pope's Preſence reſtored to the ſaid Biſhops their reſpective Paſtoral Staffs, and ſo returning into *England*, with both theſe in his Company, he was with great Reverence received at *Canterbury*, and there confirmed in his Primacy of *Britain*. *Anno Dom.* MLXXI.

About [4.] the ſame time, the Earls *Edwin* and *Morchar*, though they had been before reconciled to the King, yet fearing that he deſigned to commit them cloſe Priſoners, privately left the Court, and intended to raiſe a freſh Rebellion; but their Deſigns met with no good Succeſs; for *Edwin* reſolving to fly to the King of *Scots*, was murthered on the way by the treachery of his own Men; but as for Earl *Morchar*, he got into the Iſle of *Ely*, with many others by Sea; and a little while after, *Egelwin*, Biſhop of *Durham*, and *Syward*, Sirnamed *Barne*, came alſo thither by Sea out of *Scotland*; to whom we may alſo add [5.] *Hereward*, the Son of *Leofric*, Lord of *Brunne*, a Young *Engliſh* Nobleman of great Strength and Courage (as *Ingulph* relates) who, having come not long before out of *Flanders* into *England*, and finding *Ediva*, his Mother, then a Widow, much injured and moleſted by the *Normans*, and his own Eſtate alſo granted to one of them, was reſolved to be revenged of them, and gathering a conſiderable Number of his Kinſmen and Tenants, fell upon the Injurors of his Mother, and drove them off his Eſtate; then going to *Brand* his Uncle, then Abbot of *Peterburgh*, he received from him the Order of Knight-hood, according to the *Engliſh* Cuſtom at that time; the manner of which, was, by Confeſſion of his Sins, and Watching, and Praying in the Church the whole preceeding Night; then in the Morning before Maſs he offer'd up his Sword upon the Altar, and after reading the Goſpel, the Prieſt firſt having bleſſed the Sword, put it over the new Knight's Neck, and ſo having communicated, he was ever after held a lawful Knight; but this way of making Knights was deſpiſed by the *Normans*, they not looking upon ſuch as true Knights, but bigotted lazy Fellows.

[4.] F. W. R. H. The Earls *Edwin* and *Morchar* intending to raiſe a freſh Rebellion; the former isſlain, but the other gains the Iſle of *Ely*.

[5.] *Ingulphi Hiſt. p.* 511. *a.* A Relation of the valiant Exploits of *Hereward* againſt the *Normans*.

The ancient way of making Knights.

This [1.] Young Nobleman being then in the Neighbourhood, the Earls abovementioned (who had now poſſeſſed themſelves of the Iſle of *Ely*) ſent for him to come to their Aſſiſtance; and there they made him one of their chief Commanders, who performed ſo many brave Exploits againſt their Enemies, that (in our Author's Judgment) he deſerved great Commendations, becauſe, whileſt he was able, he endeavoured to ſuſtain the ſinking Ruins of his Country: For not long before, hearing that his Uncle, Abbot *Brand* was dead, and that King *William* had conferred that Abby upon one *Thorold*, a *Norman*; *Hereward* much regretting, that a Stranger ſhould thus domineer over his Friends and Relations, ſet upon the Abby of *Peterburgh*, and put Abbot *Thorold* to flight, though he had brought *Ivo Talboys*, a Potent *Norman*, (who by the King's Favour then Commanded all the Neighbourhood about *Holland*) to his Aſſiſtance; yet, notwithſtanding *Hereward* took him Priſoner in open Fight, and would not ſet him free, till he had purchaſed his Liberty by a great Ranſom: Not long after this the King marched down againſt the Earls, who were ſtill in the Iſle of *Ely*, and by the means of his

[1.] *Id. Ib.* *Hereward* being invited by thoſe in the Iſle of *Ely*, is made one of their Chief Commanders.

Hereward ſets upon the Abbot of *Peterburgh*.

The King marches againſt thoſe, who held the Iſle of *Ely*.

Anno Dom. MLXXI. his Mariners, ſtopped up all Paſſages in or out on the *Eaſt*-ſide the Iſland, by building of *Wisbich* Caſtle; and on the *Weſt*-ſide he made a Bridge from the Continent to the Iſle, two Miles in length.

[2.] *Lib.* 2. How ſtoutly the *Engliſh* Noblemen defended themſelves againſt the King.

Now when theſe Noblemen ſaw themſelves thus ſtreighten'd (as the [2.] Manuſcript Hiſtory of *Ely* tells us) they raiſed a high Fortification of Turfs againſt the King's Aſſaults, and defended themſelves for a long time: then the King removed his Camp nearer to the Iſland, by the River *Ouſe*, bringing with him a great Army, both of Horſe and Foot, to hinder their ſallying out of the Iſle, ſtriving to ſubdue them all the ways he could; yet one Morning as the King's Men were carrying Wood and Earth to fill up the Channel, and make it fordable; *Hereward* on the ſudden ſallied out upon them, and putting them all to flight, return'd Victorious with a great deal of Spoil.

[3.] *Id. Ib.* The Noblemen in the Iſle refuſe to ſubmit, or to truſt the King.

Whereupon [3.] the King being much diſturbed, made a Truce for the preſent with the Noblemen in *Ely*, but yet it was not long obſerved, for they not truſting the King, would not deliver up the Iſland, becauſe he had broken the Conditions, by ſeizing and impriſoning Biſhop *Egelwin*, as he was paſſing from thence; and cutting off the Hands and Feet, or putting out the Eyes of as many as were taken Priſoners; ſo the War being thus renewed, *Hereward* (who upon the laſe Truce was gone away for ſome time) was again ſent for by the Men of *Ely* to Command their Forces, who returning with divers other Outlaw'd diſinherited *Engliſh* Gentlemen, thenceforward Commanded in Chief, and marching out of the Iſland, killed many of their Enemies, and carried away a great deal of Plunder into the Iſle; nor did he admit any into his Society, who would not firſt take an Oath of Fidelity upon the Body of St. *Ethelreede*, or *Audrey*, to maintain that Quarrel to their utmoſt Power; ſo that the King being now called off by freſh Invaſions, was forced to raiſe the Siege.

He is forced to raiſe the Siege.

The Author of this Hiſtory is very much out in his Relations.

The Author of this Manuſcript Hiſtory farther relates, That then Archbiſhop *Stigand*, and *Egfred*, Abbot of St. *Albans*, both took Refuge here; the former bringing a great Treaſure along with him, and the latter the Body of that Saint, which he afterwards beſtowed upon the Church of *Ely*; but this is denied by *Matthew Paris*, in his Life of Abbot *Fretheric*, (abovementioned) for that was his Name, and not *Egfred*, (as this Author calls him) neither did Archbiſhop *Stigand* ever take Refuge in this Iſland, as he ſuppoſes, for being now degraded, he was kept a cloſe Priſoner as long as he lived.

The Monkiſh Author proved a Romancer.

But to return again to the Hiſtory of *Ely*, the Author of which alſo relates, That King *William* did not renew the Siege of this Iſland, till after his Second Return out of *Normandy*, which was *Anno Dom.* 1075. Whereas the *Saxon Annals*, and all our other Hiſtorians, makes him to have ended his War againſt *Ely* four Years before, *viz.* in this very Year: So that all that this Hiſtorian writes, to have happen'd after that time, ſeems to be pure Romance, to enhaunce the Honour of *Hereward*, his Hero, of whom he relates divers improbable Stories, needleſs to be here recited, ſince we are not aſſured of the truth of them.

At

At laſt this [3.] Author agrees, that the Abbot and Monks having had all their Lands ſeized that lay without, and having alſo conſumed all their Proviſions within the Iſle, they were forced at laſt to make Peace with the King, ſending Abbot *Thurſtan*, and ſome of his Monks to Treat on their behalf; but they, it ſeems, not agreeing to the Kings Terms, he thereupon ſent a new raiſed Army both of Horſe and Foot againſt them; who falling upon the Iſland afreſh, by the help of the King's Ships (which block'd up the Mouth of the River) they at length got over the Lakes and Bogs, and ſo aſſaulting the Beſieged with their Engines of War, put them to flight, and having once Landed upon the Iſland, ſoon made themſelves Maſters of it and the Abby.

Anno Dom. MLXXI.

[3.] *Id. Ib.* Thoſe in the Iſle of *Ely* forced at laſt to Treat, and the reaſon why. The King ſends freſh Forces againſt the Iſle, who at laſt take it.

After this the King Marched towards the Monaſtery, ſhutting up the Gates of the Church, that the Monks might not meet him in ſolemn Proceſſion with their Croſſes and Relicks of the Saints, and ſo appeaſe his anger; then arriving at the Monaſtery, he offered half a Mark of Gold at the Altar (or Shrine) of St. *Audrey*, and having put a ſtrong Gariſon of *Normans* into the Abby, as alſo in the Caſtle of *Alrehede*, he returned the ſame way he came.

Then the Abbot and Monks, by the mediation of *Gilbert de Clare*, and other Noblemen, endeavoured a Reconciliation with the King; ſo being brought into his Preſence at *Wickford*, they made the beſt Compoſition they could, *viz.* That they ſhould pay him Seven hundred Marks, which was ſo great a Sum, that they were forced to ſell good part of the Plate and Ornaments of their Church. This Sum being brought to the King's Receivers at *Cambridge*, there wanted by careleſsneſs of the Money-changers a Groat in weight, (for in thoſe times great Sums paſſed by Weight, and not by Tale) which when the King underſtood, he was very angry at it, (or at leaſt pretended it) as if they went about to Cheat him, and thereupon would not ſtand to the Articles of Peace; which did ſo perplex theſe Monks, that they were forced to promiſe him Three hundred Marks more to make it up a Thouſand; to raiſe which Sum they were neceſſitated to deſpoil the Images of the Saints of all their Ornaments of Gold and Silver, and ſo diſfurniſhed the Church of all the reſt of the Gold and Silver that was left; and when this Sum was paid, they bought but a precarious and uncertain Peace, till *Thurſtan* their Abbot dying, the King made *Theodwin*, a *Norman* Monk, Abbot, who refuſed to accept it, unleſs the King would reſtore to the Abby the Spoils he had taken from it, and ſo at laſt they got them all again.

Id. Ib. The Abbot and Monks forced to Buy their Peace.

But though I doubt whether divers paſſages in this Relation in the Monk of *Ely*, be true or not, as being written out of hatred and averſion to their Conqueror, yet this is certain (which it alſo relates) that the King, the better to ſecure the Iſland to his Obedience, quarter'd Forty *Norman* Knights, or Soldiers, upon that Abby, who eating in the Refectory with the Monks, the Cellerer, or Steward, was not only forced to find them Commons, but alſo Wages in Money.

The King Quarters Forty *Norman* Knights upon the Abby of *Ely*.

And as a Manuſcript Relation, cited by [4.] Mr. *Fuller* in his Church-Hiſtory, informs us, each of theſe Knights were quarter'd with ſome principal Monk, and living with them in the common Hall of the Monaſtrey, they entertained each other ſo lovingly, that at length, the fire of Civil Diſſention being quenched, the King's Power eſtabliſhed, and he finding the Pride of the Monks ſufficiently abated, ſent for the

[4.] *P. 166, 169.* How much theſe Knights gained the Love of the Monks.

Anno Dom. MLXXI. the Knights away, wanting at preſent their Service (moſt of them having been Chief Commanders, or Captains of Note) to curb the Inſolence of his Son *Robert*, who at that time had taken up Arms againſt him in *Normandy*; but it ſeems the Monks were ſo much taken with the Converſation of theſe Military Men, that they very mightily lamented their departure, and carried them on their way as far as *Hadenham*, with their Croſſes, Cenſers, and Hymns in a ſolemn Proceſſion.

But as for what follows in this Relation (which is no ancienter than *Henry* the VII*th*'s time) that the Monks in gratitude Painted the Arms of theſe Gentlemen upon the Walls of their Hall where they uſed to Eat, I do very much doubt; becauſe the cuſtom of bearing Coats of Arms, as Hereditary to their Families, was not in uſe till after the ſecond Expedition into the *Holy Land*, in the Reign of King *Henry* the *Second*; though I will not deny, but that the Names of theſe Gentlemen might be preſerved in the ancient Regiſters of that Abby. But thoſe that delight in things of this nature, may ſee a Tranſcript of the pretended Arms of theſe Soldiers in Mr. *Fuller*'s Church-Hiſtory as they were drawn from the Original, which ſtill remains Painted upon the Wall of the Dean of *Ely*'s Dining-Room.

[5.] F. W. How the King dealt with thoſe Noblemen, and others, who were taken in the Iſle of *Ely*.

But to return again to the Hiſtory: as for the [5.] Noblemen who were then in the Iſland, they were all forced to ſubmit themſelves to the King's Mercy, except *Hereward*, and he eſcaped with a few in his company over the Fens into *Scotland*; then the King, having cut off the Hands, and put out the Eyes of many of the common Soldiers, let them go, but as for Earl *Morchar*, with the Noblemen and Gentlemen that were takenwith him, he ſent them to divers Priſons; and as for Biſhop *Egelwin*, he was committed to ſafe Cuſtody at *Abingdon*, where he ſoon died of Hunger, by his peremptory refuſing all manner of Suſtenance.

[1.] S. D.

Not [1.] long after this, the King made *Walcher*, a *Lorainer*, and Canon of the Church of *Leige*, Biſhop of *Durham*, who was Conſecrated at *Wincheſter*; for being a Man of Noble Birth, and of virtuous Life, as alſo of ſome Learning, he had been invited over by the King to undertake that Charge; then *Eiliaf* the King's Houſcarle (that is, his *Domeſtick Servant*) and who was in great Favour with him, waited on the Biſhop as far as *Tork*, where Earl *Goſpatric* met him, and conducted him to *Durham*, and there he was inthron'd in Middle *Lent* following.

Anno Dom. MLXXII. [2.] C. S. F. W.

The [2.] next Summer, King *William* (having *Edric*, the Foreſter, in his Company) to be even with the King of *Scots* for his late Devaſtations in *England*, invaded *Scotland* with a great Army by Land, and a powerful Fleet by Sea, intending wholly to ſubdue it; but when he had entred *Scotland*, the King thereof met him at a place called *Abernithie*, and ſubmitting himſelf, made Peace with him, and became his *Leige-man*, giving alſo Hoſtages for his true obſervance of it for the future.

But Abbot *Ingulph* is more particular in this Tranſaction, and ſays expreſly, That King *William* then ſubjected *Scotland* to himſelf, and compell'd King *Malcolme* to do him Homage, and ſwear Fealty, at the place aforeſaid: I wiſh this Author had told us particularly for what

what Territories this Homage was done, whether for all *Scotland*, or *Cumberland*, or only for the *Low-lands*, ſince it could not be for *Northumberland*, for that was not, till the Reign of King *Stephen*, made part of the *Scottiſh* Dominion, nor continued any longer ſo than only for his Time. *Anno Dom.* MLXXII.

Therefore [3.] *Holinſhed*, and other Modern *Engliſh* Writers, have without any Authority from our Ancient Hiſtorians, ſaid in expreſs Terms, That the King of *Scots* then did Homage to King *William* for all *Scotland*. [3.] Vol. 1. p. 123.

But to give ſome further Account of this Action; *Polydore Virgil* (from ſome Ancient Manuſcript in his time) relates, That this Victory was not ſo eaſily obtained, for King *William* having entred *Galloway*, his Soldiers were more harraſſed in paſſing over the Mountains and Marſhes than in purſuit of the Enemy, wherefore he was forced to give over his Expedition that way, and march directly into *Lothian*, (where King *Malcolme* then lay) being fully reſolved to end this Quarrel by a Battel; but *Malcolme* wiſely conſidering the great danger he was in, ſent Ambaſſadors to King *William*, and offered him Terms of Peace; they were well received, and he thinking it better to hearken to it than to try the Chance of War in a difficult and unknown Country, accepted of thoſe Terms propoſed by the King of *Scots*, but on this Condition, that he ſhould take an Oath of Fealty to him; and at the Interceſſion of King *Malcolme*, the *Engliſh* Exiles were reſtor'd to their Eſtates; but it ſeems *Edgar Atheling* did not make his Peace till afterwards, as you will find anon. A larger Account of this Victory from *Polydor. Virgil.*

The King having thus diſpatch'd his Affairs in *Scotland*, returned to *Durham*, where he built a Caſtle for the Security of the Biſhop, and thoſe that belonged to him. But [4.] *Simeon* of *Durham*, and other Monkiſh Writers do relate, That the King ſoon left that place, being frighted from thence by a ſtrange Miracle that happen'd to himſelf, for he doubting whither the Body of St. *Cuthbert* was really there or no, had ordered his Shrine to be ſearched; but he was thereupon immediately ſeized with ſuch an unuſual Heat, that he did nothing but Sweat, and being under a great Conſternation, he commanded his Chaplains, whom he had before order'd to open the Shrine, to let it alone, and preſently taking Horſe, never alighted till he got out of the Lands belonging to the Biſhoprick; but leaving this Miracle to be believed by thoſe that have a mind to it, it is certain that King *William* did not ſtay long at *Durham*, but returned to *London*. [4.] *Hiſt. Eccleſ. Dunelmenſ. Col.* 42.

Now, becauſe the [5.] *Scottiſh* Hiſtorians relate this Peace between their King *Malcolme* and King *William* ſomewhat differently, I ſhall alſo give you their Account of it; in the firſt place, they do not only conceal this Expedition of the King's into *Scotland*, with the great dread that King *Malcolme* was in of his Forces, and the Homage he thereupon made him; but on the contrary they make King *William* as it were weary of War, and ſo to deſire Peace at his hands; and that thereupon he confirmed the Grant of *Cumberland* to King *Malcolme*, upon this Condition, that he ſhould hold it of him by Fealty, and attempt nothing to the prejudice of the Crown of *England*. But what they further add ſeems certain enough, That in Memory of this Peace, there was a *Stone-Croſs* erected in the middle of the Mountains of *Stanmore* in *Yorkſhire*, which we call *Rerecroſs*, (and the *Scots* [5.] *Hector. Boeth. Buchan.*

Anno Dom. MLXXII.

Scots Reycroſs, that is the Royal Croſs) having the Arms of both Kings engraven on the ſeveral ſides of it, which was for the future to ſerve as a Boundary between the two Kingdoms, the remainder of which Croſs was to be ſeen in Mr. *Camden*'s time, and may be there ſtill as far as I know.

Vid. *Camden's Britannia* in *Yorkſhire.*

So ſoon as the King return'd out of *Scotland*, he deprived *Goſpatric* of his Earldom of part of *Northumberland*, charging him that he had underhand aſſiſted thoſe who had ſlain Earl *Robert* at *Durham*, and had been alſo on the Enemy's ſide, when the *Normans* were ſlain at *York*; and he being thus deprived, Earl *Waltheof* was advanced to that Honour, which was due to him by Birth, as well by his Father as Mother's ſide, being the Son of Earl *Syward*, by *Elfreda*, the Daughter of Earl *Aldred*.

[1.] S. D.

Then [2.] Biſhop *Walcher*, and Earl *Waltheof*, became ſuch good Friends, that he ſitting together with the Biſhop in the Synods of the Clergy, obſerved and executed whatſoever had been by them ordained, for the advancement of Religign.

[2.] *Id.* Col. 205.

But to give you ſome further Account of Eccleſiaſtical Affairs. This Year alſo [3.] the two Archbiſhops, *Lanfranc* and *Thomas* being returned from *Rome*, there was a great Council or Synod held at *Eaſter*, concerning the old Diſpute of the Juriſdiction of the Archbiſhop of *Canterbury* over that of *York*, where the matter being fully debated on both ſides, at laſt the Synod gave Sentence in favour of the See of *Canterbury*; which being ſo remarkable, I ſhall here give it you at large, as it is found in *Ingulph*'s Hiſtory, and in [4.] *William* of *Malmesbury*, *de Geſtis Pontif:* in theſe Words,

[3.] W.M. *p.* 117. *a.* Another Synod about the Subjection of the See of *York* to that of *Canterbury*.

[4.] *Idem. Ibid.*

The Judgment of the Synod concerning it.

" In the Year of the Incarnation of our Lord *Jeſus Chriſt*, MLXXII. " and in the Eleventh Year of the Papacy of our Lord, Pope *Alex-* " *ander*, but of *William*, King of *England*, the *Sixth*; the Cauſe be- " ing debated by the King's Conſent, and in his Preſence, as alſo in " the Preſence of all the Biſhops and Abbots, concerning the Pri- " macy, which the Archbiſhop of *Canterbury* claims in right of his " Church over that of *York*, about the Ordinations of ſome Biſhops, " concerning whom it was not evident to what Archbiſhop they be- " longed; but at laſt it was ſhewn and proved by the Authority of " certain Holy Writings, that the Church of *York* ſhould be Subject to " that of *Canterbury*, and ought to obey her Archbiſhop, as being Pri- " mate of all *Britain*, and his Orders in all things which concern the " Chriſtian Religion: but the Subjection of the Biſhoprick of *Durham*, " (*i. e.* of the Church of *Lindisfarne*) and of all the Countries from " the Dioceſs of *Litchfield*, and thoſe lying on the other ſide the " River *Humber*, belong to the Dioceſs of *York*, and which the Arch- " biſhop of *Canterbury* had granted to the Archbiſhop of *York*, and his " Succeſſors; and if ſo be that the Archbiſhop of *Canterbury* will " hold a Synod where-ever he pleaſes, the Archbiſhop of *York* ſhall " afford it his preſence, with all the Biſhops ſubject to him, and " ſhall be obedient to the Eccleſiaſtical Canons therein made; but " the Archbiſhop of *York* ought to ſwear Obedience to the See of " *Canterbury*, as Archbiſhop *Lanfranc* hath ſhewn from the Ancient " Cuſtom of his Predeceſſors. But though out of reſpect to the King " he hath releaſed the ſaid Oath to *Thomas*, now Archbiſhop of *York*, " and had only received his Profeſſion of Obedience in writing, yet " he

" he did not intend thereby to prejudice his Succeſſors, who may ſtill " exact an Oath, together with the Profeſſion, from the Succeſſors of " the ſaid *Thomas*. *Anno Dom.* MLXXII.

" If the Archbiſhop of *Canterbury* ſhall deceaſe, the Archbiſhop of " *York* ſhall come to *Canterbury*, and there together with the reſt of " the Biſhops of the ſaid Province, ſhall Conſecrate him as his Right- " ful Primate; but if the Arcbiſhop of *York* ſhall deceaſe, he who is " choſen to ſucceed him, having received from the King the Arch- " biſhoprick, ſhall come to *Canterbury*, or where-ever elſe the Arch- " biſhop of that See ſhall appoint, and ſhall there Canonically receive " Ordination from him.

To this [5.] Conſtitution the ſaid King, and the Archbiſhops *Lanfranc* and *Thomas*, as alſo *Hubert*, a Sub-Deacon of the *Roman* Church, and Legate of the ſaid Pope *Alexander*, and the reſt of the Biſhops and Abbots there preſent, have all conſented: This Cauſe was firſt debated at the City of *Wincheſter*, at the Feaſt of *Eaſter*, in the King's Chappel in the Caſtle, and afterwards in the Royal Town, called *Windleſbore*, (now *Windſor*) where it received a final Determination in the Preſence of the King, the Biſhops and Abbots of ſeveral Orders, who were all aſſembled at the King's Court, at the Feaſt of *Pentecoſt*: Then follow the Subſcriptions of King *William*, and *Matylda* his Queen, of *Hubert*, the Pope's Legate, as alſo of the Archbiſhops of *Canterbury* and *York*, together with that of the Biſhop of *London*, and moſt of the other Biſhops, and Chief Abbots of *England*, who all of them ſubſcribed with the Sign of the Croſs after their Names, according to the *Saxon* Cuſtom. [5.] *Idem. Ibid.*

[1.] *William* of *Malmesbury* has not only given us this Sentence, but alſo the whole Proceſs, with the Arguments *pro* and *con*, that were produced by the Archbiſhops of *Canterbury* and *York*, in this great Cauſe, ſet forth at large in a Letter of Archbiſhop *Lanfranc* to the Pope; the Reaſons on both ſides were founded upon certain Letters of Pope *Gregory*'s, and his Succeſſors, to Archbiſhop *Auguſtine*, and other Archbiſhops of *Canterbury*, as alſo to King *Ethelbert*, and other *Saxon* Kings, which are needleſs here to be recited; only from them (and eſpecially from that Pope's Letter to *Auguſtine* abovementioned) it appears, That Archbiſhop *Auguſtine* had conferred upon him, not only the Primacy, but the Juriſdiction over all the reſt of the Biſhops of that part *Britain*; and indeed Archbiſhop *Lanfranc*'s Reaſon, why what was written to his Predeceſſors, ſhould extend to all his Succeſſors, is very ſubtil; for (ſays he) ſince, if thoſe Words of our Saviour to St. *Peter*, Thou art *Peter*, and *upon this Rock will I build my Church*, are interpreted of all St. *Peter*'s Succeſſors, by the ſame reaſon what was written to *Auguſtine* by the Pope, ſhould extend to all ſucceeding Archbiſhops of *Canterbury*. [1.] *De Geſtis Pontif. Lib.* 1. *p.* 112. *b. & dein.*

And indeed *Lanfranc* was ſo far in the Right, that the Argument is as good for the one as the other.

But notwithſtanding theſe Decrees of the Popes, we do not find that the Archbiſhop of *Canterbury* exerted this Juriſdiction at the firſt, for when (as * *Bede* relates) Pope *Honorius* had ſent two Palls for the two Metropolitans of *Canterbury* and *York*, that whenever one of them deceaſed, the Survivor might Conſecrate a new Archbiſhop in his ſtead. In the next Chapter he informs us, That *Honorius* being choſen

Yet for this the Superiority was not Ancient.

* *Lib.* 2.

Anno Dom. MLXXII. choſen Archbiſhop of *Canterbury*, he went into the *North* to be Conſecrated by *Paulinus* Archbiſhop of *York*, and that *Paulinus* went as far as *Lincoln* to meet him, which ſhews nothing of that Superiority, that was long after claimed by the Archbiſhops of *Canterbury* over thoſe of *York*; nor do I find any ſuch to have been exerciſed by the ſaid Archbiſhop, till long after the Death of *Paulinus*, when *York* had for ſeveral years ceaſed to be an Archbiſhoprick. And in thoſe times, Archbiſhop *Theodorus* deprived *Wilfred*, Biſhop of *York*, in a Synod, which he held with the Biſhops of that Province, (as you may ſee related at large in the former Volumn) under *Anno Dom.* 678.

But when *Egbert*, Biſhop of *York*, did after many years re-obtain the Pall (and conſequently his Archiepiſcopal Juriſdiction) from the Pope, it was thereupon for many Ages after diſcharged from all Subjection to the Archbiſhop of *Canterbury*, as Primate of *England*; nor do we find any mention of a Profeſſion or Oath of Canonical Obedience required from the Archbiſhops of *York* to thoſe of *Canterbury*, till that famous Decree laſt mentioned, as [2.] *Thomas Stubbs* in his Hiſtory of the Archbiſhops of *York* has very well proved. This I thought fit to let the Reader know, That ſo he may underſtand by what means the Archbiſhops of *Canterbury* obtained, not only Superiority, but an Eccleſiaſtical Juriſdiction over thoſe of *York*. But to return to Civil Affairs.

[2.] *Vid. X. Script. Col.* 1685.

Anno Dom. MLXXIII. The next Year [3.] the War being again renewed between King *William* and the King of *France*; the former tranſported a great Army, as well *Engliſh* as *Normans* into *Normandy*; and then by the Aſſiſtance of the *Engliſh* chiefly, he retook the City of *Mans*, and Province of *Maine*, which had lately revolted, not without making great Spoil in deſtroying the Vineyards, and burning of Towns.

[3.] C. S. F. W. The War renewed between *England* and *France*.

This is the Account which all our moſt Ancient Writers give of this Expedition, but the Manuſcript Hiſtory of *Rog.* of *Wendover*, which is Tranſcribed by *Matt. Paris* (as *Matt. Weſtminſter* Tranſcribes from him) inſtead of *Cennomania*, have under this year (by ſome Error in the Copies they made uſe of) inſerted *Normannia*; ſo that though they agree in the main circumſtances of this Relation, yet by this miſtake in the Name, they make a great Rebellion in *Normandy* this year, when indeed there was none at all there; and this miſtake in theſe Authors hath led *Stow* in his *Engliſh* Chronicle into the ſame, which I thought good to acquaint the Reader with.

A miſtake in the Manuſcript Copies of *R. Hoveden* and *Matt. Paris*

[4.] *Idem. Edgar Atheling* again received into Favour.

Whilſt [4.] the King thus ſtayed in *Normandy*, *Edgar Atheling* came to him out of *Scotland*, by the way of *England*, and then went over with him, where the King received him again into favour with all his Followers, and being in the King's Court, he ſubmitted to ſuch Conditions as he was pleaſed to allow him: About the ſame time alſo, Earl *Waltheof* cruelly revenged the Death of *Aldred*, his Grandfather, upon the Sons of one *Carle*, who had cauſed him to be ſlain: for being all then feaſting together at a place called *Settrington*, the Earl ſent a Party of Horſe, who cut them all off by ſurprize. This was a very treachous and cruel Action, and would not have paſſed without a more ſevere Cenſure in any one, that had not been ſo highly devoted to the Monks, the only Hiſtorians of thoſe times.

[5.] S. D. R. H. Earl *Waltheof* cruelly revenges the Death of his Grandfather.

Nor

Nor can I here omit taking notice of what was done this Year in *England* in Eccleſiaſtical Matters, when (as the *Latin* Copy of the *Saxon Annals* in *Bennet*-Colledge Library informs us) was held that great Plea, or Court, at *Pinenden-Heath*, in which Archbiſhop *Lanfranc* proved, That he held his Church, with all its Lands and Cuſtoms, as free as the King enjoys his Crown, except in three Points, (*viz.*) "If the King's High-way were dug up, or if a Tree being cut "down fell upon it, or if Man-ſlaughter was committed, or Blood "ſhed therein, whoever is taken in any of theſe things, having found "Pledges, ſhall pay his Mulct to the King, and then he ſhall be free "from the King's Officers.

Anno Dom. MLXXIII

A great Plea at *Pinenden*, about the Rights and Cuſtoms belonging to the Church of *Canterbury*.

But ſince [1.] *Eadmerus* has given us a more perfect Account concerning this great Suit, that then depended between the ſaid Archbiſhop, and *Odo*, Biſhop of *Bayeux*, who (being Half-brother to the King, and Earl of *Kent*) had by his great Power ſeized upon divers Lands, belonging to the ſaid Archbiſhoprick, before ever *Lanfranc* came over; which when he came to underſtand, he gave the King an account of. He (though in *Normandy*) preſently ordered, That the chief and good Men, not only of the County of *Kent*, but alſo of other Counties of *England*, (where the Archbiſhop claimed any Lands) being aſſembled together, the Complaints of the ſaid Archbiſhop ſhould forthwith be examin'd, and determin'd by them. So there being an Aſſembly of the Great Men of the Kingdom appointed at *Pinenden*, (a large Heath or Common lying in the midſt of *Kent*) *Godfrey*, Biſhop of *Conſtance*, a Man very powerful at that time in *England* (being then the King's Lieutenant for this Affair) commanded Juſtice to be done to Archbiſhop *Lanfranc*; and in order thereunto, *Egelric*, Biſhop of *Chicheſter*, a Man ſingularly well vers'd in the Laws and Cuſtoms of the Realm, was brought thither in a Waggon for his Advice and Aſſiſtance, being by reaſon of his great Age unable to ride; and *Haymon* the King's Sheriff, being alſo commanded to Summon the whole Country to give Evidence, (Biſhop *Odo* receiving likewiſe Orders to be there) the Archbiſhop's Cauſe was ſupported by ſuch ſtrong Reaſons and Proofs, that with the common Conſent and Judgment of all the Men there preſent, he recovered all thoſe Lands that were detained from his See, as alſo divers Cuſtoms, which were made out to have anciently belonged to *Chriſt Church* in *Canterbury*.

[1.] *Hiſtor. Never. Lib.* 1. *p.* 9. A more perfect Account of the Suit between Archbiſhop *Lanfranc*, and Biſhop *Odo*.

As [2.] for Foreign Affairs, this Year produced a great Alteration in the Church, for Pope *Alexander* dying, Two Popes were choſen at once, (*viz. Hildebrand* by the Name of *Gregory* the Seventh; and another *Guibert*, or *Wibert*, called *Clement* by the Emperor's Party) but *Gregory* was acknowledged, as lawfully Elected, by the Kings of *France* and *England*.

[2.] F. W. W. M. p. 61. Two Popes Elected at once.

One of the firſt things this New Pope did after his Acceſſion to the Papacy, was [3.] by Letters to demand an Oath of Fealty of King *William* for the Kingdom of *England*, to be held of the *Roman* See; becauſe (ſays he) the Royal Power is next under God to be ſubject to the Care and Government of the Apoſtolick; But the King who was not to be thus impoſed on, in Anſwer to the Pope's demand, returned this notable Letter, which Mr. *Selden* hath given us in his

Anno Dom. MLXXIV.

[3.] *Epiſt. St. Greg. 7. Lib. 7. Ep.* 25. Pope *Gregory* demands an Oath of Fealty from King *William*.

Anno Dom. MLXXIV. Notes to *Eadmerus*, from an Ancient * Manuſcript in his Poſſeſſion, being in *Engliſh* thus,

* Page 164.

[4.] *Cod. Inter Epiſt. Lanfranci. Lib. Epiſt.* 7. *To* [4.] Gregory *the moſt Excellent Paſtor of Holy Church*, William, *by the Grace of God, King of the* Engliſh, *and Duke of the* Normans, *wiſheth Health, and deſireth his Friendſhip.*

Moſt Holy Father,

King *William's* Letter of denial to the Pope's demand.

"YOUR Legate, *Hubert*, coming unto me, admoniſhed me in "your behalf, that I ſhould do Fealty to You and your Succeſ- "ſors, and that I ſhould take better care for the Payment of the "Money, which my Predeceſſors were wont to ſend to the Church "of *Rome*; one of theſe I have granted, the other I have refuſed. "Fealty I would not do, nor will I, becauſe I neither promiſed it, "nor do I find that my Predeceſſors ever did it to yours; the Money "for almoſt three Years, (when I was abroad in *France*) hath been "but negligently collected, but now ſeeing by Divine Mercy I am "returned into my Kingdom, what is gathered, is ſent by the afore- "ſaid Legate, and the Arrears which remain, ſhall be ſent by the "Meſſengers of *Lanfranc*, our faithful Archbiſhop, in time convenient. "Pray for us, and for the good Eſtate of our Kingdom, becauſe we "have loved your Predeceſſors, and do deſire ſincerely to love, and "obediently to hear you above all others.

What pretence the Pope could have to demand this Fealty.

I know not what pretence the Pope could have to demand this Fealty, unleſs it were becauſe his Predeceſſor had ſent King *William* a conſecrated Banner, as a Token of his Approbation of his Expedition againſt *Harold*, and that therefore he ſuppoſed it muſt ever after owe Homage to the See of *Rome*; or elſe that he looked upon *England* as a Tributary Kingdom, becauſe of the *Peter-pence* which he received from it; and by reaſon of which moſt Popiſh Writers ſuppoſe *England* to have been always Feudetary to the Pope: And therefore Mr. *Selden* has here very much Reaſon to admire at the Confidence of *Bertold* of *Conſtance*, who in his Appendix to *Hermannus Contractus*, under the Year 1084. relates, "That King *William* the Conqueror "did then make the whole Kingdom of *England* Tributary to the "Church of *Rome*, nor would permit any one under his Power to "buy or ſell any thing whom he found diſobedient to the Apoſto- "lick See. Whereas indeed there was never any ſuch thing, for it was never a Tribute, but an Alms at firſt granted by King *Ina* to the Popes of *Rome*, and then regranted by King *Athelwulf* to be gathered all over *England*, as I have already ſhewn in the * former Volume; ſo that the beſt Reaſon I can give for this Demand of the Pope's, was, That it was this Pope *Gregory* that did it, who was the moſt bold and enterprizing Pope that ever ſate in that Chair, and who afterward humbled the Emperor, *Henry* the Fourth; but King *William* was ſo far from paying him any ſuch mean Submiſſion, that *Eadmerus* expreſly tells us, He would not permit any Subject in his Dominions to acknowledge any Pope, but whom he had firſt allowed of, nor ſo much as to receive his Letters, unleſs they had been firſt ſhewn to himſelf.

Peter-pence only an Alms granted by King *Ina* to the Popes of *Rome*.

* Page 291.

But

But to return to our *Engliſh* Affairs. The [5.] ſame year that the King remained ſtill in *Normandy*, a dangerous Conſpiracy was formed againſt him, not only by ſome of the *Engliſh*, but alſo *Norman* Nobility; for *Roger de Breteul*, Earl of *Hereford*, now beſtowed his Daughter *Emme* in Marriage, againſt the King's Conſent, to *Ralph de Waher*, Earl of *Norfolk* and *Suffolk*, (whoſe Father was an *Engliſhman*, but his Mother a Lady of *Bretaign* in *France*) this Earl then kept a magnificent Wedding at *Ixningeham*, near *Newmarket* in *Cambridgeſhire*, where Earl *Roger*, Earl *Waltheof*, ſome Biſhops and Abbots being preſent, they all reſolved to depoſe King *William* from the Kingdom, as being a Baſtard, but chiefly becauſe they were weary of his ſevere Government, and ſo deſired a Change; but Earl *Waltheof*, ſoon repenting of what he had done, having been (as he ſaid) overcome by the Wine he had Drank, and drawn in againſt his Will, went immediately to *Lanfranc* Archbiſhop of *Canterbury*, and confeſſing the whole Plot, received Abſolution from him; and then by his Advice going over into *Normandy* to the King, he there diſcovered it to him, ſubmitting himſelf to his Mercy; but the Noblemen abovementioned returning to their Caſtles, began the Rebellion with all their Joynt-forces, and confederating with the *Welſhmen*, they burnt and plundered ſeveral of the King's Towns; but the Governors of his Caſtles, together with the People of thoſe Countries, ſoon fruſtrated their Deſigns; for *Wulſtan*, Biſhop of *Worceſter*, with a great number of Men, (and *Egelwin*, Abbot of *Eveſham*, with his Tenants) being ſent for to his Aſſiſtance with *Urſe*, Sheriff of *Worceſterſhire*, and *Walter de Lacey* and his Men, all marching together, prevented the Earl of *Hereford* from paſſing the *Severne*, and joyning with Earl *Ralph*, and his Army, at the place appointed; but as for the latter, *Odo*, Biſhop of *Bayeux*, and *Godfrey*, Biſhop of *Conſtance*, hindred him (being then encamped near *Cambridge*) from marching any further; whereupon the Earl ſeeing his Deſigns thus diſappointed, retreated back to *Norwich*, and there having committed the Caſtle, and the Gariſon that was in it, to the Cuſtody of his Wife, he took Ship, and ſailed over into *Bretaign*, and thence into *Denmark*; but his Enemies took as many of his Followers as they could find, and either kill'd or diſabled them; then the King's Lieutenants, abovementioned, laid cloſe Siege to the Caſtle of *Norwich*, and at laſt it was ſurrendred; the Counteſs, with thoſe of her Party, having the King's Permiſſion, left *England*, and went over into *Denmark* to her Husband, Earl *Ralph*, who ſometime after (as the *Saxon Annals* relate) bringing over along with him *Cnute*, Son to *Sweyn*, King of *Denmark*, and a certain Earl, called *Hacun*, returned into *England* with Two hundred Sail of Ships, but when they could not undertake any thing againſt King *William*, they went into *Flanders*.

Anno Dom. MLXXVI. [5.] C.S.F.W.W.M P.

A dangerous Plot againſt the King, in which both *Normans* and *Engliſh* Lords are concerned

Diſcovered by Earl *Waltheof*.

The Noblemen break out into Rebellion, but are ſoon quell'd.

As ſoon as this buſineſs was over, the King returned in *Autumn* into *England*, and committed the Earls *Roger* and *Waltheof* cloſe Priſoners, notwithſtanding the latter had diſcovered the Conſpiracy, and implored his Mercy; then holding his *Curia*, or great Council at *Weſtminſter*, he baniſhed all the Conſpirators, puting out the Eyes of ſome, and cutting off the Hands of others, eſpecially the *Welſhmen*, who had been taken in the late Rebellion; but as for their Leaders, the Earls *Roger* and *Waltheof*, (being

Earl *Roger* and Earl *Waltheof*, committed to a cloſe Impriſonment.

Anno Dom. MLXXIV

ing both condemned to dye) he committed them to a closer Prison.

[1.] *Ibid.* Upon this the King grows more severe to the *English.*

By [1.] reason of this Conspiracy, *William* of *Malmesbury* excuses the Kings future Severity to the *English*, and says he had scarce found any of them faithful, which so exasperated his Temper towards them, that he bereft the more powerful first of their Money, then of their Lands, and at last many of them of their Lives: So that from this time we may date that remarkable *Epocha*, which the same Author mentions, (though under the Reign of King *Edward* the *Confessor*) and which had continued to his own time, *viz. That* England *was then become the Habitation and Dominion of Strangers:* So that it is certain, when he wrote, *There was no Native, Original* Englishman here, no * *Earl, Bishop, or Abbot;* but (says he) Foreigners devour the Riches of *England*, and knaw out its very Bowels.

* *Princeps.*

[2.] Page 521, 522. How far it may be true, that the King suffered no *Englishman* to enjoy any Place of Honour or Profit

And from this time (I suppose) it may be in great part true, what [2.] *Ordericus Vitalis* relates, that this King scarce permitted any *Englishman* to enjoy any Place of Honour, Profit, or Power; yet that a great many *English* Noblemen still enjoy'd Estates in *England*, notwithstanding [3.] Dr. *Brady*'s Allegation to the contrary in his *Compleat History*, where two Years before this, he says, "That the Conqueror having baffled "the Earls *Edwin* and *Morchar*, the King divided the Nation among "his Assistants and Followers, having by hard Usage, Imprisonment, "and Banishment, made all the *English* to submit. But for this he gives on Authority besides his own Word; for *Ordericus Vitalis*, whom he cites in the Margin, says not one word of his giving the Lands among his *Norman* Followers this Year, neither fixes it to any certain time; and though it is true, he [4.] there gives us a Catalogue of divers great Estates given to the *Norman* Noblemen and Bishops, whom he thereparticularly mentions, and which the [5.] Doctor has transcribed Verbatim; yet I suppose he will not say, That those Estates were all the Lands of the Nation, or that all those to whom they were given were *Normans*, since it is certain, that one of them there mention'd, *viz.* Earl *Waltheof* was a Natural *Englishman*; and as for *Ralph Guader*, though he was a *Bretaign* by Extraction, yet he came not in with King *William*, but was settled here long before in King *Edward*'s time; but since I have already proved in my Introduction, that let King *William* have bestowed those Estates when, and on whom he pleased, yet that he did not do it as a Conqueror, but as a Lawful Prince, who had right to bestow such Lands as were forfeited to him for the Treason, or Rebellion of their Owners; I shall say no more of that matter now, but refer the Reader to my Introduction for his farther Satisfaction.

[3.] Page 197.

[4.] Page 522, 523.

[5.] *Id.* page 198.

[1.] S. D. F. W.

Nothing else happen'd in *England* this year worth our notice, [1.] only that Queen *Edgitha*, Widdow of King *Edward* the *Confessor*, a Lady of great Piety, Prudence, and Learning, (above the ordinary rate of the Women of that Age) deceased a little before *Christmas*, and was buried by the King her Husband in the Abby-Church of *Westminster*, though we now do not find any Tomb there erected in her Memory.

[2.] F. W. A Council at *Rome* under Pope *Gregory*, against Priests marrying, or keeping any Women.

As for Ecclesiastical Affairs, [2.] this Year happened a very remarkable Alteration in the *Western* Church, for Pope *Gregory* the Seventh, being now pretty well fixed in his Seat, held a Council at *Rome*, wherein he not only forbad all Symoniacal Contracts, (*i. e.* buying or sel-

ling

ling Eccleſiaſtical Benefices) but likewiſe all Prieſts, and Men in Orders, to have Wiues, or to keep Women in their Houſes (unleſs they were very near Relations) which ſevere Decree is juſtly Cenſured by [3.] *Rad. de Diceto*, as a new Example, introduced out of an immoderate prejudice againſt the Judgment of the Fathers of the Church; he there alſo ſhews the many inconveniences that happened by that Forced Continence of the Clergy, in which Cenſure he is likewiſe followed by *Matt. Paris* (though himſelf a Monk.)

Anno Dom. MLXXIV.

[3.] *Sub hoc Anno.*

But this Decree not having the effect the Pope deſired, the year following he reinforced it by a Bull, which you may ſee at large in the Authors above-cited under the following Year, whereby he Prohibited all Perſons from hearing the Maſſes of ſuch Prieſts as would not quit their Wives; yet notwithſtanding, this Decree was not received in *England* till many years after, as you ſhall find in due Time.

In the beginning of this year [4.] Earl *Waltheof* was Beheaded without the City of *Wincheſter*, his Body being there Buried in the ſame place; but [5.] having been a great Benefactor to the Abbey of *Croyland*, it was ſometime after by the King's permiſſion taken up again, and ſent by the Abbot *Walketule* to be buried anew at that Monaſtery, where his Tomb ſoon after grew famous for Miracles, the Abbots and Monks crying him up for a Saint; which cauſed the King not long after to be ſo far diſpleaſed with that Abbot, that looking upon him as his Enemy, he depoſed him from his Office, and put *Ingulphus* (our Author) into his Place, as he himſelf informs us..

Anno Dom. MLXXV.

[4.] *Id. Ib.* Earl *Waltheof* Beheaded near *Wincheſter.*

[5.] *Ingulph.* p. 903. Then Buried at *Croyland* Abbey.

But though this Earl might not deſerve the Title of a Saint, yet this proceeding of the King's is juſtly cenſured by many of our Hiſtorians, as too ſevere (if not cruel) in putting the Nobleman (ſo nearly related to him) to Death; and who, though he had been drawn into the late Plot, yet he had likewiſe ſufficiently atton'd for it, by making the firſt diſcovery, and had before implored his Mercy: But it may be alledged on the King's behalf, that this was the ſecond time he had Rebelled againſt him, and had not been only received into Favour, but the King had alſo given him his Neice *Judith* in Marriage, together with the Earldoms of *Northampton* and *Huntington*, beſides that of *Northumberland*; and we may likewiſe here add, what *Ingulph* alſo tells us, that the King was inſtigated to this Execution, not only by divers *Normans* (and particularly *Ivo Talboys*) who gaped after ſome of his many Honours, and great Eſtate, but alſo by his own Lady, who deſiring another Husband, haſtened his end.

The King's Proceedings againſt him how far to be excuſed.

In [1.] the Spring following the King (having firſt committed the County of *Northumberland* to the care of *Walcher* Biſhop of *Durham*) tranſported an Army into little *Bretaign*, and there Beſieged the Caſte of *Dole*, which belonged to *Ralph* Earl of *Norfolk*, who had lately fled thither; but thoſe within defended it againſt him, till ſuch time as *Phillip* King of *France* came and raiſed the Siege, ſo that King *William* was forced to return from thence into *England*, with the loſs of a great many of his Men, and to paſs the reſt of the Year in Peace, though much againſt his will.

[1.] H. H. R. H. The Government of *Northumberland* committed to *Walcher*, whereupon the King paſſes over with an Army into *Bretaigne.*

This Year, (according to *Brompton's* Chronicle) a Synod was held in St. *Paul's* Church in *London*, under *Lanfranc* Archbiſhop of *Canterbury*, the uſe of Eccleſiaſtical Synods, being till then grown almoſt obſolete in *England.*

Anno Dom. MLXXVI.

A Synod held at St. *Paul's.*

But

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In which it was Ordain'd, that Biſhop's Sees ſhould be removed from ſmaller Towns to Cities, with the removes that happen'd thereupon.

But the firſt Canon made by it, was, concerning the Precedency of Biſhops in Synods and Councils, and the chief thing then Ordained was, That ſeveral of the Biſhops Sees ſhould be removed from ſmaller Towns to Cities; by vertue of which Decree the See of *Selſey* was tranſlated to *Chicheſter*; that of *Wells* to *Bathe*; that of *Shirbune* to *Salisbury*, (now called *Old Sarum*); that of *Dorcheſter* in *Oxfordſhire* to *Lincoln*; that of *Litchfield* to *Cheſter*; but Biſhop *Robert* the Succeſſor of *Peter*, who was at that time Biſhop, removed it from thence to *Coventry*; But ſome years after it was again removed to *Litchfield*.

Biſhop *Wulſtan* in this Council Deprived,

Alſo (according to the ſame Author) to this Council, *Wulſtan* Biſhop of *Worceſter* was ſummoned, as being one whom they had a mind to be rid of, becauſe he was the only *Engliſh* Biſhop that was left, therefore they accuſed him of Ignorance and Inſufficiency for his Office, and he was then ordered to be deprived; but he refuſing to deliver up his Paſtoral Staff and Ring to any but him who had firſt conferred it upon him, he went immediately to King *Edward*'s Tomb, and (if you will believe the Monks that relate it) ſtruck the Staff ſo deep into the Stone, that none but himſelf was able to pull it out: By which Miracle (as they pretend) Archbiſhop *Lanfranc* being convinced, immediately recalled the Decree for his Deprivation, and ſuffered him to hold his Biſhoprick as long as he lived.

and how miraculouſly he came to be Reſtored.

But ſince neither *Eadmerus*, *Florence* of *Worceſter*, nor *William* of *Malmeſbury*, (who lived either in, or near thoſe times) mention any thing of it, it is to be looked upon as an invention of the next Century, when this Author lived.

Anno Dom. MLXXVII.

[2.] F. W.

Robert the King's Son takes Arms againſt his Father with the aſſiſtance of the King of *France*.

This year [2.] *Robert* the King's Eldeſt Son, being diſcontented with his Father becauſe he would not ſuffer him to enjoy the Dutchy of *Normandy*, as he had promiſed him upon his acceſſion to the Crown of *England*, went over to the King of *France*, and ſtirred him up to make War againſt his *Father*; and ſo both together Invading *Normandy*, they burnt ſeveral Towns and did much miſchief, putting King *William* to a great deal of vexation and fatigue; yet there was a Peace ſoon after clapp'd up between the Kings of *France* and *England*, though it did not laſt very long.

The City of *London* burnt.

The ſame year (according to the *Saxon Annals*) there happened ſo great a Fire in *London*, that the like was never known ſince it was a City, for the greateſt part of it was quite burnt down: And alſo (as *Matt. Paris* relates) the ſame year, on *Palm Sunday* in the Evening, a ſtrange Star appeared near the Sun.

Anno Dom. MLXXVIII.

[3.] *Vid. Monaſt. Ang.* I. Vol. p. 383, 389.

The Abbey of St. *Maries* in *York*, Founded.

This year produced nothing of moment in *England*, for want of which we muſt take notice of ſome leſs matters, as particularly of the [3.] Founding of the Abby of St. *Maries* in *York*, by *Alan* Earl of *Richmond*, for Black Monks to the Honour of St. *Olave*; but it was afterwards Re-dedicated to the *Bleſſed Virgin* by his Brother Earl *Stephen*, at the Command of *William Rufus*, *Anno Dom.* 1089. This was a rich and ſtately Monaſtery, and the more remarkable, becauſe in the Tower once belonging thereunto, after the Reign of *Henry* the VIIIth. were carefully preſerved thoſe ancient Charters and Records that formerly belonged to moſt of the Monaſteries of the *North* part of *England*; from which the Induſtrious Mr. *Dodſworth* made thoſe vaſt Collections, which the Learned Sir *William Dugdale* afterwards inſerted into

into his Firſt and Second Volumes of *Monaſticon Anglicanum*. This Tower with all the Records kept therein, being unhappily blown up in our late Civil Wars, the Memory of them had been quite loſt, had they not happened to be preſerved by the means above-mentioned. *Anno Dom.* MLXXVIII.

[4.] About this time alſo, the better to ſecure the City of *London* in Obedience, the King laid the Foundation of a ſtrong Caſtle or Citadel, entrenched with a large deep Ditch, lying on the *Eaſt-ſide* of the City, now called the Tower of *London*; the chief Surveyer of which Work was *Gundulph*, Biſhop of *Rocheſter*; and therefore this Relation of *Stephanides* is falſe, who would have it to be founded by *Julius Cæſar*, unleſs he had proved that the King only built it upon ſome old Foundations layed by him, which yet is not likely, ſince no Author relates, that *Julius Cæſar* ever came ſo far as *London*. [4.] *Vid.* Stow's Survey of *London*. The Tower. *Vid. Regiſt. Eccleſ. Roff.*

This year [5.] *Malcolme*, King of *Scots*, breaking the Peace lately made, invaded *Northumberland* as far as the River *Tine*, killed a great many Men, and carrying away more Priſoners, return'd home with large Spoils. Not long after which King *William* being then in *France*, was forced to defend himſelf againſt his Son *Robert*, who being again in Rebellion, held the Caſtle of *Gerboret* againſt his Father's Forces, who then came in Perſon to beſiege it; But his Son marching to its Relief, fought with that Obſtinacy, that encountring his Father hand to hand, unknown to him, (the Vizar of his Helmet being down) not only wounded him in the Arm, but alſo diſmounted him; but ſo ſoon as he heard his Voice, he immediately alighted, mounted him again on Horſeback, and begging his Pardon, let him go; for the King had very much the worſt of it, not only many of his Men being ſlain, and made Priſoners, but himſelf and his Son *William* were wounded, and put to flight. *Anno Dom.* MLXXIX. [5.] F. W. R. H. The King of *Scots* invades *Northumberland*. The defeat the King received from his Son *Robert*.

This was the only conſiderable Defeat he received in his whole Life; in all the reſt of which he was ſo fortunate, that even Foreign Nations dreaded his very Name.

But *Bromton*'s Chronicle relates, That the King was ſo moved by the Valour and Generoſity of his Son, Prince *Robert*, that not long after he ſent Meſſengers to him, and made Peace with him, and they returned into *England* together, but however he could not thereby regain his Father's Favour. As you will ſee by the Sequel of this Story.

This year [1.] *Walcher*, Biſhop of *Durham*, was ſlain in a Town called *Gateſheved*, (i. e. *Goatſhead* near the River *Tine*) with above an hundred Men, all *French* or *Flemmings*; of which, becauſe it ſhews us the Ruin that oftentimes attends Great Men for being over-indulgent to their Servants, I ſhall here give you a particular Account from *Simeon* of *Durham*, and other Authors. There was an *Engliſh* Thane, called *Ligwulf* or *Liulf*, who had great Poſſeſſions in *England*, and finding all places at that time very uneaſy and unſafe, by reaſon of the *Normans* Inſolence, had removed himſelf and Family into the Biſhopprick of *Durham*, for he had married *Algithe*, the Daughter of Earl *Aldred*, upon which ſcore he was in great Favour with the Biſhop, who made uſe of his Council in ſeveral matters; for this he was much envied by *Leobwin* his Chaplain, who before govern'd all things in the Biſhoprick according to his pleaſure; but was now very angry becauſe *Anno Dom.* MLXXX. [1.] F. W. S. D. *Walcher*, Biſhop of *Durham* ſlain, and the occaſion of it.

Anno Dom. MLXXX.

becauſe the Biſhop preferr'd *Ligwulf*'s Council in moſt Affairs to his; and therefore one day after a great Diſpute that happened between them inthe Biſhop's preſence concerning ſome publick Buſineſs, *Leobwin* was ſo enraged at his being contradicted, that he went immediately to one *Gilebert*, the Biſhop's Kinſman, and who as his Deputy governed the whole County of *Northumberland*, deſiring him to revenge him upon *Ligwulf*, and diſpatch him out of the way as ſoon as he could, which *Gilebert* preſently promiſed him to do.

[2.] *Idem. Ibid. Leobwin* and *Gilebert* conſpire to murder *Ligwulf*, at which the Biſhop is much concerned, but does not puniſh them.

[2.] So [2.] taking along with him a Company of Men, he went one Night to the Houſe where *Ligwulf* lived, and wickedly murdered him and all his Family; which when the Biſhop knew, he was very much troubled, and in a Paſſion pulling off his Hood, and flinging it on the Ground, told *Leobwin*, (being there preſent) that he had by his wicked Contrivances been the Ruin of himſelf and his whole Family; Then retiring into the Caſtle, he immediately ſent Meſſengers throughout all *Northumberland*, to publiſh that he was wholly Innocent of the Death of *Ligwulf*, and that only *Gilebert* and his Companions were guilty of it, whom he had already Out-lawed; upon this divers Meſſengers paſſing between him and the Kindred of the Party ſlain, he appointed them a certain place and time where they ſhould come, and make a firm Peace and Agreement with him; at the Day prefixed, the Biſhop came to a Town called *Gateſheved*, i. e. *Goatſhed*, yet would not Treat with them abroad in the open Air, but in the Church with his Clerks, and Feudal-Knights, *i. e.* thoſe that held of him by Knights-Service, whoſe Advice being taken in this Affair, he ſent out more than once ſome of his People to make Peace with the dead Party's Kindred, but they would not agree to his Propoſals, becauſe they believed *Ligwulf* was ſlain by his Command; for *Leobwin* had not only received *Gilebert* into his Houſe the Night after the Murder, but alſo the Biſhop had again taken him into his Favour and Family; wherefore they firſt fell upon, and ſlew all thoſe who belonged to the Biſhop, who were without the Church, and ſuſpected no ſuch matter; thereupon the Biſhop to ſatisfy their Fury, commanded his Kinſman *Gilebert* (whoſe Life they chiefly ſought) to go out of the Church, but ſome Knights immediately following to defend him, they were all in a moment kill'd by the Enemies without; then *Walcher* underſtanding that their Fury could not be otherwiſe aſſwaged unleſs *Leobwin*, the Author of all this miſchief were given up, deſired him to go out to them, but he abſolutely refuſing it, the Biſhop himſelf went to the Doors of the Church, begging his Life might be ſpared, but this being denied by the Conſpirators, the Biſhop then covered his Head with his Gown, went out, and was preſently run through with their Swords; then they called upon *Leobwin* to come out, who ſtill abſolutely refuſing it, they ſet Fire to the Roof of the Church, and ſo at laſt he being half burnt leaped forth, and was there preſently cut to pieces.

The Biſhop and *Leobwin*, both murdered.

This Tragical End had Biſhop *Walcher*, and all his Company, which conſiſted of near a hundred Men; and that for want of a due Execution of Juſtice; for had he at firſt puniſhed thoſe wicked Servants of his, (as he ought to have done) he had ſaved his own Life, and all thoſe that belonged to him.

But

But the Monks of *Girwy* (or *Tarrow*) ſo ſoon as they heard of the Biſhop's Murther, took a Boat and came thither, and finding the Biſhop's Body (though ſcarce to be known by reaſon of the many Wounds it had received) carried it to their Monaſtery, from whence it was ſoon after removed to *Durham*, and there ſolemnly Buried ſo ſoon as the Rebels were departed; for after the Murther they had marched thither, and Beſieged the Caſtle for four days, but could not take it, becauſe the followers of the deceaſed Biſhop manfully defended it; but on the fourth day when they ſaw it was in vain to attempt it any longer, they retired; and being diſperſed, all thoſe that had any hand in the Biſhop's death were ſlain ſoon after, or elſe leaving their Horſes, wander'd about like baniſhed Men.

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[3.] Sim. Dun. Hiſt. Sux Eccleſ. Coll. 48. The Monks of *Tarrow* Bury the Biſhop's Body.

But *Matthew Paris* relates this Story ſomewhat otherwiſe, and more to Biſhop *Walcher*'s diſadvantage, *viz.* That, contrary to his Epiſcopal Function, troubling himſelf with Temporal Affairs, he bought the Earldom of *Northumberland* of King *William*, and there acted the part of a Sheriff rather than a Biſhop; and buſying himſelf in the Secular Courts, extorted vaſt ſummes of Money from the People of all Ranks and Conditions; till at laſt the ordinary ſort of People, being by the Exactions of the Biſhop and his Officers reduced to Extremity, were ſo highly incenſed, that Aſſembling privately together, they unanimouſly agreed to meet Armed at the County-Court to repel any Injuries if there were occaſion; but when all the People of the Country came into that Court, and making their Complaints, deſired Juſtice to be done them for ſeveral injuries; then the Biſhop roughly anſwered them, That he would do no Man Juſtice in any matter unleſs he firſt paid him down Forty Pounds in good Money; then one of them ſpeaking for all the reſt, asked leave of the Biſhop that he might confer with his Brethren about this Demand, that ſo he might the better know what anſwer to return him, which the Biſhop agreeing too, and that they had now withdrawn themſelves for a little while; at laſt one of them, whoſe Opinion they all depended on, cried out in *Engliſh*, *ſhort* * *Rede*, *good Rede*, *Slea ye the Biſhop*, and then all of them at this word taking Arms, cruelly fell upon, and ſlew the Biſhop and a hundred of his Company at a Town near the River *Tine*, where the County Pleas were then held.

Matt. Paris relates this ſtory more to the Biſhop's diſadvantage.

Note, That *Rede* ſignifies as much as Law, or Judgment.

[4.] King *William*, when he heard of this Barbarous Murther, ſo deteſted it, that he preſently ſent down *Odo* Biſhop of *Bayeux* with a great Force to revenge it, who waſting moſt of *Northumberland*, killed all thoſe whom he could find to have been any ways concern'd in it.

[4.] S. D. The King ſends down Biſhop *Odo* to revenge *Walcher*'s death.

To this time (I ſuppoſe) we may alſo refer what [5.] *Ingulphus* relates, that the King leading, or rather ſending an Army into *Northumberland* (where the *Danes* formerly uſed to Land), they laid that County deſert for many Miles together, which (as * *William* of *Malmeſbury* adds), he ordered to be done to prevent *Cnute*, King of *Denmark* (whom he was then afraid of) from Landing in thoſe Parts, ſince if he did, he might find no Proviſions or Forrage either for Men or Horſes; but I ſuppoſe this Author forgets himſelf in placing this Action, the ſame year in which the King took the City of *York*; ſince not *Cnute* but *Swain* was then King of *Denmark*; and I ſuppoſe *Ingulphus* alſo forgot himſelf, when he places this Action near five Years

[5.] P. 908. *Northumberland* laid waſte by the King's Order.

* P. 103.

Anno Dom. MLXXX. after, when there was a fear of that King's Invading *England*; whereas we do not find by any other Author, that King *William* ſent an Army into the *North* that Year.

[1.] *Id. Ib.* The King ſends his Son *Robert* againſt the King of *Scots*. *Newcaſtle upon Tine* Built.

[1.] Not long after this, about *Autumn*, King *William* ſent his Son Prince *Robert* into *Scotland* againſt King *Malcolm*; but when he came as far as a place called *Egglesbreth*, he returned without doing any thing, except the building of a Caſtle upon *Tine*, at a Ford or Paſſage where had been before a ſmall Village, called *Monkceſter*, from certain Monks who lived there in great Auſterity and Retirement: But after the building of this Forteſs, it was from thence called (as it is at this Day) *New-Caſtle* upon *Tine*.

[2.] Lib. 2. A notable Tryal concerning the Lands and Liberties of the Abby of *Ely*, with the manner of it.

This year alſo (according to the [2.] Manuſcript Hiſtory of *Ely*), was held that notable Tryal concerning the Lands and Liberties of that Monaſtery, which had lain for fourteen Years neglected and oppreſſed by the unjuſt Exactions of the King's Officers; but at length the King being touch'd in Conſcience for it; did in the preſence of his chief Nobles, command all the Matters to be tryed before *Odo* Biſhop of *Bayeux* at a place called *Kenetford*: At this Tryal many Perſons of Quality were preſent, there being ſeveral Inqueſts from the Four adjacent Countries united for this Purpoſe: Four of them were Abbots, with their *French* and *Engliſh* Tenants, *viz.* *Baldwin* Abbot of St. *Edmundsbury*; *Ulfwold* of *Certſey*; *Ulfchetel* of *Croyland*; and *Alfwold* of *Holme*; as alſo *Richard* the Earl's Son; and *Haymon* the *Sewer*; beſides the Sheriffs *Picot*, and *Euſtace* with their Men, other approved Knights both *French* and *Engliſh*: And then it was ſoon determin'd that St. *Ethelred* ſhould enjoy all that was her's, as freely as ſhe had done in the Times of the *Engliſh Saxon* King's, diſcharged from all ſecular Servitude whatever; for the farther Confirmation of which they alſo obtain'd the King's Charter, directed to all his faithful Subjects, and to all Sheriff's where the Abby had Lands, that they ſhould ſuffer it to enjoy all its Cuſtoms, *viz.* *Sac*, *Soc*, *Tol* and *Team*, *Infangtheof*, *Hanſocne*, *Gritbreche*, *Fibtwite* and *Ferdwite* within the Burrough and without, and all other Forfeitures, as had been by his Command adjudged at *Kenetford* before his Barons (as hath been above related): Thus the Lands of the Church of *Ely* were for the future ſettled in Peace.

I have been the more particular in this Relation, to let you ſee that King *William* in cold Blood did not think he had any Right by Conqueſt over the Lands belonging to the Church.

Anno Dom. MLXXXI. This year [3.] paſſed without much Action, only the King being provoked by the Incurſions of the *Welſh*, marched with a great Army into *Wales*, and ſubdued them, and made them ſubmit to his Terms: one of the chiefeſt of which was, to make them ſet at Liberty a great many Priſoners whom they had then taken.

[3.] C. S. F. W. King *William* Subdues the *Welſh*.

After [4.] this the King went over into *Normandy*, where the Archbiſhop of *Roüen* held a great Council or Synod of the Clergy at *Liſlebone*, at which the King and a great many Noblemen were preſent; and then He return'd again into *England*.

[4.] M. P. And then paſſes into *Normandy*.

Anno Dom. MLXXXII. This year affords little worth noteing, only the King being now inform'd that [5.] *Odo* his half-Brother, whom he had made Biſhop of *Bayeux* and Earl of *Kent*, aſpired to the Papacy, and that he had bought a Pallace at *Rome*, whither he was going with a great Retinue and

and much Treaſure; the King came upon him on the ſudden being then in the Iſle of *Wight*, ready to go to Sea, and ſeized him with his own Hand, when he could not perſuade thoſe that were with him to do it, who ſaid he was a Clerk, and ſo could not be ſentenced without the Judgment of the Pope; but the King replyed, he ſeized him as *Earl of* Kent *and not as a Clerk* or *Biſhop*, whereupon all his vaſt Treaſure was taken from him, and his Eſtate ſeized on: The Crimes laid to his Charge were the mighty Oppreſſions of the People during his Government, and the Seduction of the King's Subjects to forſake the Realm without his Leave; for he had engaged *Hugh* Earl of *Cheſter* with a great many Knights and other Perſons of Quality to attend him in his Journey to *Rome*.

Anno Dom. MLXXXII. [5.] O. V. P. 680. *Odo* Biſhop of *Bayeux*, ſeized and committed to Priſon, and for what.

Nothing happen'd this year conſiderable in *England*, unleſs that all things continued in a moſt profound Peace; neither can I any where find, whether King *William* came into *England*, or continued ſtill in *Normandy* till the year following.

Anno Dom. MLXXXIII.

Therefore for want of other Matter in *England*, I will here inſert a piece of Monaſtic Hiſtory; [1.] King *William* had made one *Thurſtan* a Monk of *Caën* Abbot of *Glaſtenbury*, a Man of a violent Temper and no Diſcretion; among other imprudent Actions, he muſt needs oblige his Monks to leave off the old *Gregorian* Way of ſinging Service, and to learn a new One, invented by one *William* a Monk of *Feſcamp*, which the Monks refuſing to follow, having been long uſed to another Way; the Abbot reſolved to compel them by Force; and to this End brought ſome Souldiers into the Choir, who falling upon the Monks, murthered divers of them at the very Altar, and pierced the very Crucifix with their Arrows: the poor Monks being thus put to it, did what they could to defend themſelves with the Forms and Candleſticks of the Church; and being ſuperior to them in Number, at laſt drove the Souldiers out of the Church, but not without great loſs, Two of the Monks being killed, and many more wounded.

[1.] C. S. F. W. A ſquabble between the new Abbot and the Monks of *Glaſtenbury*.

The King [2.] being inform'd of this ſad Accident, depos'd the Abbot, and ſent him back to his old Abby in *Normandy*; and leſt the Monks (who were *Engliſh*) ſhould brag of their Succeſs, he ordered many of them to be ſent to divers Monaſteries there to be kept Priſoners; this Relation may ſerve to ſhew the folly and miſchief of making Alterations in Religious Rites, and then impoſing them upon People by Force.

[2.] F. W. The King depoſes the Abbot, and Impriſons the Monks.

As to Foreign Affairs, I ſhall only take Notice, that this Year the [3.] Emperour *Henry* the IV. took the City of *Rome*, and drove *Hildebrand* who was called Pope *Gregory* the VII. from thence, and then placed one *Wibert* in the Papal Chair, whom he called *Clement*; in the mean while *Gregory* fled to *Beneventum*, and there continued till his Death, which happened not long after.

[3.] F. W. The Emperour *Henry* the IV. takes *Rome*.

Anno Dom. MLXXXIV.

And ſince nothing was done in *England* worth noteing; I ſhall give here a farther Account from the ſame Author of what was done in *Italy* this [4.] Year. Pope *Gregory* now lying upon his Death-bed, ſent for Twelve of the Cardinals in whom he moſt truſted, and there confeſſed to God and St. *Peter*, that he had highly offended in the Exerciſe of his Paſtoral Charge; and had by the Inſtigation of the Devil, ſtirred up hatred and contention among Mankind; and then ſent his Confeſ-

[4.] *Id. Ib.* The Death of Pope *Gregory* the VII. and his Remorſe of Conſcience.

Anno Dom. MLXXXIV.

for to the Emperour and to the whole Church to Pray for him, and ſo not long after he died.

[5.] P. 61.

This I thought fit to take notice of, becauſe I find it in no other Author except *Florence* of *Worceſter*. [5.] *William* of *Malmesbury* gives a high Character of him for thoſe Reformations he took upon him to make in the Church; yet confeſſes he had made the abovementioned Emperour *Henry*, to wait at his Gates bare-footed, and that (as other Authors ſay) for the ſpace of two Days in the midſt of Winter, without ever admitting him into his Preſence, pretending the Emperour was guilty of Sacriledge and Inceſt: But he was ſo exaſperated with this Affront, that it was no wonder, that he afterwards did that Pope all the miſchief he could.

[1.] *Id. Ib.* A great Tax of Six Shillings upon each Hyde, and the Occaſion of it.

[1.] I find [1.] little done in *England* this Year, only the King laid an intolerable Tax of no leſs than Six Shillings upon every Hyde of Land throughout *England*; which I ſuppoſe was levied by vertue of that Prerogative, the King then claim'd of impoſing the old Tax of *Danegelt* upon the Nation, when ever he thought it in danger of an Invaſion, and there ſeem'd then good cauſe for it.

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[2.] C. S. F. W. *Cnute* King of *Denmark*, and *Robert* Earl of *Flanders* ready to invade *England*.

For in the beginning of this Year, [2.] *Cnute* King of the *Danes* having got together a great Fleet, was by the Aſſiſtance of his Father-in-Law *Robert* Earl of *Flanders* ready to invade *England*: Upon which News, the King being then in *Normandy*, he preſently raiſed many Thouſands of mercenary Souldiers in that Province, as alſo in *France*, and return'd with them into *England* in *Autumn*, whom as ſoon as they arrived, he quartered upon all the Biſhops, Abbots, Earls, Barons and Sheriffs, as alſo upon his own * Reeves or Stewards throughout the whole Kingdom. Where by this Action it appears, that though theſe Souldiers had then free Quarters, yet the Burthen was laid equally upon the whole Nation, his own Tenants not being excuſed from it.

* *Præpoſitis Regis.*

The danger over, the Army ſent back.

But when he found that his Enemies were hindered from making any Invaſion this Year, by reaſon of the contrary Winds; he ſent back part of the Army into *Normandy* and the reſt he detain'd here all the Winter, but by the Spring following the fear of this Invaſion was vaniſhed.

[3.] *Ingulphus*, O. V. P. 647. Queen *Matbilda* dies.

Whilſt [3.] the King continued thus in *England*, his Queen *Matbilda* (who was left to Govern *Normandy* in his Abſence) deceaſed on the Firſt of *November* after a lingering ſickneſs, the News of which was a great Affliction to her Husband, for he loved her very tenderly, tho' not long before her Death there had been ſome difference between them, about their Son *Robert*, whom ſhe privately ſupplied with Monies, with which he maintained Souldiers, that were often made uſe of againſt his Father; who being much concern'd at it, and taxing his Queen with too much Fondneſs to ſo undutiful a Son, ſhe juſtified her ſelf by ſaying that that Son was the greateſt Comfort ſhe had; which highly provoked the King, who loved him the leaſt of any of his Children; beſides this, ſhe had no other Fault, being a pious and prudent Princeſs, and in all other things very Obſervant of her Husband. He to expreſs his Affection for her Memory, made a very Noble Funeral for her; the Body being buried in the Nunnery of the Holy Trinity in *Cäen*, which ſhe her ſelf had founded: [4.] The King took her

[4.] W. M. P. 62.

Death

Death ſo much to Heart, that he is reported to have abſtain'd ever after from his wonted Recreations. *Anno Dom.* MLXXXV.

I have put the Death of this Queen under this Year, therein following the Authority of *Ingulphus* who was then alive, and mentions it as a great Misfortune to him, and therefore it is not likely he ſhould forget the year when it happened; and he is alſo ſeconded by *Ordericus Vitalis*, who alſo places it under this very Year; which I thought fit to take notice of, becauſe the *Saxon* Annals and *Florence* of *Worceſter*, as alſo the reſt of our *Engliſh* Hiſtorians who have followed them, place her Death two Years ſooner than indeed it happened, *viz.* in the Year 1083.

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The [5.] King kept his *Chriſtmas* at *Gloceſter*, where he beſtowed the Biſhopricks of *London*, *Thetford* and *Cheſter*, upon his three Chaplains, *Maurice*, *William* and *Robert*; after which he kept his *Whitſuntide* at *Weſtminſter*, where he made his Son *Henry* a Knight: And [1.] not long after he ſummon'd all the Archbiſhops, Biſhops, Abbots, Earls, Barons and Sheriffs, together with their Military Tenants, to meet him at *Salisbury*, on the laſt of *July*, and when they came thither, he made all of them to take an Oath of Fidelity to himſelf againſt all Men whatſoever; from thence he went into the Iſle of *Wight* in order to paſs over into *Normandy*, and whilſt he lay there, he extorted a great deal of Money from the Subjects, upon ſome Pretences or other, whither he had any Right to it or not: [2.] And then he paſſed over into *Normandy*, where *Edgar Atheling* having obtain'd the the King's leave went into *Italy* with two Hundred Knights, from whence he paſſed into the *Holy Land* with *Robert* the Son of *Godwin* to Fight againſt the *Sarracens*, but his Siſter *Chriſtina* had ſome time before vow'd her ſelf a Nun in the Monaſtery of *Rumſey* in *Hampſhire*.

[5.] F. W. The King beſtows divers Biſhopricks.

[1.] *Id. Ib. Et eorum Milites.* After which he makes all the Biſhops, Noblemen and Military Tenants take an Oath of Fealty to him.

[2.] W. M. P. 58. *a.* *Edgar Athe.* goes into the Holy Land.

But the greateſt and moſt notable Action of this Year, was [3.] that great Survey, which this King had ſix Years before began, but was not till now finiſhed, having ſent as Commiſſioners ſome of the greateſt Earls and Biſhops of the Kingdom; who by the Verdict or Preſentment of Juries, or certain Perſons Sworn in every County, Hundred or Wapentach, enquired and noted down, what Arable-Land, Paſture, Meadow and Wood every Man had, and what was the Extent and Value of them, in the time * of King *Edward*. And alſo at the ſame time, the Survey was made by Counties, Hundred Towns or Mannors, Hydes, half-Hydes, * Virgates and Acres of Arable-Land, Meadow, Paſture and Wood. Alſo they noted what Mills and Fiſhings, and in ſome Counties, what and how many Free-Men, Sock-Men, Villains, Borders, Servants, young Cattle, Sheep, Hogs, working Horſes, *&c.* belong'd to every Town and Mannor, and whoſe they were; always in every County ſetting down the King's Name firſt, and after him all his Great Men in order, that held of him in Chief, with Numbers placed before them, for the better finding them in the Book, as may be ſeen in the Catalogue of Tenants in Chief, or the Poſſeſſors of ſuch Lands at the time of the Survey: All *England* (except the Three Counties of *Weſtmorland*, *Cumberland* and *Northumberland*) was deſcribed, with part of *Wales*; and the Deſcription or Survey written was in two Books, now called the great and little *Domeſday*-Book, remaining in the cuſtody of the Vice-Chamberlain's of

[3.] W. M. F. W. The great Survey of *Domeſday* Book finiſh'd this year, with a brief Account of it.

* Noted in *Domeſday* Book.

* T. R. E. *i. e.* *Tempore Regis Edwardi.*

* Called in *Saxon* *Gyrdland*, in *England* *Tarlland*, being about the fifth part of a Hyde.

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of his Majeſtie's *Exchequer*. The little Book contains only the Counties of *Norfolk*, *Suffolk* and *Eſſex*. This Survey was begun about the fourteenth Year of the Conqueror, and finiſhed in the twentieth Year of his Reign, being this very Year.

[4.] Hiſtory, P. 205. 206.

This is [4.] Dr. *Brady*'s Account of it; and from whom I make bold to borrow it, having, as I ſuppoſe, ſtudied it very exactly, yet not ſo well, but that he has made ſome falſe Interpretations of divers Paſſages in it, as alſo wrong Deductions from it, of which I have taken notice in my *Introduction*.

[5.] P. 516. b.

I ſhall alſo from [5.] *Ingulphus*, an Author who lived in the very time when this Book was made, farther ſhew you the reaſon of its Name. This Survey (ſays he), was called the *Roll* of *Wincheſter*, (becauſe firſt kept there), and is by the *Engliſh* called *Domeſday* (i. e. * *Liber Judiciarius*) or the Book of Judgment: King *Alfred* alſo long before made ſomewhat a like Roll, in which all *England* was ſurvey'd by Counties, Hundreds and Tythings, which was kept at *Wincheſter*.

* *Doom*, ſignifies Judgment in Old *Engliſh*.

Beſides what this antient Writer ſays of it, the Author of the Black Book in the *Exchequer* (not without appearance of Reaſon) ſuppoſes, *That the Name of* Domeſday *was firſt given to this Book, becauſe it is no more lawful to depart, or appeal from what is in it, than from the Day of* Dome, *or laſt Judgment*.

Since being the higheſt Record in the Kingdom, it was then (and is to this day) a deciſive Evidence in any Controverſy or Tryal, in which there may be occaſion to make uſe of it.

[1.] *Ing.* p. 908.

Yet is it not for all that, [1.] ſo exact a Survey as our *Monkiſh* Hiſtorians repreſent it, who ſuppoſe there was not a Hyde, or Yard-Land, or a Lake or Fiſh-Pool, or any Town or Place, that is not ſet down in theſe Books: To which [2.] *William* of *Malmesbury* alſo adds, that the King did then take an Account how many Heads or Perſons there were in *England*; all which are miſtakes, for ſince (as Dr. *Brady* well obſerves), this Survey was chiefly intended to give the King a true Account of his own Lands or Demeſnes, as alſo what were held by his Tenants in * *Capite*: It is not to be admired, if many of thoſe Towns and Villages, which were then held by their Feudataries or under Tenants, are quite left out and omitted in it: And I my ſelf have obſerved ſome Cities and Towns of Note, which are not mention'd, as any one may find, that will but take the Pains to compare it with an exact Catalogue of the antient Towns and Villages in *England*, the greateſt part of which, he will not be able to find there. The like I may ſay concerning the Number of Inhabitants then in *England*: For firſt, there are no Women nor Children at all taken notice of, and the number of Free-Men, Sock-Men, * *Cottagers*, Servants and Villains, is only noted in ſuch Townſhips or Villes, as then belonged to the King or his Head Tenants; nor was this done in all Counties with a like exactneſs: ſo that whoever ſhould go about to reckon the Numbers of Men in *England* from theſe Books, will find that they muſt needs have been three times as many as are there regiſtred, or elſe this Kingdom could never have raiſed ſuch Great Armies as it did in thoſe Times. But whoever deſires to be farther ſatisfied concerning the Manner and Method of entering Places and Lands in theſe Books, may conſult Dr. *Brady*'s Hiſtory, *p.* 206, 207. but this much I thought fit

[2.] P. 63.

* *i. e.* Chief or Head Tenants.

* *Cotarii.*

fit to mention, to obviate thoſe falſe Notions that ſome have framed concerning it. *Anno Dom.* MLXXXVI.

But however exact and faithful this Survey is ſuppoſed to be, yet *Ingulphus* himſelf owns, that the Inquirers, or Aſſeſſors, who gave in their Accounts, were very favourable to his Abby (as foreſeeing the King's future Exactions) and did not return the exact Survey of that Monaſtery, either according to the true Value, or Extent of its Lands; and I doubt not but other Monaſteries likewiſe found the like Favour: Yet certainly this Author never intended that this Hiſtory of his own Abby ſhould be made publick, for had this falſe return of the Aſſeſſors, been once known, it might have cauſed this King, or his Succeſſors, to have made a new Servey, not only upon this but other Monaſteries.

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The beginning of this Year proved very unhappy to *England*, by [3.] reaſon of the cruel Feavers and Famines that deſtroyed many; alſo that ſudden Fires conſumed ſeveral of the Principal Cities in *England*; and that the Church of St. *Paul*, with the greater and better Part of the City of *London*, were burnt to the ground.

[3.] *Ingulph.* S. St. *Paul's* Church with great Part of *London* burnt.

King *William* [4.] having now ſettled his Affairs in *England*, paſſed over into *Normandy* with a Great Army, to make War upon the King of *France*, but not long after there was a Truce made between them, for ſome time; which was well obſerved on King *William's* Part, until the King of *France* happened one Day to jeſt at that King's great corpulency (for which he was then in a Courſe of Phyſick), *That ſure his Brother of* England *had lain in long enough of his Great-belly, and might now afford to go abroad:* Which bitter Scoff being told the King (who was then at *Roüen*) he ſo deeply reſented it, that he ſwore by *God's Reſurrection* (an Oath which he had fram'd on purpoſe to appear more terrible to his Hearers) that ſo ſoon as he was up again from his lying in, he would offer a thouſand Lights in *France* at his up-ſitting; thereby alluding to the Cuſtom of lying in of Women of thoſe Times, who were won't to offer lighted Candles at their Churching: And in *Auguſt* following the King, to make good his Oath, entered *France* with a Great Army, deſtroying the Corn and Fruits, and burning a great many Towns, and did a world of Miſchief; he then beſieged the City of *Mante*, and having ſoon taken it, burnt it, with the Churches therein, commanding the Fire to be continued, till they were alſo burnt to the ground.

[4.] *Idem.* W. M. P. 63. The King paſſes into *Normandy*, and is highly provoked by a bitter Jeſt of the *French* King's.

King *William* enters *France*, and burnt *Mante* with all the Churches.

But [5.] the King, being too earneſt and intent upon this Buſineſs, was put into a great Heat, as well by reaſon of the warmth of the Seaſon, as the Fire, which he ſtood on purpoſe to behold; and then in his Retreat leaping over a Ditch on Horſe-back (being very corpulent) he ſo bruiſed the rimm of his Belly againſt the Pummel of the Saddle, that it caſt him into a dangerous Diſtemper, his Belly being ever after in great Pain; ſo that finding himſelf incurable, [1.] he ſent for * *Anſelm*, then Abbot of *Bec* (and afterwards Archbiſhop of *Canterbury*) that by his Prayers and Interceſſion he might (if poſſible) recover his Health; but it was to no Purpoſe, for *Anſelm* himſelf was taken with ſuch a Diſtemper, that he could not wait on the King, nor the King go to viſit him, his Diſeaſe ſtill encreaſing upon him: So that perceiving the time of his Death at hand, he began to think of Acts of Mercy, and then gave Order for the ſetting at liberty the Earls *Morchar*,

[5.] *Idem.* The King over heats himſelf, and alſo bruiſes his Belly with leaping a Ditch, which caſt him into an incurable Diſtemper.

[1.] **Ead. Hiſt. No. Lib.* I. p. 13. Finding himſelf not like to live, he thinks on Acts of Mercy.

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Morchar, *Roger* and *Syward* (the Son of *Barn*); as alſo *Wulnoth*, Brother to King *Harold*, whom he had kept a Priſoner from his Child-hood, together with all others that were in Cuſtody, either in *England* or *Normandy*.

[2.] O. V. P. 65.

But [2.] as for his half-Brother *Odo* Biſhop of *Bayeux*, it was not without the great importunity of his Brother *Robert* Earl of *Mortaign*, and others, that he only gave Conſent to his Releaſe: Becauſe he foreſaw he would raiſe freſh Diſturbances as ſoon as he was ſet at Liberty.

How the King on his Death-bed bequeathed his Dominions.

The ſame Author has likewiſe given us the King's dying Speech, which contains alſo his laſt Will, "whereby, tho' he bequeathed to *Robert* his Eldeſt Son the Dutchy of *Normandy*; yet as for the Kingdom of *England*, he ſaid, that he would not make any Body his Heir of it: For he durſt not leave that, which he had obtain'd by ſo many Crimes, to any but to God, in whoſe Power all things were; tho', he ſaid, he could wiſh it were God's will, that his Son *William*, who had been always moſt Obedient to him, might enjoy it after his Deceaſe. As for his Eldeſt Son, *Robert*, he makes his Father to call him on his Death-bed *a proud fooliſh Knave*, and that the Country would be very Miſerable, whenever it came under his Dominion: Yet that he would leave it to him, becauſe he had long ſince engaged ſo to do: But to *Henry* his Third Son (then alive), he left no more then five Thouſand Marks in Money, without any Territories; which his Son repining at, asked his Father, what he ſhould do with the Money, unleſs he had ſome Place left him to ſecure it? And then, he makes the King thus to Encourage him, "*bidding him* to be of good Courage, for in time he ſhould enjoy all that Honour, which he himſelf now had, and that he ſhould exceed both his Brothers in Glory and Riches; which if it were really ſpoken, was a ſtrange Prediction of what afterwards happen'd. Our Author alſo makes him in his long winded ſpeech, not only to ſet forth at large his own warlike Actions, and charitable Deeds, in founding and enriching ſo many Monaſteries, but alſo makes him to confeſs his own Cruelty and Oppreſſion of the *Engliſh*, in putting ſo many of them to Death, and diſinheriting others of their Eſtates.

The Effect of the King's Letter to Archbiſhop *Lanfranc*, about making *William Rufus* King.

Moſt of which ſeems very improbable, and perhaps might be added by this Monk, in hatred of Duke *Robert*, for whom the Church-Men had as great a Contempt, as they had a Veneration for his younger Brother *Henry*. But this is more certain (which the ſame Author relates), that the King, not long before his Death, fearing leſt ſome ſuddain diſturbances might thereupon happen in *England*, wrote a Letter to Archbiſhop *Lanfranc* on his Son *William*'s behalf, **concerning the electing or ordaining him King*; which ſo ſoon as he had obtain'd, and likewiſe receiv'd his Father's laſt Benediction, he immediately rid away as faſt as he could to the Sea-ſide; and as for *Henry*, he went alſo away to ſecure the Money his Father had left him.

* *Epiſtolam de conſtituendo Rege fecit.*

[3.] *Id. Ib.* P. 66.

The King lies in a Village near *Roüen*.

The [3.] King having ſettled his Affairs concerning this Life, the better to prepare for that to come; cauſed himſelf to be removed to the Village of *Hermentrude* (which lies on the other ſide of the River *Seine* over againſt *Roüen*) to avoid the Noiſe and Diſturbance of the City, where he preſently after departed this Life. So ſoon as the Breath was out of his Body, all his Attendants left it, except one Servant;

vant; then the [4.] Corps being privately conveyed over the Water in a ſmall Boat, it was from thence carried to be buried in [5.] the Abby Church of *Caën* which the King himſelf had founded; when one *Anſelm Fitz Arthur* a Country Gentleman came, and challenged the very Soil in which the Grave was made, affirming that it was his Inheritance, and had been unjuſtly taken from him, demanding Satisfaction for it; which was immediately given by the Biſhops and Noblemen there preſent, paying him ſixty Shillings for the Place of the Sepulchre, and promiſing to ſee him farther ſatisfied for the reſt of the Ground; which they afterwards ſaw performed.

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[4.] *Ead. Lib.* I. P. 13.

[5.] O. V. P. 662.

His Body is bury'd at the Abby of *Caën* and the diſturbance at the Funeral.

Thus He, who not long before was Lord of ſo many large Territories, had not now Ground enough of his own to be buried in: He deceaſed on the 6th of the *Ides* (*i. e.* the 9th) of *September*, in the ſixty firſt Year of his Age, and the fifty ſecond of his Dukedom, and the two and twentieth of his Reign, as King of *England*; for he had Govern'd this Kingdom (reckoning from the Time of his Coronation) one and twenty Years and ten Months.

The time of his Death, and how long he lived, and reigned.

I ſhall conclude this King's Life with a Deſcription of his Perſon, and a Character of his Diſpoſition, taken from two antient Authors who lived in, or very near thoſe Times.

A Deſcription of this King's Perſon, with a Character of his Diſpoſition.

*He was of a moderate Stature, but very Corpulent in his latter Years; he had a ſevere Countenance, but was of ſuch great Strength in his Arms, that none elſe could bend his Bow, which nevertheleſs he could eaſily do on Horſe-back with his Foot, pulling at the ſame time the String with his Hand; he was of a Noble Preſence, ſitting or ſtanding, but his too great Corpulency towards his latter Days render'd his Shape ſomewhat unſizey; of ſo ſtrong a Conſtitution, that he had no dangerous Sickneſs, till that of which he dy'd.

W. M. * *Ad fin. vita.*

As for his Recreations, above all others He admir'd Hunting, ſo that he beſtowed what time he had to ſpare, from his more ſerious Affairs upon it, and for that End he deſtroyed many Villages and Towns on the Coaſts of *Hampſhire*, for above thirty Miles together and turned that Country into a Deſart, which being ſtock'd with Deer was called the *New-Foreſt*; though good part of it having been long before a great Wood, was by the *Engliſh* called *Ttene*; theſe Deer he forbad to be killed by any without his Warrant under great Penalties; and therefore it was looked upon as a juſt Judgment, that not only *Richard* his Son came to his Death by Hunting in this Forreſt; but alſo *Richard* his Grandſon by Duke *Robert* there alſo loſt his Life, being taken up by the Neck between the Branches of a Tree as he rid underneath it: As for his Son *William* who reigned after him, what an unfortunate End he met with, as he hunted in this Forreſt, you will find when you come to the end of his Reign.

But for the reſt of this King's good Qualities, they are theſe, according to the Account of the ſame Author; He was very Magnificent in his Entertainments, keeping the Feaſts of *Chriſtmas* at *Glouceſter*; that of *Eaſter* at *Wincheſter*; that of *Whitſuntide* at *Weſtminſter*, every year whilſt he ſtay'd in *England*; and then he there ſummon'd all the Great Men of the Kingdom, as well Clergy as Laity; that the Ambaſſadours of Foreign Nations might ſee the Appearance of ſo great a Multitude, and alſo admire his extraordinary Magnificence: Nor was he at any time more eaſy of Acceſs, nor ſhewed greater Li-

berality or Indulgence; ſo that Strangers every where extol'd his Bounty as ſuitable to the vaſt Riches he poſſeſſed.

And yet for all this (as it happens commonly to vain-glorious and ambitious Men), our Author grants that Covetouſneſs was one of his greateſt Faults, and he every where took all Occaſions to ſcrape Money together; and this made him ſay, and do ſome things the moſt unworthy his Royal Dignity, becauſe they were done for meer Lucre ſake; nor does our Author go about to make any Excuſe for it, unleſs that which one ſaid long ſince, *neceſſe eſt, ut multos timeat, quem multi timent*; it is neceſſary that he ſhould be afraid of many, whom many Fear: Which indeed is not ſo much an Apology for, as a Conſequence of Tyranny; for (ſays he), out of fear of his Enemies, he often drained his Dominions of Money, to repell, or at leaſt retard their Aſſaults.

But then to attone for this Fault, this Author tells us, he was very Humble to the Servants of God, that is, the Monks and Clergy; and *Eadmerus* farther ſays, That he was ſo kind and affable to Archbiſhop *Lanfranc*, that as often as he came to Court, about any Eccleſiaſtical, or other Affairs, the King laying aſide his uſual Auſterity (which rendered him formidable to moſt Men) when he was Preſent, he was ſo placid and eaſy that to all Men's wonder he ſeemed quite another Man: He was alſo merciful to his Subjects, inexorable toward Rebbels, and ſo devout, that he conſtantly aſſiſted at Maſs, and alſo heard both *Matins* and *Veſpers*: He built two Monaſteries, (*viz.* that of *Caen* in *Normandy*, and that called *Battle-Abby* in *England*) which we have already mentioned.

Having thus given you his Vertues and Vices from one who was a great Honourer of his Memory; I ſhall now give you the Character which an *Engliſh* Monk, the Author of the *Saxon Annals* has given us of him under this Year, partly for his Commendation, but more for his Diſpraiſe in theſe Words:

His Character from the *Saxon Annals*.

"If any One deſires to know what kind of Man he was, and what "Territories he commanded, we will deſcribe him to you as far as we "know; King *William* was a very wiſe and powerful Prince, being "greater and more Fortunate than any of his Predeceſſors; and then "goes on with his Praiſes much to the ſame purpoſe as *William* of "*Malmeſbury*, who is therein alſo followed by *Henry* of *Huntington*. "From the Author of theſe *Annals*; with this addition that he was "more honoured than any of the former Dukes of *Normandy*, more "powerful than all the King's of *England* before him, and more wor"thy of Praiſe than his Predeceſſours. He had Wiſdom, but mix'd "with Craft; was Profuſe, yet Covetous; deſirous of Fame, yet "Vain-glorious: But in all the reſt he follows the *Annaliſts* above "mentioned, which proceed to tell us, that this King, and all his No"ble Men, were exceeding greedy of Money, nor car'd they how un"juſtly any thing was obtain'd, provided they had got by it; the King "would let his Lands to him, that would bid moſt, and if a third "Man came who would offer more than the Former, he ſhould be ſure "to have it; nor did he care, at what rate the Officers fleec'd the "Poor, nor how many unjuſt Actions they did. The more the Peo"ple complained of unjuſt Laws, ſtill the worſe they acted, often exact"ing cruel and unjuſt Taxations, and doing many things againſt all

"Right

" Right and Equity. But the King was ſo very rigid and ſevere, " that none durſt contradict his Will; for he committed thoſe Earls " to Priſon who had preſumed to reſiſt him; he deprived both Biſhops " and Abbots at his Pleaſure, and ſpared not *Odo* his own Brother. " But yet we muſt not omit, that this Severity produced ſo great a Se- " curity, that any one might Travel through the whole Kingdom " with his Boſom full of Gold without being hurt or wronged; nor " durſt any Man kill another, although he were never ſo much inju- " red; if any Man had to do with a Woman againſt her Will, he was " preſently bereft of his Genitals. *Wales* was under his Dominion, " and he built divers Caſtles in it; alſo he ſubdued the Iſle of *Mona* " (that is now called the Iſle of *Angleſy*): He alſo brought *Scotland* " under his Subjection by main Force, and would have gain'd *Ireland* " even without Fighting, had he lived but two Years longer. In his " Days Men ſuffer'd much Sorrow, and indured many Injuries; he " caus'd Caſtles to be built, and the Poor to be much oppreſſed; and " was ſo rigid that he extorted from his Subjects many Marks of Gold " and Silver, when he had little need of it; he was given to Uſury, " and wholly intent upon Avarice; he made much Foreſt Ground, " and fenced it with ſuch ſevere Laws, that who ever killed a Stag or a " Hind, was to looſe his Eyes; and as he forbid the killing of Deer, " ſo did he alſo of Wild Boares, for he loved all thoſe Beaſts, as if he " had been their Father: And much the ſame Law he ordained con- " cerning Hares, that they might be free from danger. This Men of " the beſt Condition much complain'd of, and the meaner Sort hardly " bore; but he was ſo ſevere that he valued not their hatred, for it be- " hoved them altogether to ſubmit to the King's Will, to have his Fa- " vour; then after a Prayer for his Soul, and that God would grant " him Remiſſion of his Sins, the Author thus concludes; we have given " you this Account of his Actions, as well the bad as the good, that " Men may, by following the one, and avoiding the other, walk in " that Way which leads to the Heavenly Kingdom.

But ſince this Character of an *Engliſh* Monk (who was prejudiced) may be thought too Severe, I think his true Character lies between theſe Extremes. It is acknowledged by all Writers, that he was Vali- ant, Pious and Magnificent in all his Actions, eſpecially thoſe that expreſt his Royal State and Dignity: As alſo that he ſhewed great reſ- pect to Clergy Men, and often hearkened to their Advice; ſo that if he were not better and more gentle to his Subjects, it lay much at their Doores, who either did not tell him of his Sins, in breaking his *Co- ronation-Oath*, and treating his Subjects too ſeverely; or, if they did, they taught him according to the Superſtition of thoſe Times, that the building of Monaſteries, and a ſimple Attrition on his Death-bed, with much Money given to ſing Maſſes for his Soul, were ſufficient to Attone for whatever Crimes he had committed; and though it cannot be deny'd that he was very Covetous (which was indeed his greateſt Fault), and alſo ſevere in his Execution of Juſtice, yet that he was Cruel I cannot admit, there being ſo many Inſtances of his great Cle- mency and Generoſity: The *Firſt* is, concerning *Edgar Atheling*, the laſt Heir-male of the *Engliſh Saxon* Blood-Royal; whom any other Prince more Cruel and Jealous of his Power than himſelf, would have either taken out of the Way, or at leaſt have committed him to per-

petual Impriſonment; whereas he did not only beſtow upon him large Poſſeſſions in Lands, but allowed him a Pound of Silver a Day for his private Expences, which was a very great *Revenue*, for a young Prince in thoſe Days, who had neither Wife nor Children: And for all this, though he rebell'd twice againſt him, and went over to his Enemy the King of *Scots*, yet he ſtill pardon'd, and received him again into Favour. We have ſeveral other Inſtances of his Clemency to divers *Engliſh* Noblemen; as *Syward*, *Morchar*, *Edric*, *Heyward* and *Waltheof*, all whom he pardoned, and ſome of them afterwards advanced to great Dignity, notwithſtanding they had revolted, and fought againſt him: But for Earl *Waltheof*, as he is the only Inſtance of a Nobleman's being put to Death in all his Reign, ſo that was not neither, till after he had been pardon'd, and highly promoted by him, and that he had a freſh conſpired againſt his Life. But for *Roger* Earl of *Hereford*, though he was Guilty of the ſame Offence, yet becauſe he had been the Son of his truſty Favourite, *William Fitz-Osbern*, he was contented with keeping him a cloſe Priſoner, till he ordered him to be diſcharged, when he lay upon his Death-bed, as you have already heard.

As for his Severity to the *Engliſh* Clergy and Nobility, *William* of *Malmesbury* hath made a very plauſible Apology for it; that firſt he did not Exerciſe it, till he had found that none of them were truly Faithful to him, and therefore thought it abſolutely neceſſary for the preſerving the Crown to himſelf and his Poſterity, not only to deprive them of their Dignities; but alſo for the future not to advance any of them, ſince he knew very well, that the Poſterity of King *Cnute* had been defeated of the Kingdom by his too great Indulgence, in ſuffering ſo many of the *Engliſh* Clergy and Nobility not only to enjoy their former Eſtates and Dignities, but to be advanc'd equally with, if not before, thoſe of his own Nation.

To conclude, he was certainly a Great, Wiſe and Valiant Prince, and deſerved the Character of a kind Husband, an indulgent Father to his Children (I mean to ſuch as were Dutiful), and an excellent Maſter to his Servants and Followers, all whom he rewarded with conſiderable Eſtates: And for his Faults, they are ſuch as commonly attend Princes of great Courage, and immoderate Ambition, who are highly deſirous of Glory, though often miſtaken in the true Cauſes of it. And there is ſcarce to be found in Hiſtory an Example of any Prince, that raiſed himſelf to a more conſiderable Figure of Greatneſs by the Terror of his Arms (as this King had done), in whom there was not a great Mixture of Evil as well as good Qualities: For as they are often forced to make uſe of Cruelty and Injuſtice to acquire new Dominions, ſo can they ſcarce retain 'em without the like indirect means by which they got them.

I have been ſomewhat the larger in the Character of this Prince, becauſe he was not only a Great Man himſelf, but alſo becauſe he was the Anceſtor of all our ſucceeding King's from that time.

The

The WIFE *and Iſſue of King* WILLIAM. I.

THIS King had by his Queen *Matilda*, Daughter to the Earl of *Flanders*, Four Sons, *Robert* his Eldeſt ſirnamed *Curthoſe* (i. e. *Short-Boots*, or *Hoſe*) Duke of *Normandy*. *William* ſirnamed *Rufus*, who ſucceeded his Father *Henry* ſirnamed *Beau-clerk* who though the Youngeſt, yet was elected King before his Brother *Robert* who was paſſed by; as you will find hereafter.

But beſides theſe Three, the King had alſo another Son who is ſuppoſed to have been Elder then *Rufus*, and was a Youth of great Hopes; but having been Hunting [1.] in the New Forreſt, through ſome infection of the Air, fell into an incurable Diſeaſe, or rather (as others relate) received his death's Wound in that Forreſt by the goreing of a Stag's Hornes, about three Years before his Father's deceaſe. He was buried at *Wincheſter*, * and his Epitaph ſtiles him *Beorniæ Dux*.

[1.] W. M. P. 62.

* Vid. *Sandford's* General Hiſtory.

The King had alſo Five Daughters, of whom *Cicely* the Eldeſt was Abbeſs of the Nunnery of *Caën*; *Conſtance* the Second, was married to *Alan*, Earl of *Bretaign*; the Third called *Adela*, was the Wife of *Stephen*, Earl of *Blois*, and after the Death of her Husband became a Nun. As for the two others whoſe Names, though *William* of *Malmeſbury* cannot give us, yet *William Gemeticenſis* hath preſerved them; the Elder of theſe, called *Adelidis*, was promiſed to Earl *Harold*, but dy'd before ſhe was fit for Marriage; as for the Younger, called *Margaret*, ſhe was betroathed to *Alfonſo* King of *Gallicia*, but not affecting a married Life obtain'd leave from that King to die a Virgin.

Id. Ib. His Five Daughters.

To which Mr. *Speed* alſo adds another Daughter, who he makes to be the Fourth, but whoſe Name he cannot give us; he ſays, ſhe was married to *William* Earl *Warren*, a Nobleman of *Normandy*, who was the firſt Earl of *Surrey*; by whom ſhe had Iſſue, *William* the ſecond Earl, Progenitor of all the Earls that followed of that Family. But this is certainly a great Miſtake, for the Learned Sir *William Dugdale* in his Baronage of *England* ſhews, that this Earl *William* did not Marry the King's Daughter, but the Lady *Gundrede*, Siſter to *Gherbode* a *Flemming*, to whom King *William* the I. gave the Earldom of *Cheſter*; and this he proves from an unqueſtionable Author, viz. *Ordericus Vitalis*.

I ſhall alſo from [2.] *William* of *Malmesbury*, ſay ſomething of King *William*'s Brethren by *Arlotte* his Mother (for on the Father's ſide he had none); who was afterwards married to one [3.] *Herlewin*, a Man of an ordinary Fortune, by whom ſhe had two Sons; *Robert*, the Eldeſt, a Man of a dull and ſluggiſh Temper, whom Duke *William*, before he came into *England*, made Earl of *Mortaign*; and *Odo*, whom his Brother promoted to be Biſhop of *Bayeux*, and after his being King he created him Earl of *Kent*; who being of a much more ſtirring and crafty Nature, was after the deceaſe of *William Fitz-Osburn*, often in the King's abſence made his Leiutenant of all *England*, till at laſt falling into Diſgrace with the King (as you have already heard), he remain'd in Priſon till the King ſet him free a little before his Deceaſe.

[2.] *Idem. Ibid.* Vol. I. P. 73. 74.

[3.] O. V. P. 582. The King's Brethren by the Mother.

Of

Of KING WILLIAM's *LAWS.*

I Shall now (before I end his Reign) give you a Catalogue of the principal Laws he made, as they are to be found at the latter end of *Ingulphus*'s Hiſtory, as alſo, as they ſtand in Mr. *Lambard*'s *Archaionomia*, that ſo by comparing them together, you may ſee the difference between them.

Theſe that follow are in old *Norman French*, and were by Mr. *Selden* tranſlated into *Latin*, as much as he was able to underſtand them; and I have here render'd them into *Engliſh* (ſo far as the Obſoleteneſs of the *Norman* Dialect, and the many Errors crept into the Copies through the Ignorance or Negligence of the Scribes would permit): by the Aſſiſtance of the Reverend and Learned Dr. *Hicks* and have alſo by his Help found, I hope, the true meaning of divers of them, which appear'd unintelligible even to Mr. *Selden* himſelf: But to come to the Laws themſelves, the Title of them in * *Ingulphus* runs thus:

* P. 88. *Edit. Oxon.*

Theſe are the Laws *and* Cuſtoms *which King* William *granted to all the People of* England *after the* * *Conqueſt of the Land; being the ſame, that King* Edward *his Couſin obſerved before him.*

* Note, Conqueſt does not always ſignify a ſubduing by Force, but any other way of Acquiſition, as by Purchaſe, Teſtament, *&c.* for which ſee *Spelman's Gloſſary*, Verb *Conqueſt.*

THE Firſt eſtabliſhes the Priviledge of Sanctuary both for Life, and Members; to him that flies to a Church, and appoints what Mulct each Man is to pay, who has lay'd Hands on any thing which any Mother Church, whether it be Cathedral, Abby or Monaſtery ſhall of Right demand, *viz.* He ſhall reſtore the thing taken away, and pay one hundred Shillings beſides for a Mulct, or Fine; and whoſoever tranſgreſſes the King's Peace, ſhall forfeit an hundred Pence within the * Mercian Juriſdiction: So in like manner breaking up of Houſes, and of deſigned lying in wait to do Miſchief: Theſe Pleas belong to the Crown; and if any Man, Count, or Provoſt do any wrong to thoſe under his Juriſdiction, and be attainted of it before the King's Juſtitiary, he ſhall forfeit for the Injury done.

* Note, The old Diviſion of Kingdom's was ſtill in uſe to ſomepurpoſes. The Word in the Original, is *Laie* which (as alſo the *Saxon* from whence it is derived) ſignifies ſometimes Law, and ſometimes Juriſdiction.

The Second is concerning the Priviledge of the King's Tenants (except in thoſe Pleas, that immediately belong to the Crown) that if any * do evil intreat the Men of his Bailywick, and be thereof convicted by the King's Juſtice, he ſhall forfeit double to what any other Man ſhould forfeit, in the like Caſe.

* Man, Count or Provoſt, *&c.*

The Third is concerning Violators of the publick Peace; He who breaks the King's Peace, by *Dane* Law, ſhall make amends by an hundred forty four Pounds, and the King's forfeiture which belongs to the Sheriff, is forty Shillings by *Merchen* Law; but fifty Shillings by *Weſt Saxon* Law. And if any Free-Man having *Sac*, and *Soc*, and *Tol*, and *Team*, and *Infangentheof* be impleaded, and condemned to forfeiture in the County Court, then that belongs to the Sheriff: *viz.* Forty *Ores* by *Dane* Law, and of another Man that has not thoſe Liberties, thirty two *Ores*: Of theſe thirty two *Ores*, the Sheriff ſhall have Ten to the King's uſe, and he who impleads him ſhall have Twelve *Ores*

more

more for Satisfaction, and the Lord on whoſe Land he dwelt ſhall alſo have the other Ten *Ores*, this is the Law of the *Danes*.

From whence we may obſerve, that after the Conqueſt, the Criminal, or Penal Laws were not ſo reduced into one Form, or Body, but that there was ſtill different Mulcts or Fines to be paid, according to the ſeveral Laws, or Juriſdictions, that were then in uſe in divers Parts of the Kingdom, in the Time of *Edward* the *Confeſſour*; ſo that nothing was as yet alter'd in this Point. And in the next Place we may alſo obſerve, that (as Mr. *Somner* in his * *Gloſſary* informs us) theſe *Ores* did not ſignify any ſort of Coin, or Money, but ſo many Ounces of Silver, twelve *Ores* making a Pound.

* Verbo *Ore*.

The Fourth Law is, concerning one accuſed of Theft and what ſhall be done with his Surety, the Party fled; in which Caſe the *Mercian* Law is, that if any one be appeal'd of Theft, or Robbery, and then is Bail'd to appear to Juſtice, and ſhall after that fly for it; his Pledge, or Bayl, ſhall have four Months and one Day to find him out, and if he cannot find him, he ſhall then purge himſelf by the Oath of twelve Men, that he knew him not to be a Theif, at the time when he bayl'd him, nor had any Hand in his running away, neither can find him. The reſt ſetting forth what Forfeiture he ſhall pay to the King, and what for the *Were* or Head of the Party ſo abſenting himſelf, which is different according to the *Weſt Saxon*, and *Dane* Law; yet ſo, that if within one Year and four Days he can find the Theif, and bring him to Juſtice, the twenty Shillings which was pay'd for his Head ſhall be reſtored to his Pledge or Surety.

The Fifth is, concerning the apprehending of a Thief without any Perſuit or Cry; in which caſe, if the Pledge ſhall deliver him up to the Perſon from whom he ſtole, if he Fly, and ſhall afterwards appear, he ſhall pay Ten Shillings for his firſt Eſcape; but the Perſon is bound to Try him at the firſt Court after his taking; but if he fail to do it, he ſhall forfeit Forty Shillings.

The Sixth is, concerning the particular Sums of Mony that any Man ſhall pay to the Provoſt who ſhall Reſcue any Horſes, Bullocks, Cows, Hogs, or any other ſort of Beaſts, which is called in *Engliſh*, *Forfengen*; in which caſe the Complainant ſhall pay to the * Provoſt or Underſheriff, for the Reſcue of a Cow, or an Ox, Eight-pence, for a Hog Four-pence, for a Sheep One-Penny; and farther, the Party who ſeized them ſhall find Sureties, that if any other come to claim the Cattle within a Year and a Day, he will then produce in Court whatſoever he had before reſcued.

* *Note*, By the Provoſt is here meant the Sheriff or his Deputy.

The Seventh is, concerning things found by Chance, which is much to the ſame effect with the antient *Saxon* Laws concerning ſuch things, *viz.* that is, firſt they are to be ſhewed in Three places of the Neighberhood, that ſo there may be good Witneſs of their being found; and if any will come and lay claim to them, he ſhall find Pledges, that in caſe any other ſhall alſo claim them within a Year and a Day, he will be ready forthwith to produce in Court whatſoever he had ſo found.

The Eighth is, concerning Homicide, and the *Were*, or *Price* of each Man's Head, to this effect:

If any one Kill another, and be Convict, and yet deny to make ſatisfaction, he ſhall give unto the Lord for his *Man-bote*, for a Freeman Ten

Ten Shillings, for a Servant Twenty Shillings (as a *Were*, or Price of the Life); that of a *Thane* by the *Merchen* and *West-Saxon* Law, is Twenty Pounds; and the *Were* of a Villain, a Hundred Shillings by the ſame Law.

The Ninth is, concerning thoſe to whom the *Were* (or Price of the Head or Life) was to be paid; if the Manſlayer were of the Half Blood to the Widdow, thus; That the Manſlayer ſhall pay to the Widdow and Orphans, Ten Shillings, and for their ſhare the Orphans and Kindred ſhall divide it among them.

The Tenth appoints at what Rate a Man ſhall pay Cattle inſtead of Mony, *viz.* for the *Were* of a Perſon ſlain, a Stone-horſe at Twenty Shillings, and a Bull at Ten Shillings; and for a ‖ Beaſt Gelt or Spayed, Five Shillings.

‖ Iter.

The Eleventh appoints the Penalty on him who ſhall Wound another. If a Man wounds another, and denies to make him any amends according to his * Head, and according to the Wounds given; and ſhall alſo Swear upon the Goſpels that he did not do it of Malice or Hatred.

* *i. e.* Degree or Quality.

The Twelfth Ordains, what ſatisfaction ſhall be made to him who is Wounded to the Bone, or where a Bone is drawn out; if the Wound appear to be an Inch wide, he ſhall pay Fourpence; and ſo if a Bone be taken out of the Wound. The reſt is obſcure.

The Thirteenth appoints a Rate for all Members that are cut off. So that if it happen that one cut off another's Hand, or Foot, he ſhall render the moity of his *Were* according to the Offence, be it what it will; the reſt of the Law containing the particular Rates that were to be paid for the cutting off Mens Thumbs, Fingers, *&c.* I ſhall here omit, as being ſet already down in the Laws of King *Alfred*, though the Penalties were now increaſed.

The Fourteenth is, That he who violates a Woman that is Married, or Betrothed to another, ſhall pay to her the value of his *Were* (i. e. the value of his own Head) to his Lord: Whereby you may obſerve, That though Adultery was not then immediately puniſhed with Death, yet if he were not able to pay his *Were*, his Life lay at the King's, or Lord's mercy.

The Fifteenth is concerning corrupt Judges, *viz.* That he who gave a falſe Sentence, ſhould forfeit his *Were*, unleſs he could Swear upon the Holy Goſpels that he could Judge no better.

The Sixteenth is, concerning the Purgation of him who is accuſed of Theft, *viz.* That where one Appeals another of Robbery, the Perſon Appealed, if he be a Freeman, and hath clear Teſtimony of his Honeſty, ſhall purge himſelf by his Oath; but he who has been infamous, muſt do it *per Serment nomed* that is, (I ſuppoſe) by the expreſs Oath of Fourteen lawful Men; and if he cannot have ſo many, he ſhall purge himſelf by Twelve Men; but if he cannot have thoſe, he ſhall then defend himſelf by Tryal, and the Appellant ſhall Swear with Seven Men that he did it not for Hatred, or any other cauſe, but to perſue his Right.

The Seventeenth is, concerning thoſe who are Appealed or Accuſed of breaking open a Monaſtery, or a Houſe; where if ſuch were never before counted infamous, then they ſhould purge themſelves by Twelve

Twelve Lawful Men; but if he were a Perſon of bad Fame, then by Forty eight Men, and if he cannot procure them, then by Tryal; *the Senſe of the reſt is*, what ſhare the Archbiſhop, Biſhop, as alſo the Count and Baron ſhould have by the *Mercian* Law, within whoſe Dioceſs or Juriſdiction the Theft was proved or confeſſed.

The Eighteenth is, concerning the Payment of *Peter*-pence; *viz.* That a Free-man, who has to the Value of Thirty-pence in Cattle, ſhall give one Penny to St. *Peter*; but for Four-pence, that any Lord ſhall pay down, all his Cottages, Villains and Servants ſhall be acquited: But a Townſman who had Chattels to the Value of half a Mark, as alſo a Free-man living under the *Dane*-Law having Cattle to the Value of half a Mark, ſhall pay likewiſe one Penny.

The Nineteenth is, concerning Women raviſhed, or whoſe Chaſtity had been aſſaulted; *viz.* That he who ſhall Raviſh a Woman, ſhall forfeit his Privy-members; he who ſhall fling a Woman down on the Ground, ſo as to offer Violence to her, ſhall pay a Mulct of Ten-ſhillings to the Lord: But if he lye with her by Force, then he ſhall loſe his Privities.

The Twentieth is, concerning the ſeveral Mulcts of thoſe who willfully deny or detain *Peter*-pence; He that detains *Peter*-pence ſhall make Satisfaction to *Holy Church* and alſo forfeit Thirty-pence: And if he be proſecuted before the King's Juſtice, then he ſhall forfeit Thirty-pence to the Biſhop, and Forty-ſhillings to the King.

The One and Twentieth is, what Satisfaction he ſhall make, who ſhall put out another's Eye by miſadventure? In which Caſe he ſhall be fined Seventy-ſhillings of *Engliſh* Money; but if the Eye be reſtored, then but half ſo much.

The Two and Twentieth is, concerning the Releif of an Earl: The Releif of an Earl, who belongs to the King, is, Eight Horſes ſadled and bridled, Four Halberts, Four Helmets, Four Shields, Four Lances, Four Swords and Four Huntſmen, and Four Hunting Horſes, with Bridles and Headſtals.

The Three and Twentieth ſets down the Releif of a Baron. *viz.* Four Horſes ſadled and bridled, Two Halberts, Two Helmets, Two Shields, Two Lances, Two Swords, and One Huntſman, One Hunting Horſe with Bridles and Headſtals.

The Four and Twentieth is, concerning the Releif of a *Vavaſor* to his Leige Lord, *viz.* that he was to be acquitted for his Horſe (ſuch as he had at the time of his Death); as alſo by his Halbert, and his Helmet, and his Shield, his Lance and his Sword; but if he died ſo unfurniſhed of theſe things as to have neither Horſe, nor Arms; then the Heir was to pay a Hundred-ſhillings in Money.

The Twenty Fifth is ſomewhat Obſcure by reaſon of the Perplexity of the *Syntax*, but this the Purport of it. If any Man ſhall cry *Emblet* (i. e. *ſhall challenge any Ware or Merchandize* as *taken from him by ſtealth*), and find Pledges to perſue his Claim; then he in whoſe Lands the Thing is found, ſhall name his Guarranty (*that is, the Perſon of whom he had it*) if he have any ſuch; but if he have not, he ſhall name his *Hennel Burh* (*i. e.* his Surety) that the thing ſhall be forth coming, and his Witneſſes, whom he ſhall have ready at a certain Day or Time; but if he have no Guarranty, nor Witneſſes, he ſhall loſe his

Goods and pay a *Were* to his Lord, as it is in * *Merchan*-Lay, *Dane*-Lay, and *Weſt-Saxon*-Lay: The reſt being very Obſcure through the Faultineſs of the Copies, I will not take upon me to render it.

* *i. e.* Within thoſe Territories where thoſe Laws had Force.

The Twenty Sixth is, concerning the Mulct of the *Hundred*, where the Man-ſlayer cannot be found; *viz.* if a Murther be newly committed, and the Men of that Hundred do not apprehend the Manſlayer, and bring him to Juſtice within eight Days, to ſhew Cauſe how he came to do it, they ſhall pay Forty ſeven Marks.

The Twenty Seventh is, concerning the Action of a Tenant againſt his Lord; *viz.* if any one will *dereine* (i. e. *plead off*) any Covenant againſt his Lord, he muſt do it by his Peers of the ſame Tenure, whom he ſhall appeal or ſummon, as Witneſſes, to plead it off, for he cannot do it by Strangers.

The Twenty Eighth is very Obſcure, but to this Senſe: If a Man plead in any Court, except that of the King, and ſhall be queſtioned for a Thing which he does not acknowledge; if he cannot Plead it off by Eleven diſcreet Men, he ſhall not recover the Thing in Controverſy by his own Word.

The Twenty Ninth is, concerning the Releif of Villains: The Releif of a Villain ſhall be the beſt live Cattle (whether Horſe, Bull or Cow), that he had at the time of his Death, which he ſhall give to his Lord, and afterwards he ſhall be admitted to Frank-Pledg, as other Villains.

The Thirtieth is, concerning the publick Ways; *viz.* thoſe Three great ones of *Watling-ſtreet*, and *Erming-ſtreet*, and *Foſſe*. He who aſſaults, or kills any Man travelling on any of theſe Ways, breaks the King's Peace.

The Thirty Firſt is of Robbery, that if a thing ſtolen or robbed, and the Robber be found together in any one's Ground, the Lord of the Land, and his Wife, ſhall have the Moiety of the Robber's Goods (though they were the claimers Goods before) if they find them; but if the Robber be found within * *Sac* and *Soc*, the Lord's Wife ſhall looſe her ſhare of the Robber's Goods, and the Lord ſhall have them all.

* *i. e.* Within the Lord's own Juriſdiction.

By the Thirty Second, a Man ſhall be appointed out of every Hyde of Land of the Hundred, betwixt *Michelmaſſe* and *Martinmaſſe*, to guard or keep the Highways, and the Ward-Reve or Overſeer of the Highways, ſhall for his Pains have Thirty Hydes diſcharged of this Service; and if any Horſes or Cattle die in the Highways which he is to overſee, and that he cannot ſhew that it ſuffer'd Violence, that Horſe, *&c.* ſhall be made Good by him.

The Thirty Third is, concerning thoſe that hold Lands by cuſtomary Rent, who ſhall not be troubled for any thing but their *Droit Conſe*, or Cheif Rent; and thoſe that hold them by Tilling the Lord's Land, ſhall not go away 'till they have performed their yearly Services; and the native Villains, which forſake the Lands where they were Born, and do not perform the Service appendant to them, ſhall not change Quarters, or ſeek Reception elſewhere; and if they leave the Lands upon which they were Born, and go to others, none ſhall retain them, or their Goods, but ſhall ſend them back to perform their Services belonging to them; and if the

the Seigniories, or Lord's of Mannors, will not make thoſe Fugitives return to their Lands, the Law ſhall do it.

The Thirty fourth Ordains, That none ſhall defalcate any thing from the Arrerages of due Service, which the Tenant or Villain owes his Lord, upon pretence that whilſt he reſted, another was to do his Work.

The Thirty fifth is, that of Reprieving big-Bellied Women: If a Woman with Child be Condemn'd to death, or loſs of any Members, the Sentence ſhall not be executed, until ſhe be delivered.

Whence we may ſee the Antiquity of that Law ſtill in uſe, by which Women with Child have their Execution reſpited till they are brought to Bed.

The Thirty ſixth is concerning Inteſtate's Goods: That where a Man dies Inteſtate, his Children ſhall divide his Eſtate equally among them.

The Thirty ſeventh is of an Adultreſs taken by her Father in the very Act.

If a Father ſhall take his Daughter in Adultery in his own Houſe, or in that of his Son-in-Law, it ſhall be lawful for him to kill the Adulterer.

This Law is now out of uſe, and (I ſuppoſe) became ſo by non-uſer; but it ſeems ſtrange, that the Husband of the Adultreſs was not allowed by this Law the ſame priviledge with the Father.

The Thirty eighth is concerning Goods flung out of a Ship for fear of Death.

Which tho' very obſcure, yet the Senſe ſeems to be to this Effect, That if a Man is aſſaulted being on Ship-board, and caſt another's Goods out of the Ship for the Safety of his own life, he ſhall not be impleaded for it, becauſe it is lawful to do damage to another, when he finds the danger cannot be otherwiſe avoided; &c. But if any one fling Goods out of a Ship, when there is no ſuch neceſſity, he ſhall render to their full value.

The Thirty ninth is concerning the Sentence againſt one that is abſent; as where two are co-partners of an Heritage, and one of them being impleaded without the other, looſe his Right by his own negligence, it ſhall not prejudice him who was abſent, becauſe ſuch Judgment ought not to affect him.

The Fortieth is concerning the Relief of Tenants; *viz.* That the lawful Relief of thoſe who hold their Lands at a Rent, ſhall be one year's Rent of the Land.

The Forty firſt Ordains, That thoſe who preſide in Judgments take great care, that they Judge as thoſe that deſire to be heard, when they ſay, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* And we forbid any Chriſtian in this Land to ſell his Garment for Payment; for care ought to be taken that a Life be not loſt for which *Chriſt* redeemed with his Life. Whoſoever ſhall promote wrong, or give falſe Judgment for hatred, or malice, or Bribery, he ſhall forfeit to the King Forty Shillings; and if he cannot prove that he could do no better, he ſhall loſe his Freedom, if he cannot redeem it at the King's Pleaſure. And if he be within the *Dane Law*, ſhall forfeit *Lahſlite*, [i.e. *pay the Mulct for violation of the Law*] if he cannot prove that he could Judge no better: But whoſoever ſhall re- Of Judgments.

fuſe, or deny right Law and Judgment, he ſhall forfeit to him to whom he denies it, according to his Rank; if to the King, Six Pounds; to an Earl, Forty Shillings; if it be within an Hundred, Thirty Shillings; and to all thoſe who Sue in *England*, all muſt be paid in *Engliſh* Money; if within the Juriſdiction of *Dane-lay*, whoſoever denies right Judgment, he ſhall be obnoxious to the puniſhment of *Labſlite*. Nor ſhall any Man complain to the King of Failure of Judgment in Hundred or County.

The Forty ſecond is concerning taking a *Diſtreſs*: None may take a * *Diſtreſs*, either within the County, or without, until he has three times demanded Right in the Hundred and County-Court; and if he cannot have Right at the third demand, he ſhall then go to the County-Court, and that ſhall appoint him the fourth day; and then if he who ſhould claim it, fail to appear, the other may uſe his Liberty, to take the *Diſtreſs* to his own uſe.

* *Nam*, from the *Saxon* or *Francik Niman*, or *Neman capere*, vel *auferre*. Vid. Dr. *Hicks*'s New Edit. of his *Saxon* Grammar in his Notes on a Charter of King *William* the Conqueror, *p.* 164.

The Forty third is, That none ſhall buy any thing without Lawful Vouchers: *viz.* None ſhall buy to the value of Four-pence. either of Dead or Live-Goods, without the Teſtimony of Four Men of the Borough or Town; and if any one challenge it, and he have no Teſtimony thereof, nor warrant for it, he ſhall render to the Challenger his Goods, and he ſhall have the forfeiture to whom it is due; and if he have Witneſſes (as we have ſaid above) let him vouch them three Times, and the fourth Time *deraign*; (i. e. *ſtand Tryal for it*) or elſe reſtore it.

The Forty fourth, concerning Stollen Goods, put into the hand of a third Perſon, ſeems only to be a Continuation of the former to this effect; for it does not appear reaſonable to Us, (i. e. *to the King*) that Proof be made by the Witneſs of thoſe who know that the Thing is Sequeſtred, or put into the hand of a Third Perſon; but that no Proof be thus made, till ſix Months after the Thing were Stollen.

Of Defalters in Tryals. The Forty fifth appoints, that he who is accuſed in Court of Robbery by Witneſſes, and makes Default three Times, and the Summoners ſhews his three Defaults, then he ſhall be requir'd to find Sureties for the Peace, and to take Tryal; but if he will not, or cannot be found, alive or dead, let all he hath be ſeiz'd, and let the Accuſer have his Chattels; and the Lord the moiety of what remains, and the Hundred the other moiety.

Concerning Harbouring Strangers, the Forty ſixth appoints, that none ſhall Lodge a Stranger above three Nights, unleſs he be recommended by a Friend.

The Forty ſeventh is concerning Servants, *viz.* That no Perſon ſhall let his Man or Servant depart from him, after he is once accuſed of any Crime.

The Forty eighth Ordains, That whoever meets with a Thief, and without Cry lets him go, he ſhall be mulcted according to the value of the Thief, unleſs he can clearly prove that the Party were no Thief; and he that ſhall make a Cry, and preſently ceaſe, the King ſhall mulct him for his ſo ceaſing, unleſs he can purge himſelf.

The Forty ninth is concerning Servants, That every Lord ſhall produce his Servant, or his Pledge, that if he be accuſed he may be tryed in the Hundred Court.

The

The Fiftieth is concerning the manner of Purgation of one accuſed, to this effect: If any Perſon accuſed, be within the Hundred, and four Men *arraign* (i.e. *accuſe*) him, he may *purge himſelf* by the *Twelfth hand* (i.e. *the Oaths of Twelve men*) but if he fly from the Place where he was *arraigned*, his Lord ſhall pay his *Were*; and if the Lord be accuſed, that he was privy to his Flight, he ſhall clear himſelf by * ſix Men; but if he cannot, he ſhall be fined to the King, or elſe be Outlaw'd.

* *i.e.* By their Oaths.

After the Concluſion of theſe Laws *, *Ingulphus* tells us, that he brought them down with him from *London* to his own Monaſtery of *Crowland*, being thoſe which King *William* had confirmed, and commanded to be obſerved throughout all *England*, under grievous Penalties, and had alſo commended them to his Juſtices.

* In Edit. *Oxon*, Vol. 1.

Then our Author farther adds, That he had brought them down in the ſame Language, in which they were written (viz. *Norman-French*) leſt it ſhould happen that either himſelf, or any of his *Tenants*, ſhould to their great hazard tranſgreſs them, and by offending the Royal Majeſty incur thoſe rigid Cenſures therein contain'd.

* *Homines.*

But it is pity the time, when theſe Laws were made, had not been alſo there ſet down: yet it is certain, that it was not long after *Ingulph*'s going up to *London* about the Affairs of his Monaſtery, in the Sixteenth year of King *William*'s Reign; and therefore this could not be that Collection of King *Edward*'s Laws, which *R. Hoveden* hath given us; for they are ſaid to be Collected and Confirmed in the Fourth Year of this King's Reign: So that theſe ſeem to have been an Extract, or rather diſtinct Body of Laws taken out of the former, having received ſuch Corrections and Additions as King *William* thought fit to make.

But as the World is very much beholding to Mr. *Selden* for firſt publiſhing theſe Laws, which had been before omitted in Sir *Henry Savil*'s Edition of *Ingulph*'s *Hiſtory*; ſo are we alſo highly obliged to the Generoſity of my Worthy Friend, Sir *John Marſham* the younger, Baronet, Deceaſed; who was pleaſed to furniſh the Publiſhers of the Firſt Volume of *Engliſh* Writers with an antient Copy of *Ingulph*'s Hiſtory, in order to the more full and Correct Printing the late *Oxford* Edition, to which I muſt own my ſelf beholding for divers more genuine Readings, than thoſe in Mr. *Selden*'s Copy; and from which I have (tho' not very correct) mended divers things in this *Engliſh* Tranſlation, which Mr. *Selden* himſelf, by reaſon of the faultineſs of his Copy, was at a loſs how to Tranſlate.

But ſince the Learned Mr. *Lambard* in his * *Archaionomia*, has given us another Set of King *William*'s Laws, much different from the former, I ſhall here give you them alſo; ſince theſe contain the Civil, as the former do the Criminal Code: they are in the form of a Charter, beginning thus:

* Pag. 170.

Note, Sir *R. Twiſden* has in his Edit. Printed 1644, Publiſhed another Copy of theſe Laws from the Red Book in the *Exchequer*, with ſome Variations.

William, by the Grace of God, King of the *Engliſh*, to all his Subjects both of *France* and *England*, Greeting.

The firſt Law is concerning Religion, and the Publick Peace.

By which the King Ordains, that one God be Worſhipped, and one Faith in Chriſt maintain'd inviolable throughout the whole Kingdom, and that Peace and Concord, Juſtice and Judgment be obſerved between the *Engliſh* and *Welſh*, *French*, and *Britans* of *Wales* and *Cornwall*

wall, and all others of his Dominions; ſo that none ſhould offend another in any Point without a full Satisfaction to be made for it.

The ſecond is concerning Fidelity and Obedience toward the King, in theſe Words:

We alſo Ordain, That all Free-men affirm both by their Covenant and Oath, that as well within, as without the whole Kingdom of *England*, (which was formerly called *Britain*) they ſhall be faithful to their Lord King *William*, and every where preſerve his Lands and Honours with all Fidelity, and together with him defend them againſt all Enemies and Strangers.

The Third is concerning the Killing a *Norman*, or *Frenchman*, thus:

We alſo will and enjoyn, That all thoſe Men whom we have brought over with us, or who ſhall come over after us, ſhall be under our Protection, and in our Peace, throughout our whole Kingdom; and if any of them ſhall be Killed, the Lord ſhall produce the Man-ſlayer within five days; or if otherwiſe he ſhall pay to us ſix and forty Marks of Silver, as far as the Lord's Subſtance will hold out; and where the Lord (*i.e.* of the Mannor or Townſhip) ſhall fail, the whole Hundred, in which the Man-ſlaughter was committed, ſhall pay the remainder amongſt them in common.

The Fourth is concerning thoſe *Normans*, who were *Engliſh* Subjects before King *William*'s coming over.

That every *Frenchman*, who in the time of King *Edward* our Couſin, was here a partaker of the *Engliſh* Cuſtoms, which they call * *Anhlote*, and *Anſcote*, ſhall pay according to the *Engliſh* Law.

* I know not whatit means, unleſs it be the ſame with thoſe Payments we call *Scot* and *Lot* at this day.

The Fifth Law is concerning the Right of Feudal Tenants, and of the Immunity of Noblemen and Gentlemen.

Alſo we will and firmly Command and Grant, That all *Freemen* of the whole Monarchy of our ſaid Kingdom, ſhall have and enjoy their Lands and Poſſeſſions in Peace, free from all unjuſt Exaction and Taillage; ſo that nothing ſhall be Exacted, or taken of them, except their free Service, which they owe, and of right ought to give us, as it is appointed them, and by Us given and granted to them, as an Hereditary Right for ever, by the *Common Council* of our ſaid Kingdom.

The Sixth is concerning Night-Watches.

We do alſo Ordain, and firmly Command, that all Cities, Towns, Caſtles, Hundreds and Wapentakes of our ſaid Kingdom be Watched, and kept each Night by Turns, to prevent Enemies and Malefactors; as the Sheriffs, Aldermen, Provoſts, and other our Bayliffs and Miniſters, ſhall ſee fit by the *Common Council*, for the benefit of the Kingdom.

The Seventh is concerning Meaſures and Weights, thus:

Alſo, that all the Perſons above mentioned, keep through the whole Kingdom faithful Seal'd Meaſures and Weights, as our good Predeceſſors have Ordained.

The Eighth is concerning the Duties of Tenants, or Vaſſals.

We alſo Ordain and firmly Command, That all Earls, Barons, Knights, and their Servants, and all Freemen of our ſaid whole Kingdom, always have and maintain themſelves well provided both with Horſe and Arms, as becomes and behoves them to do; and that they

they ſhall be always ready to fullfil and perform their whole Service to us, when ever there ſhall be need, according to what they owe to us of Right out of their Fees and Tenements, as we have appointed them by *the Common Council of the whole Kingdom*; and as we have given and granted to them in Fee by Hereditary Right: And this our Command ſhall not be violated in any wiſe upon pain of an abſolute Forfeiture.

The Ninth is, that Subjects ſhall endeavour to preſerve the Royal Rights unprejudiced according to their Power.

We alſo ordain and firmly Command, that all Freemen of our ſaid whole Kingdom ſhall be Sworn-brothers manfully to defend and keep our Monarchy and Kingdom according to their Powers and Eſtates; and ſhall preſerve the Power and Dignity of the Crown entire, and conſtantly perform Right, Juſtice and Judgment by all means according to their Ability without fraud and delay: (* This Decree had its Sanction in the City of *London*).

* *Note*, It ſeems from hence, that theſe Laws were ordain'd at different Times.

The Tenth is, that there be no buying and ſelling unleſs before Witneſſes, and in Cities, *viz.*

We alſo forbid that any live † Cattle be bought or ſold unleſs in Cities, and that before Three faithful Witneſſes, or that any Thing forbidden be ſold without Security and Warranty; and whoever does otherwiſe ſhall pay the Value over again, and afterwards forfeit the thing bought.

† *Pecunia.*

The Eleventh is, concerning Markets, and the Priviledge of Cities and Towns of Note. Alſo no Market or Fair ſhall be kept or permitted to be held unleſs in the *Cities* of our Kingdom, and in *Burroughs*, or wall'd Towns, or in Caſtles and ſafe Places, where the Cuſtoms of our Kingdom and the Common Law (ordained by our Predeceſſors), and the Dignity of our Crown cannot be violated; but that all things be done fairly and openly according to Judgment and Juſtice; and ſince the Caſtles, Burroughs and Cities were founded and built for the Defence of the Nation, and People of the Kingdom, they ought therefore to be kept free and inviolable.

The Twelfth is, concerning Men's Purgation in publick Judgments.

It is alſo ordained, That if a *Frenchman* ſhall accuſe an *Engliſhman* of Perjury, Murther, Theft, Homicide and Ran (i. e. *open Rapine*) which cannot be denied; the *Engliſhman* ſhall defend himſelf by what means he ſhall think beſt, either by the Judgment of the Hot Iron (*i. e.* the *Ordeal*) or elſe by Duel. But if the *Engliſhman* be weak or infirm, he ſhall then find another to perform it for him; and if either of them be vanquiſhed, he ſhall pay to the King Forty-ſhillings: But if an *Engliſhman* ſhall accuſe a *Frenchman*, and will prove it either by Judgment or Duel, I will, that the *Frenchman* ſhall purge himſelf by Oath, and not by the Hot-Iron.

Which Law is expreſſed more at large in *Bromton*'s Chronicle at the End of King *William*'s Reign, and is publiſh'd at the End of this ſaid King's Laws in the *Cambridge* Edition abovementioned. Col. 981.

And begins thus by way of Charter as the former.

William, by the Grace of God, King of the *Engliſh*, to all to whom this Writing ſhall come, greeting; Know ye, that I Ordain and

and Command it to be Obſerved through the whole *Engliſh* Nation:

That if an *Engliſhman* appeal a *Frenchman* by Duel, of Theft, Homicide, or any thing for which Combat ought to be allow'd, or Judgment to be given between two Men; the Appellant ſhall have full liberty of demanding it; and if the *Engliſhman* ſhall refuſe the Duel, the *Frenchman* ſhall be then compell'd to purge himſelf by his Witneſſes upon Oath, according to the Law of *Normandy*; alſo if a *Frenchman* appeal an *Engliſhman* by Duel concerning the like Things, the *Engliſhman*, has leave to defend himſelf by Duel, or by *Judgment* (*i. e.* of *Ordeal*) if he ſhall chooſe it rather; and if either of them be weak or infirm ſo that he refuſe the Duel, or cannot perform it, he ſhall then find a Legal Champion; and if the *Frenchman* be vanquiſhed, he ſhall pay to the King Sixty-ſhillings; but if the *Engliſhman* will not defend himſelf by Duel, or purge himſelf by Teſtimony (*i. e.* Oath of twelve Men) he ſhall clear himſelf by the Judgment of God (*i. e.* by *Ordeal*).

By which you may obſerve, that whereas in *Lambard*'s Copy of theſe Laws, where an *Engliſhman* appeal'd a *Frenchman*, and would prove it by Judgment or Duel, it ſeems as if the *Frenchman* might have purged himſelf by Oath only, without any *Ordeal*; whereas it appears more plainly by *Bromton*'s Copy (which I here take to be the Truer) that an *Engliſhman* had the ſame Priviledge with the *Frenchman*; for it follows thus.

The King has ordain'd in all Matters of *Outlawry*, that an *Engliſhman* ſhall purge himſelf by Judgment (i. e. *Ordeal*); and if an *Engliſhman* appeal a *Frenchman* of *Outlawry*, and will undertake to prove it upon him, the *Frenchman* ſhall defend himſelf by Duel; but if the *Engliſh* will not undertake to prove it by Duel, the *Frenchman* ſhall clear himſelf by his full Oath, and not by meer Niceties of Words.

Obſervanda.

From whence you may alſo obſerve, that the only Priviledge a *Frenchman* could claim above an *Engliſhman* by this Law was, that he was not obliged to undergo the Judgment of *Ordeal*, as the *Engliſhman* was, but only the Oath of his Compurgators; becauſe the Former was the *Engliſh*, and the Latter the *Norman* Way of Tryal.

There are alſo in Mr. *Lambard*'s *Archaionomia*, another Fragment of the Laws of this King, which being not found in the aforeſaid *Red* Book in the *Exchequer*, I have omitted as not of ſufficient Authority.

THE

THE General Hiſtory OF ENGLAND BOTH Eccleſiaſtical and Civil.

VOL. II. Book II.

King *WILLIAM* II.

WILLIAM commonly called *Rufus* (in *French Le Rous*) either from his Red Complection, or elſe from the Colour of his Hair, having been (as you have already heard) * appointed Succeſſour by his Father's Teſtament to the Crown of *England*, went immediately over before he expired, to ſecure it for himſelf; † being attended by *Robert Bloet* his Father's Chaplain, and taking along with him as [1.] Priſoners, Earl *Morchar* and *Wulnoth*, Son to King *Harold*; both whom (though King *William* had lately ordered them to be ſet at Liberty, yet) his Son thought fit again to ſecure at *Wincheſter*, immediately after his Arrival; [2.] and there alſo he ſeized upon his Father's Treaſure which amounted to Sixty thouſand Pounds, beſides Gold, Jewels and Plate, a prodigious Sum in thoſe Days; but a Manuſcript Hiſtory of the Foundation of the Abbey of *Colcheſter* now in the *Cotton* Library cited by [3.] Sr. *William Dugdale*, makes *Eudo* Steward to King *William* I. to have been very Inſtrumental to his New Maſter at this juncture: For haſtening into *England* before him, he ſo far inſinuated himſelf into *William de Ponte*, Arch-Conſtable of *Wincheſter* Caſtle, that he obtained the Keys of that Treaſury; and then paſſing to *Dover* he obliged the Keepers of the Caſtle there not to deliver it to any without his Knowledge: The like he did at *Pevenſey*, *Haſtings* and other Caſtles on that Coaſt, pretending that the King (whoſe Death he concealed) being reſolved to ſtay longer in *Normandy* than he at firſt deſigned, would have good aſſurance of the Safety of thoſe Places by himſelf his Steward; which done he returned to *Wincheſter*, and diſcovered

W. M. * P. 63. b. *William* firnamed *Rufus* goes over into *England* to ſecure the Succeſſion.

Anno Dom. MLXXXVII.

† O. V. [1.] F. W.

[2.] C. S. H. W.

[3.] *Nero D.* 8. *Mon. Ang.* P. 2. p. 889.

Anno Dom. MLXXXVII.

vered the King's Death: Thus by his Care and Induſtry, while the Noblemen in *Normandy* were conſulting about the Succeſſion, *William* ſirnamed *Rufus* was * *elected* King, and confirm'd in the Throne.

* *Eligitur.*

By what means he obtained the Crown.

But to return to more antient Authors (from whom this is only a Digreſſion), one of the chiefeſt things he had to do after his coming over, was, to obtain the good Will of the Biſhops and Noblemen of *England* in order to his Admiſſion to the Throne; for the obtaining of which, [4.] He was firſt of all to apply himſelf to Archbiſhop *Lanfranc*, without whoſe Favour he knew (in all probability) he could by no means Succeed, ſince it was to him his Father's Letter or Teſtament (call it which you pleaſe) by which he was nominated his Succeſſour, was directed; and this Prince had great reaſon to expect his Kindneſs, for he had not only Educated him, but alſo made him a Knight; which ſhews, that the Old *Engliſh Saxon* Cuſtom of receiving Knighthood from the Hands of Biſhops or Abbots, was not yet out of Faſhion.

[4.] Ead. Hiſt. nov. Lib. I. P. 13. W. M. P. 320.

[5.] Wherefore fearing leſt the delay of his Coronation might chance to defeat his Expectations of what he ſo much deſired, he by himſelf (as well as his Friends) promiſed and ſwore to the Archbiſhop, that if he were made King, *He would obſerve Juſtice, Equity and Mercy, throughout his whole Kingdom; and alſo defend the Peace and Liberties of the Church; and in all things obſerve the Archbiſhop's directions:* And upon theſe Terms he found it no great difficulty to obtain his Conſent, and ſo chiefly by his Means and Perſwaſions, he gained the reſt of the Biſhops: The deſigned King alſo brought over the greateſt Part of the Nobility with large Promiſes made either by himſelf, or others on his behalf.

[5.] *Id. Ib.* His fair Promiſes before his Coronation.

[1.] Then a Great Council of the Kingdom being immediately aſſembled, He was by their General conſents Crowned King at *Weſtminſter* on the 27th of *September* being *Sunday*, by *Lanfranc* Archbiſhop of *Canterbury*; *Thomas* Archbiſhop of *York*, and moſt of the other Biſhops of *England* being alſo preſent: Then the King returning to *Wincheſter* diſtributed his Father's Treaſure according to his laſt Will, (*viz.*) to ſome of the Principal Cathedral Churches and Monaſteries ten Marks of Gold a Piece, to ſome ſix, and others leſs; beſides rich Croſſes, Candleſticks and other Ornaments for the Altar; and to ſmaller Churches in the Country five Shillings a Piece; he alſo beſtowed one hundred Pounds to each County, to be diſtributed amongſt the Poor.

[1.] *Pol. Virg. Chr. Bromton.* F. W. He is Crowned at *Weſtminſter.*

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[2.] After this he kept his *Chriſtmas* at *London* with great Solemnity where he alſo held his * Court, or Great Council, at which the Archbiſhops of *Canterbury* and *York*, together with all the Biſhops and Chief Men of *England*, were preſent; as alſo *Odo* Biſhop of *Bayeux*, who was now reſtored to the Earldom of *Kent* and all his other Eſtates: Yet all this could not ſecure him to his Nephew's Intereſt, as you will ſee by and by.

* *Curia. Idem.* H. H. His Actions after his Coronation.

[3.] Alſo about this time Duke *Robert*, eldeſt Son to the late King, returned out of *France* (where he reſided at his Father's Death) into *Normandy*, and not long after was inveſted with the Sword of that Dutchy, a Ceremony which was the ſame in Effect with a Coronation in *England* and *France*: And (not to be behind his Brother in the Concern for his Father's Soul) [4.] He alſo beſtowed what Treaſure he found

[3.] W. M. l. 4. p. 113. Duke *Robert* returns into *Normandy*, and is inveſted with that Dutchy.

[4.] F. W.

found there, on Monaſteries and Churches; ſo whoſoever loſt the Church (that is the Prieſts) were ſtill ſure to be the greateſt (if not only) gainers by the Sins of Princes: Duke *Robert* likewiſe did then ſet at Liberty [5.] *Ulf*, another Son to the late King *Harold*, and *Duncar* Son to the King of *Scots*, whom his Father had kept Priſoners. *Anno Dom.* MLXXXVIII. [5.] *Idem Ib.*

[1.] The Winter paſſed quiet enough, but in Spring following there aroſe a great Diviſion between the *Norman* Noblemen that were ſetled in *England*, ſome of whom now began (though too late) to repent of the Choice they had made, inclining to Duke *Robert* the Elder Brother, whom the greateſt Part now favoured, as a Man of a more free and eaſy Nature, yet this was not the ſole Occaſion of their ſudden Change; for beſides that Conſideration (which might go a great way with ſome), it ſeems to have alſo proceeded from thoſe Diſapointments which many of thoſe Noblemen who at firſt ſided with him had met with in their Expectations; for it is highly difficult (if not impoſſible) to ſatisfy all Men's deſires according to what they themſelves think they deſerve; and thoſe who are failed, will look upon themſelves as diſobliged. [1.] W. M. F. W. Many of the Nobility repent their making of *William*, King.

[2.] But 'tis certain this Commotion was chiefly ſtirr'd up by *Robert* Earl of *Mortain*, and *Odo* his Brother, out of hatred to, and Emulation of Archbiſhop *Lanfranc* who was prefer'd before him in the King's Favour; and therefore he was reſolved to give both the King and him what diſturbance he could, and ſo conſpired with his Brother and as many of the *Norman* Lords as he found either already to Affect, or could be perſuaded to endeavour a Change; theſe he ſet on work to diſtract the King's Forces by taking Arms in divers Parts of the Kingdom at once; the principal Heads of this Inſurrection were *Geoffry* Biſhop of *Conſtance*, and *William* Biſhop of *Durham* (both whom Biſhop *Odo* had engaged to his Party) *Robert* Earl of *Mortaign*, *Roger* Earl of *Shrewsbury*, and many others too tedious to be inſerted here; ſo that moſt of the principal Men of the Kingdom, except Archbiſhop *Lanfranc*, conſpired to deprive the King of his Crown, if not of his Life: This Plot was firſt hatched in *Lent*, but did not break out till a little after *Eaſter*. [2.] *Idem.* Earl *Robert* and Biſhop *Odo*, Chief Exciters of this Commotion.

[3.] But *Ordericus Vitalis* gives us a larger and ſomewhat different Account why the greateſt part of the *Norman* Nobility thus conſpired againſt the King, to this Effect: That the Chief Men of *England* and *Normandy*, who had great Eſtates in both Counties, during the preceeding Winter met and conſulted about the Conſequences of this Diviſion and Separation of them one from the other; they were in a great ſtreight what to do, they could not at once ſerve two Lord's, ſo diſtant in Place and different in Intereſt, without diſpleaſing one of them, and thereby hazarding their Eſtates in the Territories of the offended Prince. At laſt moſt of them reſolved, ſince Duke *Robert* was the Elder Brother, to ſet him up, and make him Prince of *England* and *Normandy*, for Preſervation of the Unity of both Nations: This was the Contrivance of *Odo* Biſhop of *Bayeux*, *Euſtace* Earl of *Bulloigne*, *Robert de Belleſme* and many other *Norman* Lord's; which Deſign they communicated to Duke *Robert*, to whom (if they would once begin) he promiſed a ſufficient Aſſiſtance: In all which this Author ſpeaks very probably, except in what he writes concerning the *Norman* Nobilitie's [3.] P. 665. The true Reaſon why ſo many of the *Norman* Nobility conſpired againſt the King.

* He was Son to *Roger* Earl of *Shrewsbury*, and *Arundel*, and was Heir to both thoſe Earldoms.

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litie's doing Homage to Duke *Robert* in his Father's Life time: Which, (beſides that it is not related by any other Hiſtorian), is alſo very unlikely, ſince his Father was angry with him a long time before his Death, and utterly refuſed to reſign the Dutchy of *Normandy* to him, as he expected he would: [4.] But this Author farther tells us (with greater certainty), that ſometime after *Chriſtmas* ſeveral of theſe Lords paſſed into *England*, where they fortified their Caſtles, and in a ſhort time ſtirred up a great Part of the Kingdom againſt the King; with theſe joined *Roger* Earl of *Arundel* and *Shrewsbury*, *Hugh Grantmeſnill*, Viſcount or Sheriff of *Leiceſter*, and many more very Great Men in *England*, who tho they ſeemingly continued in King *William*'s Intereſt, yet privately favoured Duke *Robert*. Theſe alſo fortified, manned and victualled their Caſtles; and waſting the Countries almoſt all over the Nation, expected the Duke's arrival with an Army out of *Normandy* at the Spring.

[4.] O. V. P. 666. What Great Lords took part with Duke *Robert*.

[5.] *Id. Ib.* His great Preparations to Invade *England*.

[5.] For during this Winter Duke *Robert* plentifully diſtributed his Wealth among his Veteran Souldiers and Knights, and by hope of Rewards brought into his Service a Multitude of young Soldiers; but his Treaſure failing, he borrowed of his Brother *Henry* three thouſand Pounds, for which he received the whole Country of *Conſtantine* (now *Contantin*) being then the third Part of *Normandy* with the Cities thereunto belonging, as alſo St. *Michael*'s Mount lying in the Sea, which was to be a Place of Retreat for him: Notwithſtanding which, as ſoon as the Duke had fail'd of his Deſign upon *England*, he unjuſtly diſſeized his Brother *Henry* of that Country and Fortreſs which he had mortgaged to him.

[1.] *Id. Ib.* What means the King uſed to prevent it.

[1.] King *William* being ſenſible of the ill Poſture of his Affairs, reſolved to ſuppreſs theſe Inſurrections, and to that purpoſe, ſummon'd Archbiſhop *Lanfranc* with the Biſhops, Earls and Natural *Engliſh* and ſhewed them his Intentions: They exhorted the King to proceed againſt theſe Diſturbers of the publick Peace, and promiſed him their utmoſt Aſſiſtance; which is alſo confirm'd by *William* of *Malmeſbury*, who ſays, the King had no way left but to apply himſelf to his Honeſt *Engliſh* Subjects.

[2.] C. S. F. W. What Actions happen'd upon the breaking out of the War.

In the beginning of the Spring the War broke out almoſt at once, divers Biſhops and Great Lords taking up Arms in ſeveral Places. Our [2.] *Engliſh* Writers make *Geoffry* Biſhop of *Conſtance* and *Robert de Mowbray*, his Nephew, to have begun this War; who went to *Briſtol* where they ſeized the Caſtle, and from thence they marched and plundered *Bath* with all the Countries thereabout: Alſo the Earls of *Hereford* and *Shrewsbury* with their Tenants in thoſe Counties, and a great Multitude of *Welſhmen*, marched as far as *Worceſter*, where they hoped to have got that Church and Caſtle into their Hands, being then Commanded by Biſhop *Wulſtan* who was much troubled at this News; yet reſolving to continue firm to the King, he immediately retired into the Caſtle, and from thence ordered his Men to ſally out upon the Enemy, who had ſuch good Succeſs, that they killed and took Priſoners above five hundred of them and put the reſt to flight. About the ſame time *Roger Bigot* ſeized the Caſtle of *Norwich*, and after that made a great Spoil in the Adjacent Country, whilſt *Hugh Grantmeſnill* did the like in *Leiceſterſhire* and *Northamtonſhire*; and *Bernard* of *Newmarket* ſeized upon the Caſtle of *Hertford*: Nor was the

North

North free from Diſturbances; For *William* Biſhop of *Durham* (a Man of great Power, and a Voluble Tongue) on whoſe Advice the King at firſt very much relyed, revolted from him, and raiſed a War, not only in his own Country, but in thoſe that lay next to him. *Anno Dom.* MLXXXVIII.

[3.] In the mean while Biſhop *Odo* (who was the Ring-leader of this miſchief) went into *Kent*, where he Plundered the King's Towns, as alſo the Lands of all thoſe who adhered to him, and new Fortified the Caſtle of *Rocheſter*, [4.] as a place of Advantage, and moſt fit for their chief Magazine, being in the mid-Way between *London* and *Canterbury*, near the Sea-Coaſt of *Kent*, where they intended to Land their Forces and Warlike Proviſions; and from thence too they could at pleaſure keep a Correſpondence with Duke *Robert*.

[3.] *Idem. Ib.* Biſhop *Odo* Fortifies the Caſtle of *Rochester.*

[4.] O. V.

[5.] But the King did not give them any long time to fortifie themſelves, for he immediately marched with his Army againſt *Rocheſter*, ſuppoſing his Uncle the Biſhop had been there; but hearing that he had left it, and retired to *Pevenſy* Caſtle, he reſolved to follow him thither, ſince if he could take him, he looked upon the War as half ended: ſo drawing off his Forces from *Rocheſter*, he marched to *Tunbridge*, where he found the Caſtle ſtrongly fortified by Biſhop *Odo*'s Men; but the *Engliſh* manfully aſſaulting it, thoſe within ſurrendered upon Conditions, and the King then ordering it to be demoliſhed; he marched with his whole Army towards *Pevenſy*, in perſuit of the Biſhop; which Caſtle belonging to Earl *Robert*, *Odo*'s Brother, the King preſently beſieged with his whole Army, for the ſpace of ſix Weeks.

[5.] F. W. King *William* marches againſt the Biſhop.

[1.] Whilſt things went thus, *Robert* Duke of *Normandy*, had got together a Great Army which he ordered to be tranſported into *England*, ſeeming reſolved to follow it himſelf ſoon after; but yet conſulting too much his own eaſe and ſecurity, he came not at the time appointed; which delay proved the ruin of this Enterprize, [2.] for the King's Fleet ſo well defended the Sea-Coaſts, that falling upon the Duke's Forces, which was then paſſing over, they killed and drowned an incredible number of them.

[1.] C. S. F. W. Duke *Robert* Aſſembles a Great Army, but fails to come over.

[2.] W. M. P. 68. *a.*

From whence we may obſerve how neceſſary it is for a King of *England* to be Maſter at Sea; for had the Duke's Forces now Landed, and joyned with thoſe that were in Rebellion, they had certainly either *depoſed* the King, or at leaſt put him in great hazard; whereas the Duke's Succours being deſtroy'd at Sea, and his Party in *England* not having an Army great enough to take the Field, they were quickly ſubdued one after another, before Duke *Robert* could come over to their aſſiſtance, which when he would have done, it was too late.

Wherefore, tho' *Polydore Virgil* tells us, that ſome *Engliſh* Writers make Duke *Robert* to have then come into *England* to aſſiſt thoſe of his party: I (for my part) cannot find ſo much as one antient Writer that aſſerts it; for, the Truth is, he loſt the Kingdom by his own Slothfulneſs, in failing to come over in due Seaſon.

Polydore Virgil's miſtake in making Duke *Robert* to have now come into *England.*

[2.] But to return to our Hiſtory; whilſt things paſt thus ſucceſsfully at Sea, Biſhop *Odo*, and thoſe who were with him in the Caſtle of *Pevenſy*, compelled by Famine, were forced to Surrender that place, as alſo to ſwear they would quit the Kingdom, and never return to it again, unleſs King *William* commanded them; then the Biſhop being taken Priſoner, engaged (to obtain his Liberty) that his Men ſhould alſo

[3.] C. S. R. H. Biſhop *Odo* forced by Famine to Surrender *Pevenſy* Caſtle.

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The Biſhop carried to *Rocheſter* Caſtle, and is carried into it.

alſo deliver up the Caſtle of *Rocheſter*; but when the Biſhop was brought thither by the King's Soldiers who were to receive the Caſtle; the Gariſon that kept it, inſtead of Surrendering, Sallied out, and ſeiſed the Biſhop, together with thoſe that came with him, and carried them into the Caſtle, which was ſuppoſed to be done by the Biſhop's contrivance, for the Caſtle was very well Mann'd, and Victual'd, and there was then within it moſt of the [4.] Nobility of the *French* Faction: as *Euſtace*, the younger Earl of *Boloign*, and *Robert de Belleſm*, with many other *Norman* Lords. But when the King heard this, he marched thither with what Forces he had with him, and ſending throughout all *England*, he commanded every Man as well *French* as *Engliſh*, who would not be counted a * *Nithing*, to repair to him; ſo that great Numbers being thus aſſembled, he marched to *Rocheſter*, and there Beſieged the Caſtle, where the Defendants in vain expected the Aſſiſtance of Duke *Robert*, for he was detained at home by eaſe and Luxury from that Expedition.

[4.] O. V. P. 667. By what means the King raiſed Forces, and took *Rocheſter* Caſtle.

* *i.e.* In *Engliſh Saxon*, a Baſe Cowardly Fellow.

[4.] *Ordericus Vitalis* further relates, that thoſe of the Duke's Party at firſt held the Town, as well as the Caſtle, but being beaten out of the former, and reduced into a narrower compaſs, many periſhed of a raging Sickneſs; and then too being preſſed by divers Neceſſities, they ſent to King *William*, that upon condition they might enjoy their Lands and Eſtates, they would yield the Caſtle, and for the future ſerve him faithfully as their Natural Lord. The King was angry at theſe Propoſitions, and ſwore he would take the perfidious Traytors by force, and hang, and deſtroy them all, by divers kinds of deaths; and to ſome of his Nobility (who having many Friends and Relations in the Caſtle, perſwaded, him to Moderation) he gave this notable Anſwer, *That whoſoever ſpared Perjured Men, Thieves, Plunderers, and Execrable Traytors, took away quiet and peace from innocent Men, and laid a foundation of innumerable miſchiefs to the good and harmleſs.* But at length overcome by the Interceſſion of his Friends, the Biſhops, with the *Engliſh* Noblemen, *Hugh* Earl of *Cheſter*, *Robert de Roelent*, *William de Warrenna*, *Robert Fitz-Haimon*, and other Loyal Antient Barons, he granted the Beſieged their Lives, pardoned the loſs of their Limbs, and gave them leave to paſs out of the Caſtle, with their Horſes and Armes, but without hopes of ever enjoying their Lands and Eſtates during his Reign; whereupon they were forced to quit the Kingdom, as was alſo Biſhop *Odo*, who now irrecoverably loſt both his Honour (*i.e.* his Earldom of *Kent*,) and great Eſtate in *England*; yet to make him ſome amends for his loſs, ſo ſoon as he returned into *Normandy*, he had the Government of that Province committed to his Charge, by his Nephew Duke *Robert*.

[5.] *Ibid.*

The Conditions on which it was to be Surrender'd.

The King is very averſe to grant them.

Yet yields to them at laſt.

Biſhop *Odo* and thoſe in the Caſtle, forced to quit the Kingdom with the Loſs of their Eſtates.

[1.] C. S. The King beſtows thoſe Lands upon thoſe that had ſerved him.

[1.] Then King *William* beſtowed the Eſtates of theſe Baniſhed Noblemen upon others, who had ſerved him faithfully during this War; which tho' it was now happily and unexpectedly ended, yet it would not have been over ſo ſoon, had it not been for certain very Politick Methods which this King took at the beginning of theſe Commotions; [2.] for it was not by open force that he quell'd this Univerſal defection of the *Normans*; but by publiſhing, That he would eaſe all his Subjects, and eſpecially the *Native Engliſh* of their great Taxes, promiſing them better Laws, with the free Liberty of Hunting in his Foreſts; as alſo by bribing ſome of the chief *Norman* Noblemen, with

[2.] W.M. *p.* 120. What Methods the King took to quell this Commotion.

with large Promiſes of what great things he would do for them: Thus he inſinuated himſelf into *Roger* Earl of *Arundel* and *Shrewsbury*, (concerned, tho' under-hand, in this Inſurrection) to whom he pretended he would moſt willingly quit the Government, if he and thoſe his Father had deſign'd his * *Curators* ſhould think fit; yet adding, that he knew not why they were ſo violent againſt him; for if they would have Money or Augmentation of their Eſtates, they might have what they would, upon condition they did not endanger nor queſtion his Father's Judgment; which if they deſpiſed, they might hazard their own ſafety; for the ſame Man that had made him a King, made them Earls and Great Men. With theſe fair words and promiſes the Earl was brought off from the Confederacy, which was immediately then broken, and the Nation reduced to quiet (as was ſaid before) the Confederates either ſubmitting, or leaving the Kingdom. *Anno Dom.* MLXXXVIII.

* *Tutores.*

And the great Promiſes he made divers Noblemen, who were at firſt againſt him.

But no ſooner was the King rid of theſe Fears, and ſettled in his Throne, [2.] but, forgetting all his Oaths and Promiſes, he took quite contrary Meaſures in his Government to what he had done before; of which breach of Faith being mildly admoniſhed by Archbiſhop *Lanfranc*, the King grew very angry, and preſently replied, *Who can perform all things he hath promiſed?* But he never after could afford him a kind look: [3.] Yet being ſtill ſomewhat in awe of him, he refrain'd from doing many things to which he had a great inclination; but this good Archbiſhop continued not long a Reſtraint to him. *Anno Dom.* MLXXXIX.

[2.] *Ead. L.* 1. *p.* 14. The danger being over, the King breaks all his fair Promiſes.

[3.] W.M. *de Vit. Pont. p.* 25.

[4.] For on the 24*th.* of *May*, this Year, he departed this Life, of a lingering Feaver, to the great grief of all good Men, being not only a Great Scholar for that Age, and well vers'd in the Affairs of the Kingdom, but alſo very Pious and Charitable, and not at all addicted (as our Hiſtorian relates) to that ſordid Covetouſneſs, for which his Country-men the *Lombards* were then noted. He not only gave a great deal to the Poor, (whom he often ſerved with his own hands;) but, which was more, when he found his Church and Monaſtery burnt down, he new built them from the Ground, after a more Magnificent manner, with a Palace likewiſe for himſelf and his Succeſſors, and all in the ſpace of ſeven Years; he likewiſe nobly adorned the Church with rich Copes, and all other Neceſſary Ornaments: So that it ſeems a wonder how he was able to perform ſo much in ſo little time.

[4.] *Idem. Ib.* Archbiſhop *Lanfranc* dies, his Character and Charitable Actions.

[5.] He alſo rebuilt the Abbey of St. *Albans*, for the ſake of his Kinſman *Paul*, whom he had procured to be made Abbot thereof. Beſides this he built a very handſome Hoſpital without the City of *Canterbury*, for the Lame and Infirm, both Men and Women, who had each of them their diſtinct Apartments. He then Founded and Endowed a Church and Monaſtery of Regular Chanons, who were to take care of the Sick, and adminiſter to them all things neceſſary, as well for their Body as Soul. He built moreover another Hoſpital for Lepers, without the City; not to mention the many Houſes in the Country belonging to his See, which he new built from the Ground.

[5.] *Idem. Ib.*

[1.] He alſo left ſome Monuments of his Great Learning; as his Decretal Epiſtles, &c. tho' his chief Work was the Defence of the *Romiſh* Doctrine of *Tranſubſtantiation* againſt *Beringarius*, who lived at that

[1.] W. M. *De Geſt. Pont. p.* 122. *a.* This Archbiſhop's Learned Writings.

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that time, and had not long before denyed, that the Sacrament of the Altar (as they term it) was the True *Subſtantial* Body and Blood of Chriſt; but this Doctrine being condemned by the Popes in the Councel of *Vercelles*, he was forced to recant that Opinion.

[2.] W. M. *De Geſt. Pont.* P. 123. *b.* The King upon the Archbiſhop's death grows worſe; and ſells the Biſhopricks, *&c.*

[2.] As ſoon as Archbiſhop *Lanfranc* was dead, the King preſently grew worſe and worſe, and ſoon diſcovering what lay before conceal'd, immediately ſeized the whole Revenues of the Archbiſhoprick into his own Exchequer, allowing only neceſſary Maintenance to the Monks, keeping that See void for almoſt four Years: He did the ſame by *Lincolne*, and [3.] all other Churches and Abbies as ſoon as they became vacant, which were never beſtowed and filled ſo long as he could ſqueeze any thing conſiderable out of 'em, and when he could get nothing more, would then ſell an Abbey ſo pilled to ſome Monk, who would bid moſt for it.

[3.] *Ead.* p. 14.

[4.] C. S. F. W. A great Earthquake in *England.*

[4.] But nothing elſe happening Remarkable, I ſhall only obſerve that there was this Year ſo great an Earthquake in *England* that many buildings were deſtroyed by it; the reſt of the Year the King ſpent in ſetling his Kingdom, and preparing for the War he made the next Year againſt his Brother Duke *Robert*. Who ever ſince his Diſappintment in his late intended Expedition into *England*, had found full imployment in quelling Diſturbances at Home; [5.] but the King was now reſolved to be revenged on him and to Conquer *Normandy*, if he could.

Anno Dom. MXC.

[5.] *Idem.*

[1.] W. M. F. W. p. 68. *a.* King *William* gets many ſtrong Places in *Normandy* by treachery.

In order to which, [1.] He by Money and ſecret Practices obtain'd the ſtrong Caſtle and Fort of St. *Walery* of one *Walter* its Governour, as alſo that of *Albemarle* of another *Norman* Baron called *Odo*, beſides other Caſtles upon the Sea Coaſt, in all which he put Garſons, who ſallied out and ſpoiled the Country round about: At this Duke *Robert* being much incenſed, he diſpatched Ambaſſadors to *Philip* the *French* King as his Supreme Lord, imploring his Aſſiſtance; who thereupon coming into *Normandy*, He, together with the Duke, beſieged one of thoſe Caſtles; which when King *William* heard, he ſent privately a round Sum of Money to King *Philip*, by which means he procured him to raiſe the Siege, and return again into *France*, with more Riches, but leſs Honour, than he had before.

The King buys off the King of *France* from Aſſiſting Duke *Robert.*

[2.] O. V. p. 672. *Henry* the Duke's Brother Fortifies thoſe Places that had been mortgaged to him.

[2.] About this time *Henry*, younger Brother to Duke *Robert*, having been ill uſed and impriſoned by him, and alſo diſſeized by King *William* of his Mother's Lands in *England*, ſtood Neuter, and fortified the Towns which were mortgaged to him, *viz. Cherburgh*, *Auranches*, *Conſtance*, and other Places, and craftily gained to his Party many of his Father's Nobility, as Earl *Hugh de Auranches*, *Richard de Redvers*, and others of the County of *Contantine*, by which means his Forces encreaſed daily.

The Citizens of *Rouën* about to deliver that City to King *William.*

About the ſame time King *William*'s Army marched almoſt where it would through *Normandy*, the *Norman* Nobility favouring him for his Money; the Citizens of *Rouën* being likewiſe bribed by his Gifts and Promiſes, treated with him about charging their Prince, and conſulted how to betray the Metropolitane City of *Normandy*, together with their Lazy Duke, to the King. One *Canon* a Rich Citizen was the Chief Conſpirator, and had bargained with King *William* to let his Forces into the City; but the Duke being made ſenſible of this Conſpiracy, preſently ſtruck up a Peace with his Brother *Henry*, and ſome others, that

Whereupon the Duke ſtrikes up a Peace with his Brother *Henry.*

that had revolted from him, who put themſelves time enough into the Town to ſecure it, tho' with great Slaughter of the Citizens, who made Reſiſtance; *Conan* the chief Traytor was taken, and for his puniſhment was by *Henry*'s Order carried up into a high Tower, and from thence was by his own hands flung headlong out of a Window: But this Reconciliation between theſe Brothers did not hold long, as you will find by and by. *Anno Dom.* MXC.

[3.] In the mean time I find nothing done in *England*, only the Kingdom was extremely exhauſted by cruel and illegal Taxes, with other Misfortunes. [3.]

[4.] The next year King *William* having kept his *Chriſtmaß* at *Weſtminſter*, paſſed over about *Candlemaß* following into *Normandy* with a great Fleet, wholly to deprive his Brother *Robert* of it, and made him raiſe the Siege of a Caſtle called *Curcey*, which he had Beſieged for ſome time, but the King had not been long there, before a Peace was concluded between 'em upon theſe Conditions, that the Duke ſhould grant to the King the Country of *Ou*, now called *Eu*, and the Towns of *Feſcamp* and *Karesburgh*, with all thoſe Caſtles which had revolted from him; in conſideration of which, the King was to reduce to the Duke's Obedience the County of *Main*, and all thoſe Caſtles in *Normandy* that were then in Rebellion; that the King ſhould alſo reſtore to the *Norman* Noblemen all thoſe Lands they had loſt for their fidelity to the Duke, and that the King ſhould confer upon him as much Land in *England* as was then agreed upon between them: Laſtly, That if the Duke ſhould die without any Son lawfully begotten, the King ſhould then be his Heir, as he alſo the King's, upon the ſame Terms. Theſe were the chief Conditions of the Peace then concluded between them: for the true performance of which Twelve Barons on each ſide took their Oaths on the behalf of their reſpective Princes. *Anno Dom:* MXCI. [4.] *Idem.* C. S. The King paſſes into *Normandy* with a Fleet. A Peace concluded between the King and Duke, and on what Conditions.

[5.] After which the two Brother Princes came together to *Rouën*, where all former Quarrels being laid aſide, they were reconciled to each other. The Duke received great Gifts and Preſents from the King, to whom the Duke granted the Country or Earldoms of *Ou*, and *Albemarle*, with the Lands of *Gerard de Gournay* and *Ralph de Conches*, with all the Caſtles and Fortreſſes belonging to them. But when *Henry* their Brother ſaw how things were carried, he was not at all pleas'd with theſe Tranſactions, for he was thereby wholly left out of the Agreement, and being therefore reſolved to Right himſelf as well as he could, after having made great Complaints (tho' in vain) againſt the hard dealing of his Brothers; and having demanded ſome part of the large Poſſeſſions of his Father, and being refuſed them, he gathered together a Body of the *Bretaignes* and *Normans*, and fortified *Conſtance*, *Auranches*, and ſome other Towns, which it ſeems, remain'd ſtill in his power: But how this will agree with what other Authors relate, that *Henry* ſtood then diſſeiſed of thoſe places which had been formerly Morgaged to him, I know not. [5.] O. V. P. 693. The two Princes being reconciled, the King comes where they make each other great Preſents. *Henry* their Brother being included out of this Peace, ſtands upon his own defence.

But to return to our Author: *Hugh* E. of *Cheſter*, and others, who much favoured *Henry*, yet weighing his Poverty, and the great Riches and Power of K. *Will.* deſerted the former, and yielded their places of ſtrength to the latter; whereupon *Henry* being thus forſaken by all, was forced to betake himſelf to his laſt Retreat, *St. Michael's Mount*, [1.] from whence *Henry* betakes himſelf to *St. Michael's Mount*. [1.] F. W.

Anno Dom. MXCI.

whence Sallying out with his Soldiers, he ſpoiled the adjacent Country; to put a ſtop to which, his two Elder Brothers being now Confederates, and joyning their Forces, Beſieged that Fortreſs all the *Lent*, where they loſt many Men without ſucceſs; till at laſt the King being quite wearied out, raiſed the Siege, and departed; after which (as [2.] *Ordericus* relates) the Fortreſs was Surrendered to the Duke for want of Water, on condition that *Henry* and thoſe with him might have liberty to go whither they pleaſed; after which (according to the ſame Author) this poor Prince being thus deſerted, retired into *Bretaigne*, and going thence, remain'd for ſome time in the * *French Veuxin*, often ſhifting places, being attended with one Knight, a Clerk or Chaplain, and three Eſquires, or Servants; tho' all our Hiſtorians except *William* of *Malmesbury*, make his Brothers to have been reconciled to him, and that King *William* preſently after took him and Duke *Robert* both over into *England* along with him: But however it were, *Henry* did not long remain in ſo forlorn a condition, for this [3.] Author himſelf relates him to have been about the very next year after in the City of *Damfront* in *Normandy*, as you will find anon.

[2.] *Ibid. P.* 697. The Fort at laſt Surrenders for want of Water

* *i. e.* The Country lying between the Rivers *Epte* and *Eſc.* C.S.F.W.R.H.

[3.] W. M. P. 698.

But before I diſmiſs this Subject, I cannot omit two remarkable accidents related by [4.] *William* of *Malmesbury* during the Siege above mentioned, the one to ſhew the Magnanimity of the King, and the other the good nature of Duke *Robert*; the former riding one day out of his Camp alone to take the Air, ſaw ſome of the Enemies Soldiers riding very boldly up to him; and tho' he was alone, yet truſting to his own Perſonal Valour, he would needs ſet upon them, believing none would dare to reſiſt him; but at the firſt Encounter being by one of them flung from off his Horſe (which alſo happen'd to be killed under him) the Soldier who did it, had now drawn his Sword, and was ready to ſtrike him, when he being ſenſible of the extremity of the danger, cried out, *Hold Knave, I am the King of England*; theſe Soldiers being ſurprized at this Speech, preſently took him up with great Reſpect, and ſet him upon another Horſe; as ſoon as he had mounted, looking briskly round him, he asked who it was that had diſmounted him? Then after they had whiſpered together, at laſt he who had done it, boldly anſwered, *It was I, who did not think you were any more than a common Trooper.* Then the King with a pleaſant Countenance replied, *By St.* Luke's *Face* (which was his uſual Oath) *thou ſhalt be my Soldier, and ſerving under me, ſhalt enjoy the juſt reward of thy Valour.* This our Author thinks ſo generous an action, that he prefers it before that of *Alexander* the Great, who pardoned a *Perſian* Souldier, that was about to have wounded him.

[4.] *Hiſt. p.* 68. (*b*) Two Relations that ſhew the different Tempers of the King and Duke.

[5.] The other inſtance of Duke *Robert*'s Generoſity and good nature, is this, that at this Siege, when it had now held out long, and Water grew ſcarce in the Fortreſs, *Henry* ſent Meſſengers to his Brother the Duke, deſiring he might not be denied Water, or elſe that he would ſubdue him by force of Arms, and not by Thirſt. The Duke being moved with natural affection towards his Brother, commanded his Men to keep ſuch a negligent Guard on that ſide, as that his Brother's Men might have the opportunity of fetching in Water.

[5.] W. M. *Ib. P.* 121.

But when this was told King *William*, who was more Politick, as well as ill natur'd, he ſaid to the Duke in anger, *You know indeed very well,*

well, how to make War, who allow your Enemies ſuch plenty of Water. The Duke replied ſmiling, *What ſhall I ſuffer my Brother to die with Thirſt; where ſhall we have another when he is gone?* But the King deriding the Duke's eaſie nature, quitted the Siege, and returned into *England*, where the frequent Invaſions of the *Scots* and *Welſh* required his preſence to repell them. *Anno Dom.* MXCI.

Yet *Florence* makes the King to have ſtayed in *Normandy* with his Brother *Robert* till *Auguſt*, and then to have return'd into *England*, but which of theſe Author's Relations is moſt to be followed, I will not take upon me to determine, tho' the latter ſeems moſt likely.

[1.] However this is more certain, that the King before he left *Normandy*, made his Brother Duke *Robert* baniſh *Edgar Atheling* out of that Country, and the King himſelf deprived him of all the Lands he had given him, only becauſe he had been of the weaker ſide, who thereupon went into *Scotland* to King *Malcolm* his Brother-in-law. But not long after this King *William* ſo prevail'd with Duke *Robert*, either by promiſing him money, or ſome further performance of the reſt of the Treaty, that was ſtill to be finiſht here, that he brought him over into *England*, and had his Company in the Expedition which he now made againſt *Malcolm* King of *Scots*; who the *May* before taking advantage of the King's abſence, had [2.] Invaded *Northumberland*, and intended to do greater miſchiefs to the *Engliſh*, had he not been hindred by ſome ſudden, unexpected accident; but whither it was the fear of a Rebellion at home, or of the great Preparations that were making againſt him in *England*, none of our Hiſtorians vouchſafe to tell us, only in general, *That God would not have it ſo.* But whatſoever was the cauſe of his ſudden Retreat, his Army carried away great ſtore of Booty into their own Kingdom.

[1.] C.S. F.W. Duke *Robert* Baniſhes *Edgar Atheling.*

[2.] C.S. F.W.

[3.] The *Auguſt* following, ſo ſoon as King *William* and his Brother Duke *Robert* arriv'd in *England*, they marched againſt the King of *Scots* with a very great Army, having ſent a powerful Fleet before to annoy the Coaſt; but the greateſt part of the Ships were loſt in a Storm, about *Michaelmaſs*, before the King's arrival in *Scotland.*

[3.] *Idem.* The King and his Brother Duke *Robert* march againſt *Scotland.*

[4.] As ſoon as the King came to *Durham*, he reſtored *Egilwin* Biſhop thereof to his former Office and Dignity, which he ſtood deprived of for his Rebellion againſt him, ever ſince the firſt Year of his Reign.

[4.] S. D. The King reſtores the Biſhop of *Durham.*

[5.] Then the King of *Scots* met King *William* in the Country of *Lothian* upon the Borders of *England*, who had loſt a great many Men and Horſes by Hunger and long Marches. *Robert de Mowbray*, Earl of *Northumberland*, ſeeing the *Scots* ſo well prepared, ſent for *Edgar Atheling* to come privately to him, (who ever ſince his late Baniſhment out of *Normandy* had reſided in *Scotland*) and by his means a Peace was clapt up between the two Kings on theſe Conditions: *Firſt*, That *Malcolm* ſhould yield the King the ſame Obedience as he had done to his Father King *William*. *Secondly*, That the King ſhould reſtore to *Malcolm* Twelve Mannors, which he had formerly held under his Father, and ſhould alſo pay him every year Twelve Marks of Gold. But this Peace did not laſt long, as you will find hereafter; therefore in conſideration of this good Office, the King was

[5.] *Idem. Ibid.* F. W. The King makes Peace with the King of *Scots* by the Mediation of *Edgar Atheling.*

And on what Conditions.

Anno Dom. MXCI.

again reconciled to Prince *Edgar*, and thereupon both the Kings returned home in peace.

[1.] P. 701. Another Relation of the making this Peace by means of Duke *Robert*.

But [1.] *Ordericus Vitalis* relates this Tranſaction ſomewhat another way; that this Peace was made chiefly by the means of Duke *Robert*, for that the King of *Scots* refuſed to Treat with any but him; to whom, as to the Eldeſt Son and Heir of King *William*, he was willing to yield what ever was due; and that the Duke thereupon going to him, and after having entertain'd him very kindly for the ſpace of three days, the King carried him at laſt to the top of a high Mountain, from whence he ſhewed him two great Armies, with which he ſaid he was ready to fight his Brother; for having never promiſed him any thing, he owed him nothing; but was ready to do to him what he had promiſed to his Father: But the Duke civilly refuſing it, perſwaded that King to go along with him to King *William*; from whom, as from a richer and more powerful Prince, he needed not doubt of a kind Reception. And that then the King went with him; ſo upon this Enterview they were made Friends.

But this Story I take to be as true as the reſt of the Speech this Author makes for King *Malcolm*, that his Wife Queen *Margaret* was betrothed to him by King *Edward* the *Confeſſor*; and that at the ſame time he received *Lothian* at his hands: Both which are quite contrary to the Teſtimony of the *Saxon* Annals, and of all other *Engliſh* Hiſtorians, as you will find hereafter in this Reign; therefore I look upon this whole Relation to be invented by the *Norman* Monks, to advance the Honour of their Duke *Robert*.

[2.] C. S. Duke *Robert* with *Edgar Atheling* returns into *Normandy*.

But this is more certain concerning this Duke, [2.] that when he had ſtayed with the King till toward *Chriſtmaſs*, and found that he would not truly perform the Conditions of the Peace lately agreed upon between them, he went on Board his Ships two days before that Feaſt, and taking *Edgar Atheling* along with him, paſſed over into *Normandy*.

Great Part of *South Wales* Conquer'd by the *Engliſh* and *Normans*.

[3.] P. 124. And on what Occaſion.

During the King's abſence there happen'd the total Conqueſt of all the Country of *Glamorgan* and *Morganwie* in *South-Wales*, a ſhort account of which I ſhall give you from [3.] Dr. *Powel's Welſh* Chronicle, under the year of our Lord 1091, *viz.* that in the fourth year of the Reign of King *William Rufus*, *Jeſtyn*, the Son of *Gurgant*, being Lord of the Territories of *Glamorgan* and *Morganwie*, *Rees ap Tewdor* Prince of *South-Wales* (that is of *Caërmarthen* and *Cardigan* Shires) made War upon him; whereupon *Jeſtyn* finding himſelf too weak to withſtand Prince *Rees* without ſome foreign Aides, ſent one *Eneon*, a Gentleman of his, into *England*, to one *Robert Fitz-hamon*, a valiant Man, and Knight of the King's Privy Chamber, for aſſiſtance. *Robert* being deſirous to Exerciſe himſelf in the Feats of Arms, ſoon agreed with *Eneon* for a Salary to be paid him for his Service when perform'd. Whereupon *Robert Fitz-hamon* alſo retained for this Expedition Twelve other Knights, and a competent number of Soldiers, with whom he march'd into *Wales*, and joyning there with the Forces of *Jeſtyn*, fought with Prince *Rees ap Tewdor*, and killed him, together with *Conan* his Son. After which Victory, the ſaid *Robert Fitz-hamon* reſolving to return home with his Company, demanded his Salary due to him from *Jeſtyn*, according to the Covenants agreed upon between him and *Eneon*, on the behalf of his Maſter; which *Jeſtyn* denying

denying to perform, they thereupon fell out, and at laſt it came to a Battel; and when *Eneon* ſaw his Maſter thus to go from divers of thoſe Articles that had been agreed with *Robert Fitz-hamon* on his behalf, he forſook his Maſter, and took part (both he and his Friends) with *Robert Fitz-hamon*, in which Conflict *Jeſtyn*, with a great number of his Men, were ſlain, whereby *Robert Fitz-hamon* conquered the whole County of *Glamorgan*, with its Appurtenances; of which he gave certain Caſtles and Mannors to the Twelve Knights that aſſiſted him in this Expedition, as a reward of their Service; ſome of whoſe Poſterity enjoy part of thoſe Lands to this day. *Anno Dom.* MXCI.

This again ſhews us, that the Ruin of the Princes of *Wales* proceeded from the Diviſion of that Principality into ſo many ſmall Shares, the Lords of which (being oppreſſed by their chief Princes) called in the *Engliſh* to their Aſſiſtance, who never fail'd to make their Advantage of thoſe unnatural Diviſions.

I have nothing more to add under this Year, [4.] but certain ſtrange Accidents; That in *October* happened ſo great a Thunder and Lightning in *Glouſterſhire*, that it made a great Hole in the Tower of the Abbey-Church of *Winchelcomb*, and paſſing through it, broke one of the Beams in ſunder, and ſtruck off the Head and one of the Leggs of the Great Crucifix, overthrowing the Image of the Virgin *Mary*, that ſtood by it; this was followed by ſo intollerable a ſtench, that the Monks thought good to drive it away with Incenſe, Holy Water, and Singing of Pſalms; for they ſuppoſed nothing but the Devil himſelf durſt have treated their Images ſo rudely. [4.] F. W. The ſtrange Effect of Lightning at *Winchelcomb* Abbey.

[5.] Alſo about the beginning of *November* following, there aroſe ſuch a violent Storm from the South-Weſt, as overthrew Six hundred Houſes, and divers Churches in *London*: Which Tempeſt took off the whole Roof of the Church of *St. Mary le Bow* in *Cheapſide*, and carried it a good way, to the amazement of all that ſaw it; and then the Raſters ſtruck into the Ground with that prodigious force, that Six of them (being Twenty ſeven foot long) were fixed ſo deep into the Earth in the ſame order as they ſtood in the Church, that not above a third or fourth part of them were to be ſeen above Ground; ſo that not being without great difficulty to be dig'd out, they were fain to cut off the Ends even with the Ground; This would ſeem incredible, unleſs we conſider, that the Streets were not then Paved, as they are now; and did not ſuch grave Authors as *William* of *Malmesbury*, who lived at that time, and *Florence* of *Worceſter*, who flouriſhed not many years after, aſſure us of it. [5.] *Idem Ib.* W. M. P. 71. *b.* A ſtrange Storm of Wind at *London*, and its wonderful force.

Alſo about this time, [1.] there was a great Diſpute in the *Roman* Church between *Odo* Biſhop of *Oſtia*, who had been choſen Pope at *Rome* by the Name of *Urban* the Second, and *Wibert* Archbiſhop of *Ravenna*, who had alſo been Elected and Named *Clement* by the Cardinals of the Emperor's Party, ſo that *England* for a great while owned neither of them; for tho' *Italy* and *France* had already acknowledged *Urban*, yet King *William* was more inclinable to *Wibert*. [1.] *Idem. Ib.* A Great Schiſm at *Rome*.

This year affords us little of Civil Affairs, beſides [2.] King *William*'s marching with his Army into the *North*, and there rebuilding the Antient City of *Carlile*, called (in *Latin*) *Luguballia*, together with the Caſtle which had been deſtroyed by the *Danes*, and lain in Ruins for above Two hundred years. *Anno Dom.* MXCII. [2.] F.W. King *William* Rebuilds *Carlile*.

In

Anno Dom. MXCII.

In *Normandy* I find nothing to have happened conſiderable, [3.] but that the ſtrong Sea-Port Town of *Damfront*, being weary of the Yoke of *Robert de Belleſme* their Governour, privately ſent for *Henry*, Duke *Robert*'s Brother, and Surrender'd the Town into his hands, and received him for their Lord: Who having thus obtain'd it by the Aſſiſtance of his Friends, Gariſon'd it very well, and made it his Refuge, till ſuch time as King *William* his Brother being reconciled to him, and having need of his Service, ſent for him over, as you will find two years hence.

[3.] O. V. P. 698. *Damfront* in *Normandy* ſurrenders to *Henry* the Duke's Brother.

As for Eccleſiaſtical matters there happened nothing Remarkable, [4.] but that *Remigius* Biſhop of *Dorcheſter*, having in the laſt King's Reign removed his Epiſcopal See from that Town in *Oxfordſhire* to *Lincoln*, and there built a ſtately Church, that City with the Country about it, was Challenged by *Thomas* Archbiſhop of *York*, as lying within his Dioceſs; [5.] which Claim the King underhand encouraged, till at length upon payment of a great Sum of Money to the King, *Remigius* obtain'd of him to declare in his favour: then all the Biſhops in *England* were commanded to be preſent at the Conſecration of the New Church; but two days before that Solemnity, the Biſhop died ſuddenly, and put an End to the matter; being a Prelate of a great Soul, but of a very little contemptible Stature.

[4.] F. W. A Diſpute between the Biſhops of *York* and *Lincoln* about the Juriſdiction of the New Church there built.

[5.] S. D.

[1.] Alſo the ſame year, *John* Biſhop of *Wells*, for a Sum of Money paid to the King, had his Licenſe to Tranſlate the Biſhop's See from *Wells* to *Bath*, ever ſince which this Biſhoprick hath been known by both thoſe Titles; nor did any thing elſe happen this year worth noting, but that great part of the City of *London* was Burnt.

[1.] *Idem.* The Biſhop's See removed from *Wells* to *Bath*.

Anno Dom. MXCIII.

Where King *William* kept his *Chriſtmaſs* this Year, our Authors do not tell us; only [2.] *Eadmerus* ſays, That when all the chief Men of the Kingdom met at the King's Court according to *Cuſtom*, ſome of them complain'd, that the Church of *Canterbury* had long wanted its Paſtor, therefore they reſolved to move the King to fill up that vacant See; but He would then by no means hearken to it, tho' one of the Earls who had the King's Ear, propoſed *Anſelm*, Abbot of *Bec* in *Normandy*, as a Man very Pious and fit for that Dignity: But in *Lent* following falling very Sick at the Mannor of *Alveſtan* in *Glouceſterſhire*, he was carried from thence to *Glouceſter*, and there his Diſeaſe increaſing, he lay Sick all the *Lent*, inſomuch that he thought he ſhould have died; then all the Biſhops, Barons, and Abbots, who came on purpoſe to wait on him, and take their laſt leaves, perſwaded him to Repentance, and not to let the vacant Biſhopricks out to Farm, as he had hitherto done, but beſtow them upon worthy Men; to which he was then inclined to yield; and thereupon vowed to God, that if ever he ſhould recover, he would abrogate all unjuſt Laws, and ordain right ones in their ſtead.

[2.] Eadmerus. P. 15. The King refuſes to make an Archbiſhop of *Canterbury*.

But falling Sick, is at laſt perſwaded to fill up that See, and *Lincoln*.

[3.] In performance of which Vow, he beſtowed the Biſhoprick of *Lincoln* upon *Robert Bloet* his Chancellor, and the Archbiſhoprick of *Canterbury* upon Abbot *Anſelm*, who was then newly come into *England* to viſit *Hugh* Earl of *Cheſter*, that then lay Sick, and was like to die.

[3.] *Id. Ib.* Abbot *Anſelm* made Archbiſhop, and *Robert Bloet* Bp. of *Lincoln*.

But *Anſelm* well knowing the wide difference between the King's diſpoſition and his own, was very loath at firſt to accept of ſo Great a Charge; but at length he yielded to the King's Intreaties (who then ſeemed

[4.] *Id. Ib.* *Anſelm* hardly perſwaded to accept the Archbiſhopri.

ſeemed extraordinary penitent) and the perſwaſions of the Biſhops and Noblemen that had a high opinion of his Sanctity, and ſo he received the Croſier and Ring at the King's hands, and did him Homage, as his Predeceſſors had uſually done; as for the particular Circumſtances of this Tranſaction, being ſomewhat tedious and improper to our preſent deſign, I ſhall refer the more curious Reader to [5.] *Eadmerus* his relation of it, where you will find the Archbiſhop to have been very Judicious, (not to ſay Prophetick) in his fore-knowledge of what related to the King and himſelf.

Anno Dom. MXCIII.

[5.] *Lib.* I. *p.* 15, 17, 18, 19.

[1.] So ſoon as the King recovered from his Sickneſs, inſtead of becoming better, he grew much worſe, and wholly alter'd and diſannull'd whatever he had already done; for he commanded the Priſoners (not yet diſmiſſed) to be kept more cloſely than before; and thoſe already diſcharged, to be again taken up: In ſhort, all things were reduced to the ſame ſtate (or worſe) than they were in before, and brought under the management of thoſe who rather endeavoured to ſubvert, than defend Juſtice, and who took more care to get Money, than to correct offences.

[1.] *Idem. Ib.* P. 19. The King upon his Recovery diſannuls almoſt all he had done.

[2.] However, the Conſecration of the new Archbiſhop was perform'd at *Canterbury*, about the beginning of *September*, with the uſual Solemnities, where he alſo received the wonted Submiſſions of *Thomas* Archbiſhop of *York*, with the reſt of the Biſhops of *England*: But the former refuſed to agree to the Inſtrument of his Election, in which the Church of *Canterbury* was called the Metropolitan of all *Britain*, ſaying, *If that be the only Metropolitan, then the Church of* York *is none, tho' it is well known ſo to be: We indeed allow the Church of* Canterbury *to be the chief, but not the ſole Metropolitan of all* Britain. Whereupon the Writing was alter'd, and for *Totius Britanniæ Metropolitanus*, it was made *Totius Angliæ Primas*. And ſo the Controverſie reſted for the preſent.

[2.] *Idem. Ib.* P. 20, 21. The new Archbiſhop Conſecrated at *Canterbury*, where he received the Submiſſions of all the Biſhops.

[3.] But the Archbiſhop coming to Court towards *Chriſtmaſs* following, was joyfully received by the King, whom he found now reſolved once more to Invade *Normandy*; and lying under great difficulties how to carry on the War, *Anſelm* was perſwaded by his Friends to offer the King Five hundred Pounds, as a free Gift or Preſent; which was at firſt very kindly accepted, but the King being afterward incenſed by ſome about him refuſed it, expecting to have it doubled; whereupon ſome ſharp ſpeeches paſſed between Him and the Archbiſhop, which are related at large by *Eadmerus*, but the Archbiſhop's ſtout denial of any further Money was the firſt occaſion of the King's unkindneſs to him.

[3.] *Id. Ibid.* Archbiſhop *Anſelm* coming to Court, there ariſes a great difference between the King and him, and on what occaſion.

[4.] Not long after, *Malcolm* King of *Scotland* came to King *William* about *Bartholomew*-tide, being then at *Glouceſter*, as had been before agreed by his Ambaſſadors; he was accompanied thither by *Edgar Atheling* his Brother in Law, and the deſign of his coming was, that the late Peace being now confirm'd, a laſting Friendſhip might be made between the two Kings, which was much wiſhed for by ſome of the chief Nobility; but their deſires were wholly fruſtrated; for either out of pride, or ſome particular prejudice to *Malcolm*'s Perſon, King *William* would not ſo much as vouchſafe to ſpeak with, or admit him into his Preſence; which the King of *Scotland* took ſo heinouſly (as well he might) that he returned home big with that rage,

[4.] S. D. King *Malcolm* comes to viſit King *William*.

But thinking himſelf affronted by the King's not ſeeing him, immediately returns home.

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rage, which broke out not long after in a cruel and terrible War.

Now, tho' our Monkiſh Hiſtorians do not directly tell us the reaſons which induced King *William* to treat his Royal Neighbour thus rudely, who came ſo far to make him a viſit, yet I cannot believe him tranſported with meer pride or prejudice, but pure reaſon of State; which is hinted at in *Simeon* of *Durham*, who tells us, that King *William* then required of *Malcolm* to do him Homage in his own * *Court*, or Great Council, which he utterly refuſed to do any where but in the Confines of both Kingdoms, as the Kings of *Scotland* were wont to do in former times. Now this being (I ſuppoſe) required to be agreed to before *Malcolm*'s admittance into the King's Preſence, and being by him refuſed, might be the reaſon why the King would not admit of an Enterview with him.

* *Curia.*

[5.] *Id. Ib.* R. H. King *Malcolm* as ſoon as he return'd home, raiſed an Army, and Invading *England*, is there ſlain.

[5.] But let the cauſe of this miſunderſtanding be what it will, King *Malcolm*, as ſoon as he return'd into *Scotland*, rais'd an Army, and Invading *England* as far as *Alnewick*, made great Devaſtations; but *Robert Mowbray*, Earl of *Northumberland*, with what Forces he could get together, ſetting upon him unawares near that Town, unfortunately ſlew him upon St. *Brice*'s day. He was a Prince of great courage and vertue, tho' too apt to revenge the leaſt injuries; our *Saxon* Annals relate that he was ſlain by one *Moreal* of *Bebanburgh*, who was the Earl's Steward, but the * *Scottiſh* Hiſtorians ſay he was killed very treacherouſly; for having Beſieged the Caſtle of *Alnewick*, and reduced it to that extremity, that thoſe within were forced to treat of a Surrender; and it being agreed to, they only deſired that the King in Perſon would receive the Keys of the Caſtle, which were brought by a Soldier upon the top of his Lance, who, ſtanding within the Wall of the Caſtle, thruſt the point of the Lance into the King's Eye, as he was going to take them. This ſounds very improbable, for how could the Soldier be ſure to hit the King in the Eye? and if he had fail'd of his Thruſt, what could he expect but certain deſtruction to himſelf and the whole Gariſon. But this is certain, that his Eldeſt Son, Prince *Edward*, who accompanied him in this Expedition, going about to revenge his death, fell too raſhly upon the Enemy, and received a Wound of which he ſoon after died. The *Scots* having received ſo great a loſs by the death of both their Kings returned home under a terrible Conſternation.

* *Hector. Boeth. & Buchanan.*

Prince *Edward*, Son to *Malcolm*, ſlain at the ſame Time.

[1.] S. D. F. W. Queen *Margaret* upon hearing the News, dies of Grief.

When [1.] Q. *Margaret* heard at once of the death both of the King her Husband, and the Prince her Son, ſhe was taken with ſuch a ſudden failure of Spirits, that immediately going to the Church, and there deſiring of God not long to ſurvive ſo great a loſs; ſhe had her Prayers granted, and departed this life within three days after ſhe had heard this killing News. Being a Princeſs of moſt Exemplary Piety and Charity to the Poor, whom ſhe often ſerved with her own hands.

Her Character.

But notwithſtanding what the *Scottiſh* Hiſtorians relate of the ſafe Retreat of their Army from this Expedition, *Simeon* of *Durham* is poſitive, that all the reſt of it did either periſh by the Sword, or elſe were drown'd in the Rivers, which were then ſo much ſwelled by the Winter Rains, that they had overflown their Banks.

[2.] S. D. King *Malcolm*'s Body buried at *Tynmuthe*.

[2.] Now to ſhew further the Errour of thoſe Writers, it appears that their King's Corps remain'd in the power of the *Engliſh*, which being

being found among the Slain, two Country fellows put it in a Cart, and carried it to the Monaſtery of *Tynmuthe* to be buried there, which could never have been done had he been killed amongſt his own Subjects, who would then certainly have kept the Body, and carried it into *Scotland.*

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The King being thus dead (as you have heard) the *Engliſh* [3.] Hiſtorians relate, that the Nobility of that Kingdom aſſembling with one conſent Elected *Duffnal* (or *Donald*) Brother to *Malcolm* to be their King, expelling *Edgar Atheling*, with all the *Engliſh* that were ſettled in *Scotland*; who taking with them the Children of the late King *Malcolm* ſought refuge in *England*; where they were kindly received.

[3.] F. W. S. D. The *Scottiſh* Nobility Elect *Donald*, Brother to *Malcolm* for their King, ſetting aſide his Children.

[4.] But King *Donald* did not long hold the Kingdom; for *Duncan*, a baſe Son to the late King being then in the Court of *William Rufus* as a Hoſtage, deſired the King's aſſiſtance to obtain his Father's Kingdom, who thereupon granting his requeſt, (and having firſt taken an Oath of Fealty to himſelf,) furniſhed him with a great Army of *Engliſh* and *Normans*, with which he marched againſt his Uncle, who had then alſo newly Invaded *England*; and coming to a Battel, he utterly routed this *Donald*, and forced him to flie into the *Weſtern* Iſles, and *Duncan* was immediately Crowned King in his Room.

[4.] C. S. *Duncan* baſe Son to *Malcolm*, by the Aſſiſtance of King *William*, routs *Donald*, and kills him.

[5.] I have given you this piece of *Scottiſh* Hiſtory to let you ſee that the Succeſſion of that Crown was not yet ſo ſettled in a *Right Line*, but that the *Scottiſh* Nation made bold to *Elect* two Kings together (one of which was a Baſtard) in prejudice of Prince *Edgar*, Eldeſt Son to the late King *Malcolm.*

[5.] The *Scottiſh* Succeſſion not yet ſetled in a *Right Line.*

[1.] As for other foreign Affairs I find none, only that *Rhees* King or Prince of the *Welſhmen* was killed this Year in *Eaſter* Week, in a Fight near *Brecknock* Caſtle, from which time Kings have ceaſed to rule in *Wales*, I ſuppoſe the Author means in *South-Wales*; for *North-Wales* enjoy'd its own Princes for above a hundred and fifty years after.

[1.] F. W. *Rhees* Prince of *Wales* ſlain.

[2.] King *William* keeping his *Chriſtmaſs* this year at *Glouceſter*, there came Ambaſſadours from Duke *Robert* out of *Normandy*, who told the King, that his Brother would no longer keep the Articles of Peace on his part, unleſs the King would alſo perform what he had promiſed and ſworn to obſerve; and telling him plainly that he was *perjur'd* for having thus violated his Oath. But the King upon the receipt of this Meſſage was reſolved to be before hand with his Brother, and immediately marched with his Army to *Haſtings* about *Candlemaſs*, where he waited for a Wind a whole Month; and during his ſtay there deprived [3.] *Herbert* Biſhop of *Thetford*, of his Paſtoral Staff, becauſe he was about to go privately to the Pope to obtain Abſolution of his *Simony*, in buying that Biſhoprick for himſelf, beſides an Abbey for his Father of the King, for One thouſand Pounds; yet this Biſhop not long after got the King's Leave to go to *Rome*; and having there obtain'd the Pope's Pardon, built the Cathedral Church of *Norwich*, as you will find anon.

Anno Dom. MXCIV.

[2.] C. S. F. W. Ambaſſadours from Duke *Robert*, and their Meſſage. They upbraid the King with breach of his Oath.

Herbert Biſhop of *Thetford* deprived by the King.

[3.] S. D.

[4]. But at laſt King *William* about *Mid-Lent* paſſed over into *Normandy*, and ſoon after his Arrival had an Enterview with his Brother, about a Treaty of Peace, but they could by no means hit upon it: However a Second Meeting was appointed by the Mediation of their common

[4.] C. S. F. W. The King goes over into *Normandy* againſt his Brother Duke *Robert.*

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common Friends in the Fields of * *Martius*, where thoſe Barons who had taken their Oaths to ſee the Peace obſerved on both ſides, caſt all the blame upon the King, who yet would neither acknowledge his fault, nor perform the Agreement; ſo that they departed from each other much more exaſperated than they were before.

* Where they lay I know not.

The Brothers meet and part without coming to any Agreement.

[5.] *Idem.* King *William* draws off many Noblemen from his Brother.

[5.] Then the Duke went to *Rouën*, and the King returned to the Caſtle of *Eu*; and whilſt he ſtayed there, he hired a great number of Soldiers, and drew off many *Norman* Noblemen from his Brother's Allyance, by promiſing ſome of them ready Money, and others Great Eſtates in *England*, provided they would deliver up their Caſtles into his hands; which when he had obtained, he preſently Gariſon'd them with the Soldiers he had before raiſed.

The Duke retakes ſeveral Caſtles.

The King alſo took the Caſtle of *Buers*, with all the Duke's Men that were in it; ſome of whom he ſent Priſoners into *England*, and others he kept in *Normandy*: But the Duke having obtained ſome Forces of the King of *France*, Beſieged and took the Caſtle of *Argentine*, with Eight hundred Men in it, who were all made Priſoners; So the King of *France* return'd home. Then Duke *Robert* Beſieged the Caſtle of *Holme*, until he forced *William Peverel* the Governour, with all the Men to Surrender at Diſcretion.

[1.] *Idem.* The King ſends into *England*, and raiſes more Men, who being ready, he takes Money of each of them, and ſo lets them go.

[1.] When the King had received this bad News, he ſent over into *England*, and Commanded Twenty thouſand Foot to be immediately raiſed and Tranſported to him, who being all Muſtered at *Haſtings*, *Ranulph* the King's Treaſurer, by his Order, told the Men, that each of them paying Ten Shillings (which it ſeems had been before given by thoſe that raiſed them for their Maintenance) they might all return home, and be diſmiſſed their preſent Service. By which artifice the King had a good Sum of Money ſent him into *Normandy*, which it ſeems he moſt of all wanted. So that *England* was grievouſly afflicted, as well this Year as the next, with heavy Taxes, and great Mortality.

[2.] *C. S.* Duke *Robert* joyns his forces with thoſe of the *French* King; who being bought off, King *William* returns home.

King *William* ſends for his Brother *Henry*, and is reconciled to him.

[2.] Duke *Robert* by thus joyning his Forces with thoſe of the King of *France*, was now become ſo ſtrong, that they marched together in a Body towards the Caſtle of *Eu*, intending to have Beſieged King *William* there; but when they came as far as *Longueville*, the King of *France* being prevailed upon, either by the Money or Perſuaſions of King *William*, returned home again; ſo that the whole Army was forced to retreat. In the mean time the King had ſent for his Brother *Henry* (who was then in the Caſtle of *Damfront*, being at variance with Duke *Robert*) to come to him; and becauſe he could not come through *Normandy*, for fear of the Enemy, *Hugh* Earl of *Cheſter* was ſent to bring him by Sea; but inſtead of going to that Caſtle where the King was, (I know not for what reaſon) they ſet Sail for *England*, and Landing at *Southampton*, after ſome ſtay there, he went thence to *London*, where they remained till the King came over.

[3.] Dr. *Powel's* Chron. The *Welſh* take Arms, and Invade the *Engliſh* Conqueſt.

[3.] Whilſt King *William* continued in *Normandy*, firſt the *Northern Welſhmen*, and then thoſe of *South-Wales* endeavoured to caſt off the *Norman* Yoke, and recover their Antient Liberties; the former reduc'd the Caſtle in the Iſle of *Angleſey* unto their Obedience; and *Griffyth ap Conan* King of *North-Wales*, with *Cadogan ap Blethyn*, who then ruled *South-Wales*, entred the Country of *Cardigan*, and killed a great

a great number of *Normans*, being no longer able to ſuffer their inſolent pride and cruelty; but after their return, the *Engliſh* Captains ſent over for more Men, and thought ſuddenly to make an Incurſion into *North-Wales*, which being diſcovered to *Cadogan*, he gathered his Forces and met with them in the Wood or Foreſt of *Iſpys*, and ſet upon the *Engliſh* and *Normans* with great Out-cries; and tho' they defended themſelves very manfully, yet in the end they were forced to flie with great loſs; and *Cadogan* purſuing them cloſely, ſpoiled the Countries of *Cardigan* and *Dyvet*, and deſtroyed all the Caſtles, except *Pembroke* and *Rydcors*, which he could not take, and ſo returned to *Powys* with great Rejoycing. *Anno Dom.* MXCIV.

[4.] Then King *William* being informed of the great Slaughter of his Subjects in *Cheſhire*, *Shropſhire*, and other bordering Counties, which *Griffyth ap Conan*, and the Sons of *Blethyn ap Convyn*, had lately made, was conſtrained to leave the War of *Normandy* unfiniſhed, and returning into *England*, preſently after *Chriſtmaſs* gathered a great Army, and entered *Wales* by the way of *Montgomery*, which Caſtle being lately demoliſh'd by the *Welſhmen*, he new built again; but they kept ſo cloſe in the Straites of the Mountains, encompaſſed with Woods and Rivers, that the King could do them no harm; ſo that loſing his labour, and (which was worſe) many of his beſt Men, he returned back with ſhame and diſhonour. *Anno Dom.* MXCV.

[4.] F. W. S. D. Dr. *Powel's* Chron. King *William* returns, and Invades *Wales*, but without any ſucceſs.

[5.] In the mean time the King ſent his Brother *Henry* into *Normandy* with a great Sum of Money to make War upon Duke *Robert*, whom he often overcame in fight, and did a great deal of miſchief both to his Territories and Subjects.

[5.] C. S. He ſends his Brother *Henry* into *Normandy* to make War upon his Brother *Robert*.

The King now kept his Court at *Eaſter* in *Wincheſter*, where *Robert de Mowbray* Earl of *Northumberland* refuſed to appear; at which the King, being much incenſed, ſent him a threatning Meſſage, commanding him not to fail to come at the *Whitſontide* following; which Feaſt the King kept at *Windſor*, all his Great Men being preſent, except that Earl, who came not at all, becauſe (as he pretended) the King would not give him ſafe Conduct for his coming and returning again. But the true reaſon of his diſobedience was, [1.] that he had now entered into a ſecret Conſpiracy with *William* Earl of *Eu*, and divers other *Norman* Noblemen, to deprive King *William* both of his Life and Kingdom, and to make *Stephen* Earl of *Albemarle* his Siſter's Son, King in his room. But their Plot came to nothing, for being diſcovered, the King gathered a great Army throughout *England*, and beſieged *Newcaſtle* at the mouth of the River *Tyne*, for the ſpace of two Months; and tho' without taking that, yet however he took another ſmaller Fortreſs, wherein were many of the Earl's beſt Soldiers; after which the King at laſt made himſelf Maſter of *Newcaſtle*, together with the Earl's Brother, and many Knights, whom he committed to ſafe Cuſtody.

The Earl of *Northumberland* Rebels. [1.] F. W.

The King takes *Newcaſtle*.

But [2.] *Ordericus Vitalis* gives us ſome Particulars of this action, that are omitted by others; as that the King in his March from thence was like to have been ſurprized by an Ambuſh which *Robert de Mowbray* had laid for him in a Wood, but it being diſcovered to him, and the deſign prevented by *Gilbert de Tonbridge*, one of the chief Conſpirators, the King marched on to *Banborough* Caſtle in which the Earl then was.

[2.] p. 703. Some other Particulars in this Expedition.

Anno Dom. MXCV.

[3.] But the King not being able to take it by reaſon of the ſtrength of the Place, he built another Fortreſs over againſt it to Block it up, naming it *Mal-voiſin*, (which is in *French* an *ill Neighbour*) and having put a good Gariſon into it, return'd himſelf into the *Southern* parts; after whoſe departure ſome Soldiers belonging to *Newcaſtle* upon *Tyne* promiſed Earl *Robert* that they would give him Entrance into it, if he would come thither privately, with a few followers; at which he being very well pleaſed, went out one Night with about Thirty Soldiers to ſeize it, but being betrayed by ſome of his own Men, he was purſued by the Gariſon out of the Fortreſs of *Mal-voiſin*, as far as to the *Monaſtery* of *St. Oſwin* near *Tinmouth*, where (not being able to reach *Newcaſtle*) he made what reſiſtance he could; but ſeveral of his Men being killed or wounded, and he himſelf hurt in his Leg, he at laſt fled into the Church, from whence he was taken out by force, and committed cloſe Priſoner.

[3.] F. W. C. S.

Robert Earl of *Northumberland* taken Priſoner.

[4.] In the mean time the *Welſhmen* made freſh Incurſions; and having taken the Caſtle of *Montgomery*, they ſlew there divers Soldiers belonging to *Hugh* Earl of *Shrewsbury*; but when it came to the King's ears, he was ſo exceedingly provoked at it, that he immediately commanded another Expedition againſt the *Welſh*, tho' it were now after *Michaelmaſs*, and preſently marched himſelf into *Wales*, dividing his Forces, ſo that his whole Army met at the Feaſt of *All-Saints* under a high Mountain in *Caernarvonſhire*, called *Snowdon*; but the *Welſh* having retreated into their Faſtneſſes in the Bogs where no Body could follow them, the King was forced to return home; the Winter ſo faſt approaching, that it would have hinder'd any conſiderable action. Thus did he make as little of this Expedition as he did of the former; having loſt a great many Men and Horſes to no purpoſe.

[4.] *Idem.* The *Welſhmen* Invade the Borders.

The King again Invades *Wales*, but without any effect.

[5.] But ſo ſoon as the King return'd, he commanded the Earl of *Northumberland* (who was ſtill a Priſoner) to be carried before his Caſtle of *Banborough*, and there to have both his Eyes put out, unleſs his Wife, and *Moreal* his Steward who then held it, would agree to a Surrender; which they were thereupon forced to do. Then *Moreal* [1.] being brought into the King's *Court* (or Great Councel) many conſiderable Men, as well of the Clergy as Laiety were by him accuſed, as being privy to the late Conſpiracy; Some of whom the King commanded to be committed to Priſon, and then ſent out a ſevere Summons, by vertue of which all thoſe who held Lands of the King were obliged to appear at his Court at the Feaſt of *Eaſter* enſuing, under pain of his high diſpleaſure; but as for Earl *Robert*, the King commanded him to be carried to the Caſtle of *Windſor*, and there kept cloſe Priſoner, where he continued as long as he lived.

[5.] *Idem. Ibid.* *Banborough* Caſtle Surrendred.

[1.] C. S. Many Noblemen and Clergy-men accuſed to have been in the late Plot.

[2.] As for the Eccleſiaſtical Affairs of this Year, that Pious Prelate *Wulſtan* Biſhop of *Worceſter* deceaſed in the beginning of *January*, being the only *Engliſh* Biſhop who was left of thoſe Ordained in King *Edward*'s time; and after his Deceaſe no *Engliſhman* was advanced to any Biſhoprick till the Reign of King *Henry* the *Second*, in whoſe time all Diſtinction between *Engliſh* and *Frenchmen*, as to Preferment, was happily laid aſide. About *Eaſter* following, *Walter*, Biſhop of *Alba*, the Pope's *Nuntio*, came into *England*, and brought over the *Pall* for Archbiſhop *Anſelm*; and having ſtayed here great part of the

[2.] F. W. S. D. *Wulſtan* Biſhop of *Worceſter* dies.

the Year he carried back with him the *Rome's-Scot*, or *Peter-pence*, which it ſeems had not been paid in a great while before. *Anno Dom.* MXCV.

I ſhall alſo from [3.] *Eadmerus* give you a fuller Account of the Great Quarel that now aroſe between the King and Archbiſhop *Anſelm*, who (you muſt know) before he was made Archbiſhop, had unknown to the Court own'd *Urban* for Lawful Pope, which the King had hitherto refuſed to do, but rather inclin'd to his Antagoniſt, *Clement*; but the Archbiſhop having a mind to go to *Rome*, attended on the King at *Ilingham*, not far from *Shaftsbury*, and deſired his leave to go beyond Sea to procure his Pall from the Pope; the King asked him from what Pope? *Anſelm* anſwered from Pope *Urban*: Then the King replied, That he himſelf had not yet owned him for Lawful Pope; and it never had been the Cuſtom either of his Father or himſelf, that any One ſhould own a Pope in *England* without their Licenſe; and whoever would deprive him of this Prerogative, did as good as endeavour to pull the Crown it ſelf from off his Head. To which *Anſelm* return'd, That he had already told him before he was Conſecrated, whilſt he was only Abbot of *Bec*, he had acknowledged *Urban* for the true Vicar of Chriſt. Whereupon the King being much moved, preſently proteſted it was impoſſible to make the Fidelity he owned due to the Crown conſiſt with his Oppoſite Obedience to a Pope not own'd by his Sovereign. Then *Anſelm* humbly deſired ſome reſpite for the further Examination of this matter, until the Biſhops, Abbots, and Chief Men of the Kingdom at their Convention might determine by Common Conſent, whither thoſe Two Things were not very conſiſtent; for if it appear otherwiſe, I muſt needs confeſs (ſaid he very modeſtly) I had much rather quit your Kingdom until you receive the true Paſtor, than deny Obedience to St. *Peter* and his Vicar, tho' but for an hour.

[3.] *Hiſt. Nov. Lib.* 1. *p.* 25. The Original of the Quarrel between the King and Archbiſhop *Anſelm*.

Wherefore the Buſineſs was put off for the preſent, and by the King's Summons almoſt All the Nobility of *England* met about the beginning of *March* at *Rockingham* Caſtle in *Northamptonſhire*.

[4.] Where there was a Great Council held on *Sunday*, in the Chappel of that Caſtle, about One of the Clock in the Afternoon. But the King and his Councellors in the mean time had privately conſulted what was to be done with *Anſelm*; but He having called the Biſhops, Abbots, and Chief Men of the Kingdom, made a Long Speech to them, (a great number of Monks, Clerks and Laicks alſo aſſiſting) in which he ſtated the Caſe between the *King* and Himſelf, as is already declared; And then put them in mind, That notwithſtanding he had told them when they Elected him, that he had owned *Urban* for Lawful Pope, and would never depart from his Obedience to him; yet they had forced him to take that weighty Charge upon him ſore againſt his Will: He now therefore deſired their Advice, how he ſhould act in ſo nice an Affair, as to preſerve both his Canonical Obedience to the Pope, and the Fealty due to his King; ſince it ſeemed to him impoſſible (at preſent) duly to obſerve both. To which the Biſhops very cunningly replied, that he was beſt able to direct himſelf in this great Point; tho' if they might give their Opinion, he would do well to refer the whole matter to the King's pleaſure, yet if he thought fit they would further acquaint him with any thing he deſired. But becauſe this was *Sunday*, the Buſineſs was adjourned till the Morrow,

[4.] *Idem. P.* 26. A Great Council held at *Rockingham*, and what was done there.

Anno Dom. MXCV.

Morrow, when they met again in the ſame place; and the Archbiſhop anew demanding their Advice in this Great Point, which they wholly ſeem'd to decline, told him, if he would pleaſe abſolutely to ſubmit himſelf to the King's Will, he ſhould have their frank Advice and Conſent, otherwiſe he muſt not expect either from them; for he ſhould find they would never aſſiſt him in any ſuch matter. So they All held their peace.

[5.] *Idem. P.* 27. Archbiſhop *Anſelm*'s Oration to the Biſhops.

[5.] Upon this *Anſelm*, lifting up his Eyes to Heaven, made them another Speech to this effect: "That ſince they had all of them refuſed to give Advice to Him who was their Chief, unleſs he would act according to the Humour of one ſingle perſon, he would from thenceforth take Counſel of Him who was the *Supreme Paſtor* and Head of them all: For *Chriſt* ſaid to *Peter*, the Chief of the Apoſtles, *Upon this Rock will I build my Church*, &c. Likewiſe to all the Apoſtles in Common, *He who heareth you heareth me, and he who deſpiſeth you deſpiſeth me*, &c. Theſe things as they were chiefly ſpoken to St. *Peter*, and in Him to All the other Apoſtles; ſo we alſo hold them to be ſpoken principally to the Vicar of St. *Peter*, and through him to all other Biſhops who were to ſucceed the Apoſtles, and not to any Emperour, King, Duke, or Earl; but in our Subjection to Secular Princes, the ſame *Chriſt* hath taught and inſtructed us, ſaying, *Render unto* Cæſar *the things that are* Cæſars, *and unto God the things that are God's.* This I approve of, and receive, and will never depart from: Wherefore know All of you in Common, that in thoſe things which belong to God, I will yield Obedience to the Vicar of St. *Peter*, and in thoſe things which of right concern the Dignity of my Earthly Lord and King, I will according to the beſt of my capacity give faithful Counſel and Aſſiſtance.

[1.] *Idem. P.* 28. What effect it had.

[1.] When the Archbiſhop had made an end of his Speech, our Author further relates, That all there preſent being much confounded, could only reply, That they would report his words to the King; which yet the Archbiſhop would not truſt them to do, but went himſelf, and with his own mouth told him all he had ſaid. At which the King was very angry, and conſulted with his Biſhops and Nobles, what anſwer to return; about which they ſpent ſome time before they could agree, being of ſeveral minds; but at length the Biſhops with ſome of the Nobility made the Archbiſhop this Reply, (or at leaſt to this effect): "That the King deſired his ſpeedy and poſitive "Anſwer concerning thoſe things which had been Treated of between "them at *Ilingham*, and were hitherto deferred; tho' he well knew "the whole Kingdom complained of him, as going about to take "away the King's Crown from off his Head; for, ſaid they, whoever takes away the Antient Prerogatives belonging to the Royal "Dignity, does the ſame in effect as if he took away the Crown "from his Head; He ought therefore in the firſt place, to throw off "his Obedience from Pope *Urban*, and ſubmit himſelf intirely to the "King's Will, as became an Archbiſhop of *Canterbury*, and alſo to "ask his pardon, for what he had done contrary thereto. Which when the Archbiſhop had heard, he told them, "That he could by "no means renounce his Obedience to the Pope; but deſired that "ſince it was now towards Night, the Buſineſs might be adjourned "till

The King highly reſents the Archbiſhop's Carriage.

" till to Morrow, and then he would anſwer what God ſhould inſpire " him with. But when they attended him next day with the ſame Demands, and again laid to his charge the breach of his Oath of Fidelity to the King. The Archbiſhop briefly replied, " Whoſoever " will maintain, that becauſe I will not renounce my Obedience to " the Chief Biſhop of the *Roman* Church, therefore I break my " Oath of Fidelity which I owe to my Temporal Prince, let him " come forth, and (in the Name of God) he ſhall find me ready to " anſwer him, as I ought. Which when they heard, looking upon each other, and knowing not what Reply to make; they returned to the King; for now they began to underſtand what they had not hitherto conſider'd, (and which they thought he had heeded as little himſelf,) *That the Archbiſhop of* Canterbury *could be judged or condemned by none but the Pope, neither could he be compelled by any body to anſwer any Accuſation, but to Him alone.*

Anno Dom. MXCV.

The Biſhops dare not proceed againſt the Archbiſhop.

[2.] In the mean time there aroſe a great murmur amongſt all there preſent, complaining of the injury that was done to ſo great a Man; tho' none durſt ſpeak openly for fear of the King, one Knight excepted, who coming out from the Crowd, and kneeling down before the Archbiſhop, ſaid, *My Lord and Father, your Suppliant Sons deſire you by me, that you would not be troubled at thoſe things you have heard, but be mindful of bleſſed* Job, *who overcame the* Devil *even upon the Dunghill; and revenged* Adam, *whom he had overcome in Paradice.* Which words the Archbiſhop received with a pleaſing look, for he thereby underſtood that the People were on his ſide.

[2.] *Idem. P.* 29. A great Diſcontent ariſes in the Council.

[3.] But when this came to the King's ear, he was very much troubled, and ſaid to the Biſhops, What does this mean? Did you not promiſe me, you would deal with, Judge and Condemn him according to my Will? Then *William* Biſhop of *Durham* (the chief Inſtigator of this Quarrel) not being able to give a ſatisfactory anſwer, talked very weakly; at laſt the Biſhops deſired leave to go home, that they might conſider farther of this affair againſt the Morrow, when alſo finding the Archbiſhop's Reaſons not to be eaſily anſwered, they in fine told the King, how ſorry they were that they could not give him that ſatisfaction he required, by a poſitive Condemnation of the Archbiſhop: " For (ſaid they) he is not only Primate of this " *Kingdom*, but of *Scotland* and *Ireland*, and the adjacent Iſlands; and " we (being his Suffragans) cannot Judge or Condemn him, altho' it " could be proved that he were in a fault. Then replied the King, " What now remains to be done? Cannot you however renounce " all Friendſhip with, and Obedience to him. To which they anſwered, Yes, if you command it. He then bid them go, and do ſo immediately; That *Anſelm* ſeeing himſelf ſlighted and forſaken by them all, might be ſorry and aſhamed for having preferred *Urban* before him. So the Biſhops went to *Anſelm*, and did as they were commanded.

[3.] *Idem. Ib.* The Biſhops being much perplexed, know not what to do.

[4.] But the Archbiſhop made them a very diſcreet Reply; telling them, " They did not act well in denying him their Friendſhip and " Obedience, becauſe he maintained his Subjection and Fidelity to " St. *Peter's* Succeſſor: Yet that he would not return the like Uſage, " but yield them all Paternal and Brotherly affection; and that (if " they would permit it) by the power God had given him, he would " again

[4.] *Idem. P.* 30. Archbiſhop *Anſelm's* wheedling Speech to the Biſhops.

Anno Dom. MXCV.

" again reſtore them to the right way from which they had ſo wretchedly ſwerved; and tho' the King had refuſed to own him for " his Archbiſhop and Spiritual Father, yet he promiſed him all faithful ſervice and care of his Soul, if he would vouchſafe to accept " it himſelf: Still reſolving to retain the Power, Title, and Office " of Archbiſhop of *Canterbury*, whatſoever Oppreſſions he might " endure for ſo doing. This being told the King, he utterly ſlighted his offer'd ſervice, and further required of the Lay-Nobility of the Kingdom, that they ſhould renounce all Fealty to, and Friendſhip with him, as the Biſhops had done; but they plainly told him, that they never had been his Leigemen, and ſo could not renounce what they never owed; but he was ſtill their Archbiſhop, and ought to Govern Matters of Religion in the Kingdom; wherefore being Chriſtians they could not decline or renounce his Power, eſpecially not finding him guilty of any crime which might oblige the King thus to proceed againſt him. Which anſwer, tho' not at all ſatisfactory, yet for fear of diſpleaſing them all at once, he would not by any means then contradict.

[5.] *Idem. P.* 31. The Archbiſhop deſires leave to depart the Kingdom.

[5.] But Archbiſhop *Anſelm* now perceiving that there was no ſecurity left for him in *England*, deſired the King's leave and ſafe Conduct to depart out of it, which made the King not a little concerned; for tho' he did really deſire his abſence, yet durſt he not deprive him of his Archbiſhoprick, becauſe he knew this would give greater offence, than any thing he had done already. Beſides, he found it impoſſible to be done; leaving therefore the Counſel of the Biſhops, by whom he now complained he was drawn into theſe Streights, he asked Advice of the Lay-Noblemen, what was beſt to be done? who thereupon conſulting together, adviſed the King to ſend for the Archbiſhop again to Court; where, when he came, the Lay-Lords accompanied with ſome of the Biſhops, ſpoke to him (as it were from themſelves) to this effect, That they deſiring out of Antient Friendſhip to him, that a perfect peace and concord might be made between the King and him, did therefore propoſe, that a Truce ſhould be allowed on both ſides concerning this affair, until a certain time to be agreed on between them, during which, nothing ſhould be tranſacted by the King or his Subjects, nor yet any thing by the Archbiſhop or his Servants, which ſhould any ways tranſgreſs this Agreement: And to this they deſired his poſitive Anſwer.

The Propoſal made by the Biſhops and Lay-Lords to the Archbiſhop.

[1.] *Id. Ib.* His Anſwer to it.

[1.] Whereupon the Archbiſhop replied to this effect: " That he no " ways refuſed peace, but only deſired time to conſider what ſort of " Agreement it was they offered; yet that he might not be thought to " truſt intirely to his own Judgment, rather than that of others, he " was contented to ſubmit to what ever it pleaſed his Lord the " King and them to appoint for the obtaining this Concord, ſtill ſaving " the Reverence which he owed to Pope *Urban*: Which Anſwer they approved of, and reported to the King. Whereupon a Truce was granted him by the King's promiſe, until the *Octaves* of *Pentecoſt*, to which time all things were to remain as they were.

But our Author tells us, that this Ceſſation was not at all well obſerved on the King's part; for within a few days after he drove one *Baldwin* a *Monk* (upon whoſe Advice the Archbiſhop chiefly depended) and Two other of his Clerks out of *England*, beſides doing ſeveral Injuries to the Archbiſhop's Servants. [2.] But

Anno Dom. MXCV.

[2.] But ſome days before the time expir'd, *Walter* Biſhop of *Alba* came into *England*, Legate from Pope *Urban*, bringing along with him two Clerks of the King's Chappel, *William* and *Gerard*, whom the King had ſent over before privately to *Rome*, (without the knowledg of *Anſelm*) being deſirous to learn by them the true ſtate of the *Roman* Church, for there were then (as we have already ſaid) two Popes, who were both called Apoſtolical by their different parties; but which of them was choſen Canonically, and which till that very time was wholy unknown in *England*; and therefore theſe two Clerks had been ſent over to diſcover the truth of that matter; which when they had found out, they were order'd (if they could) to bring the True Pope to this Point, that he ſhould ſend over the Pall to the King, for the uſe of the Archbiſhop of *Canterbury*, without ſpecifying his name; by which means the King believed, that *Anſelm* being Depoſed from his Archbiſhoprick, and Baniſhed the Kingdom, he might afterwards diſpoſe of the Pall in the Pope's ſtead upon whomſoever he would; But this deſign miſcarried, tho' the King thought he had laid it very cunningly and ſure.

[2.] *Idem. Lib. 2. p. 32.* The Pope's Legate comes into *England.*

[3.] For the two Clerks he had ſent, judging Pope *Urban*'s Title to be the beſt, and having thereupon acknowledg'd him; the ſaid Legate was ſent over with them into *England*, bringing the Pall along with him, and ſeemed at firſt to comply ſo far with the King's deſigns, that paſſing privately by *Canterbury*, as it were on purpoſe to avoid the Biſhop, he made haſt to the King's Preſence, not ſpeaking to any one in the abſence of his two Conductors, as the King had ordered, the better to cover his Deſign. Thus he came to the King ſome days before *Pentecoſt*, and put him in great hopes, by his ſmooth and cunning Anſwers, to every thing that was propoſed to him, ſaying nothing on *Anſelm*'s behalf, or that might tend to a Reconciliation between them; whereupon many began to ſuſpect that the Pope had been wrought upon by the King's Money, to ſacrifice the Archbiſhop to his Reſentments.

[3.] *Id. Ibid.* The King is outwitted by the Pope's Legate.

[4.] Wherefore the King believing that the Legate would declare all things from Pope *Urban* according to his own mind, and that if he ſhould receive him for Pope in his Kingdom, he would then confirm by his Apoſtolical Authority what he had now deſired, he commanded *Urban* to be acknowledged for Lawful Pope, throughout all his Dominions. After which the King dealt privately with the Legate, promiſing him a great Sum of Money, beſides what he would pay yearly to the *Roman* See, if he wou'd but concur with him to deprive *Anſelm* of his Archbiſhoprick.

[4.] *Idem. Ib.*

[5.] But the Legate having now done the buſineſs which he came about, was too cunning for the King in this affair, and knowing it not for his Maſter's intereſt to diſcourage ſo faithful a Servant as *Anſelm*, he at laſt plainly told the King, That what he deſired could by no means be granted: Which when He heard, he was cruelly vexed, perceiving he had gain'd nothing at all by receiving and acknowledging this new *Roman* Biſhop; yet conſidering that what was done was not to be recalled, he took advice of thoſe about him after what manner, his Royal Dignity preſerved, he might outwardly expreſs ſome kindneſs to a Man whom he mortally hated, but on whom at preſent he was not in a condition to be revenged.

[5.] *Idem Ib.*

Anno Dom. MXCV.

[1.] *Ibid.* P. 33. The Archbiſhop Summon'd to come to Court.

[1.] Now the day drawing near in which this forementioned Truce was to expire, the King ſent Meſſengers to ſummon the Archbiſhop to come to his Court at *Windſor* at the next Feaſt of *Pentecoſt*, which he obey'd; but after his coming, there flock'd to him almoſt all the Biſhops of *England*, who were ſet on to try whither they could bring him to give ſome Money for obtaining the King's favour, but they finding him in this point as inflexible as ever, they deſiſted from that " Propoſal, and only deſired him, ſince he would give nothing to make " his Peace, he would briefly tell them what he was reſolved to " do. To which he replied, He had already told them, that he " would never put ſuch an Affront upon his Lord the King, as to " ſhew all the World that his Friendſhip was to be bought with Mo- " ney; yet if he would love him *gratis*, as his Spiritual Father, and " permit him to live quietly under the Obedience of Pope *Urban*, " he would then faithfully ſerve him as his King and Lord; but if he " refuſed this, he deſired his *Safe-Conduct* to the Sea-ſide, and then " he would do what he underſtood was his duty. But when they " asked him, Whither he had any thing more to ſay, and he had " told them, No; Then they further inſiſted, That the Pope had " ſent the Pall by his Legate to the King, and therefore he ſhould do " well to conſider, what return to make him for ſo great a Benefit, " which he could not have otherwiſe obtained without many dan- " gers, much trouble and great expence in a Journey to *Rome*, all " which was now ſaved. This the Archbiſhop alſo put off. Then they preſs'd him, that he would at leaſt give the King as much as the Journey to *Rome* would have coſt him, leſt he ſhould be accounted ungrateful. But when he bid them deſiſt, for he would give nothing at all upon that conſideration, they ceas'd all further diſcourſe about it, and left him to follow his own Reſolutions.

[2.] *Idem.* P. 33, 34. The King not being able to prevail upon him, ſeems to yield.

[2.] When the King found he could by no means draw Money from the Archbiſhop, He by the advice of his Nobles, laying aſide all paſt Quarrels, ſeemed to reſtore *Anſelm* to his former favour, and gave him leave to exerciſe his *Archiepiſcopal* Authority throughout *England*, which the Archbiſhop thankfully received; and ſo all Quarrels being forgot on both ſides, he preſented himſelf at the King's Great Councel at *Windſor*, who admitted him to his own familiar Converſation, and that of the Lords and the reſt there aſſembled.

But the Buſineſs of the Pall was again renew'd, and ſome to curry favour with the King endeavour'd to bring the Archbiſhop to this, that for the honour of his Royal Majeſty, he ſhould receive it from the King's hand, but he would by no means aſſent to it; declaring that this gift did not belong to the Royal Dignity, but the particular Authority of St. *Peter*; and ſo at laſt it was agreed, that the Pall being carried to *Canterbury*, ſhould be laid upon the High Altar by the ſame hand that had brought it over, and from thence the Archbiſhop ſhould receive it as if it were from the hand of St. *Peter* himſelf. Whereupon a day being appointed for this Solemnity, the Pope's Legate brought the Pall to *Canterbury*, and was met by all the Monks of both the Monaſteries, (with a great number of Clergy and Laiety,) and by the Archbiſhop himſelf, ſuſtained on each hand, and array'd in his Pontifical Habit, but yet he went bareſoot to meet this Sacred Preſent, which being brought in a Silver Box, and laid upon the Altar,

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was by him devoutly kiſſed, as alſo by all the Spectators, and was then taken up, and put on by the Archbiſhop himſelf, who ſo array'd celebrated Maſs. *Anno Dom.* MXCV.

[3.] Not long after this a certain *Iriſh* Monk of St. *Alban*'s Abbey, whoſe name was *Samuel*, being Elected by *Murdach* a King of *Ireland*, and the Clergy and People of the City of *Dublin*, to be Biſhop of that See in the Room of *Donatus* lately deceaſed, came to Archbiſhop *Anſelm* to be Conſecrated according to Antient Cuſtom; to which Election and Petition of theirs Archbiſhop *Anſelm* aſſenting, after he had Treated him Honourably for ſome time, and had fully inſtructed him in all things relating to his Epiſcopal Charge, he Conſecrated him Biſhop, having firſt taken his Oath of Canonical Obedience as was formerly uſual: then this new Biſhop after he had received the Archbiſhop's Benediction, with his Letters to the King, Clergy and People of *Ireland*, return'd into his own Country with great Satisfaction. [3.] *Idem. Lib.* 2. *p.* 34. An *Iriſh* Monk Conſecrated by *Anſelm* Archbiſhop of *Dublin*.

I have been the larger in this Relation concerning *Anſelm*, that ſo the Reader might not only ſee the mighty Power the Archbiſhop of *Canterbury* had in that Age, and how great a party he could make amongſt the Laiety, even againſt the King himſelf; but alſo that he may take notice of the notable Policy of the Pope's Legate in the Conduct of this Affair, in which he was too hard for the King himſelf; Which ſufficiently ſhews us, that the Court of *Rome* underſtood how to manage Secular Princes in that Age as well or better than in ours.

No other Eccleſiaſtical Affairs of any moment happened this Year, but among thoſe of leſs Note we may obſerve, the founding of the Rich Abbey of *Cheſter* by *Hugh Lupus* Earl thereof, who expelling the Secular Chanons, placed *Benedictines* in their Room, adding many New Mannors to the Old Endowments; and thoſe being long after diſſolved by King *Henry* the Eighth, he there placed a Dean and Prebendaries, and alſo made that Church a diſtinct Biſhop's See, taken out of the Dioceſs of *Litchfield*: For tho' that Biſhop is often ſtiled in our Antient Hiſtorians Biſhop of *Cheſter*, yet it was no more than the Biſhop of the former place that is meant by that Title. *Mon. Angl.* I. *Vol. p.* 199. The Abbey of *Cheſter* Founded. That Church when made a Biſhop's See.

This [4.] *Chriſtmaſs* the King held his Court or Council at *Windſor*, where *William* Biſhop of *Durham* died the firſt day of *January*: and in the Octaves of *Epiphany* the King, with all his Great Men, removed to *Salisbury*, where he order'd a Great Council to be held, and *Godfrey Bayard* accuſed there *William* Earl of *Owe*, or *Eu*, the King's Couſin, of High Treaſon; alledging, that he was privy to the late Conſpiracy: and fighting with him upon it in a ſingle Combat, overcame him. This the King took for a ſufficient Conviction, and commanded firſt his Eyes to be pull'd out, and then his Teſticles to be cut off: he likewiſe order'd *William de Alderi* the Earl's Kinſman, as well as his Steward to be hanged, being privy to the ſame Conſpiracy, tho' he took it upon his Death that he was wholly innocent of that Crime. He alſo committed *Odo* Earl of *Champaign*, and *Philip* Son to the Earl of *Shrewsbury* cloſe Priſoners, and deprived them of all their Eſtates in *England*, with ſeveral others, on whom the ſame puniſhment was inflicted, beſides ſome who ſuffer'd Death at *London* upon the ſame account. *Anno Dom.* MXCVI. [4.] C.S. F.W. A Great Council at *Salisbury*, wherein the Earl of *Eu* is accuſed of Treaſon, and his Puniſhment.

Anno Dom. MXCVI.

[5.] *Idem.* The Pope comes into *France*, and there exhorts Christian Princes to undertake the *Crusado*. And who were that undertook it.

[5.] In the *Spring* Pope *Urban* being forced to quit *Italy*, came to *France* about *Lent*, and there held a Council at *Clermont*; where he exhorted all Christian Princes to undertake a War against the *Turks* in the *Holy Land*, they having some time before Conquer'd *Jerusalem*, and driven the Christians out of *Palestine*, and the Adjacent Countries. So that chiefly by the Pope's perswasions, *Raymond* Count of *St. Giles*, *Hugh* Brother to the King of *France*, *Godfrey* Duke of *Lorrain*, *Robert* Duke of *Normandy*, *Robert* Earl of *Flanders*, with several other Princes and Noblemen from *Germany*, *France* and *England*, being all Signed with the *Cross* upon their Upper-Garments, engaged in this Expedition, and were followed by vast multitudes of their own, as well as other Nations. One *Peter* a *Hermite* (a great Preacher up of this War) going along with them himself.

[1.] *Idem.* *Robert* Duke of *Normandy* resolves to make one in this War. And to that end desires to Pawn his Dutchy for Money to undertake it.

[1.] The Duke of *Normandy* being thus resolved to undertake this Expedition, sent over Ambassadors to his Brother King *William*, desiring that a firm Peace might be established between them, and that he would lend him presently Ten thousand Marks of Silver, and take the Dutchy of *Normandy* for his Security, for three Years, till the Money should be repaid. The King was highly pleas'd with this Proposal, and presently sent to all the Great Men of *England*, that they should furnish him with what Money they could, towards the raising this Sum; [2.] insomuch that the Bishops, Abbots, and Abbesses broke in pieces the very Gold and Silver Plate and Ornaments of their Churches; and the Earls, Barons and Sheriffs squeezed their Knights and Tenants to help to raise it.

[2.] *Ead.* p. 35.

[3.] *Idem.*

[3.] Then the King passing into *Normandy* in *September* following, concluded a Peace with Duke *Robert*, and upon the Payment of the aforesaid Sum, he took Possession of that Dutchy by his Brother's consent; who presently after took his Voyage to the *Holy Land*, together with his Uncle *Odo*, Bishop of *Bayeux*.

But perhaps it may seem strange to those who read this Relation, that all *England* should be thus put to it to raise so small a Sum as Ten thousand Marks, which does not amount to Seven Thousand Pounds: to this I can only say, that the Kingdom had been already exhausted by grievous Taxes, and that the Money was to be raised all on the sudden; and besides it was much greater than it sounds for, being more than Sixty thousand Pounds at this day.

[4.] P. 722, 723.

But here I ought to tell you, [4.] that *Ordericus Vitalis* makes Duke *Robert's* Voyage to the *Holy Land*, to have proceeded from another cause, than meer Devotion, (*viz.*) that notwithstanding the late Peace between him and the King his Brother, the former being given up to Sloth and Luxury, stood more in awe of his Subjects than they of him, whence much mischief happened to his Country; wherefore King *William* being now possest of above Twenty Castles, then brought over many of the Great Men, being either bribed by his Gifts, or else awed by the terrour of his Arms; as the Earls of *Albemarle* and *Mellent*, with *Gerard de Gournay*, *Ralph de Conchis*, *Walter Giffard*, *Philip de Braüse*, *Richard de Curcey*, and several other Barons, who all adhered to the King: by which misfortune the Duke, being much perplex'd, and fearing lest somewhat worse might happen, and being almost too destitute of Friends, by the Advice of certain Monks, resolved to make over his Dukedom to his Brother King *William*, whilst he

he himſelf went to *Jeruſalem*, upon the Conditions above mentioned.

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The ſame [5.] Author further tells us, (what we cannot find in any of our own) that the King being thus poſſeſſed of *Normandy*, claimed the *French-Veuxin* of *Philip* King of *France*, with the chief Towns thereof, *Pontoyſe*, *Chaumont*, and *Mante*; and that after about a Year's ſcuffle for it, by Burnings, Rapines, and making the People Priſoners on both ſides, the two Kings came to make a firm Peace; *William*'s Affairs in *England* requiring his Preſence, which probably was the Inſurrection of the *Welſh*, and the freſh attempts they had lately made upon *England*.

[5.] *Id. Ib.* King *William* demands all the *French Veuxin* of the King of *France*.

A Peace made at laſt between the two Kings.

Among Eccleſiaſtical Matters of leſs monent, this may be noted that [1.] *Eudo* a Noble *Norman*, *Steward* to King *William*, Founded a Rich Abbey for *Benedictine* Monks at *Colcheſter*, to the Honour of St. *John Baptiſt*.

[1.] *M. A. Tom.* 2. *p.* 889. *vid. Hiſt. Fund. in Bib. Cotton.* Nero. *B.* 8. A monaſtery Founded at *Colcheſter*.

[2.] This Year alſo according to the beſt account, (tho' ſome Authors place it two Years ſooner) Biſhop *Herbert* (Nick-named *Lozeing i.e.* the Flatterer) Tranſlated the Epiſcopal See from *Thetford* to *Norwich*, being the greater and richer Town; and he alſo ſome Years after, placed in that Monaſtery *Benedictine* Monks inſtead of a Dean and Secular Chanons, who before conſtituted the Chapter of that Cathedral. But to return to our Hiſtory.

[2.] *Idem. Tom.* 1. *p.* 407. The Biſhop's See Tranſlated from *Thetford* to *Norwich*.

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This Year [3.] King *William* having kept his *Chriſtmaſs* in *Normandy*, arrived in *England* on *Eaſter*-Eve, (having been long detain'd by contrary Winds;) then after ſome time ſpent at *Windſor*, where he held a *Curia*, or Council, he marched with a great Army into *Wales* the third time; but tho' he paſſed quite through the Country by the help of ſome *Welſhmen*, who had come over to him, and ſhewed him the ſecret paſſes into it, and ſtayed there from *Midſummer* to the end of *July*; yet the People retiring into their accuſtomed Faſtneſſes, he loſt more of his own Men by Hunger or ill Diet, than he could kill or take of the Enemy; for the *Welſh*, after they had revolted, had choſen among themſelves divers notable Leaders of their own *Nation*, and among the reſt one called *Cadogan*, who was Nephew to Prince *Griffyn*; but when the King ſaw he could not perform what he had a mind to, he returned home again *re infecta*, having only commanded certain Caſtles to be built in the Marches between *England* and *Wales*.

[3.] C.S. H.H. The King returns into *England*, and then Invades *Wales*.

But meeting with ill ſucceſs, is forced to return.

[4.] A little before *Michaelmaſs* there appeared a terrible Blazing-Star, or Comet, towards the *South-Eaſt*, ſhooting very long Rays; tho' it was viſible but for fifteen days. About the ſame time King *William* ſent *Edgar Atheling* with a great Army into *Scotland*, to make his Nephew *Edgar* King thereof, by expelling *Dufnal* or *Donald* his Uncle, who had Uſurped that Kingdom; which *Edgar Atheling* in a ſhort time valiantly performed, and placing his Nephew on the Throne, tho' under the Dominion of King *William*, returned into *England*.

[4.] *Idem.*

King *William* ſends *Edgar Atheling* into *Scotland* to make his Nephew King.

[5.] About this time the Quarrel broke out afreſh between the King and Archbiſhop *Anſelm*, and it was upon this occaſion: You have already heard how *Anſelm* got the better of the King in the buſineſs about acknowledging the Pope; but when he perceived no hopes of amendment in the King, as to the Sale of Biſhopricks and Abbeys, and ſeeing what ſpoil was made of their Revenues, when he came to attend

[5.] *Ead. Lib.* 2. *p.* 37. The Quarrel breaks out afreſh, between the King and Archbiſhop *Anſelm*, and on what occaſion.

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attend him at the Feaſt of *Pentecoſt*, after the ordinary buſineſs was over, Archbiſhop *Anſelm* deſired ſome of the Chief Men about the King to let him know, that being conſtrained by his neceſſary occaſions, he deſired his leave to go to *Rome*, at which the King ſeemed much aſtoniſhed; ſaying, *by no means, for we do not think him guilty of any ſuch ſin, that may render it neceſſary for him to beg the Pope's Abſolution; nor yet to be ſo void of prudence, as to be more fit to be adviſed by the Pope, than the Pope by him.* Which being told the Archbiſhop, his Anſwer only was, *The power is in the King's hand, he may ſay what he pleaſes, but if he will not grant it now, perhaps he will grant it another time, I will reiterate my Intreaties to him.*

The Archbiſhop urges for leave to depart the Kingdom, the King's Meſſage thereupon.

At the next Great Council in *Auguſt* following, when the publick buſineſs was diſpatched, he again renewed his Petition, but was denied as before. After which the Archbiſhop attending the King at *Wincheſter*, again repeated his requeſt, upon which the King was very much provoked; but ſtill civilly denied him. In ſhort, after divers Meſſages that paſſed between them, the King ſent him word, That if he went away, he gave him firſt fair notice, that he would ſeize upon the Revenues of his Archbiſhoprick, and never for the future own him for Primate. At laſt, when the Biſhop of *Durham*, and divers of the Biſhops had done all they could to perſwade him not to go (tho' to no purpoſe) they brought him this peremptory Meſſage from the King, that ſince he preſum'd to do that which was contrary to the Cuſtom of the Kingdom; (for no Great Man, and particularly himſelf ought to go to *Rome* without his Majeſty's leave) that he might not be further troubled, he required him to take an Oath, never upon any occaſion whatever to appeal to the Pope; or if he denied this, he ſhould with all ſpeed depart the Kingdom. Which when they had told him, they return'd to the King, *Anſelm* himſelf preſently following them; and then there aroſe a ſharp diſpute between the King and Him, too long here to be inſerted, and which at laſt ended very abruptly; for the Archbiſhop riſing up, and going to the place where he had before attended, ſome Meſſengers from the King preſently followed, and brought him word, that he might go if he pleaſed; but he was to know this much before hand, that he ſhould carry nothing of the King's away with him. To which the Archbiſhop replied, I have Horſes, Apparel, and Furniture, which the King may ſay are his own, and if he will not permit me to take theſe with me, let him know that I will go away on foot, nay naked, rather then I will deſiſt from my deſigned Journey.

The Archbiſhop at laſt obtains the King's Leave to depart. But upon very ſtrict Conditions.

The King being a little out of Countenance with this Anſwer, ſent him again word, "That he miſunderſtood him, for he did not mean, "that he ſhould go away naked, or on foot; nevertheleſs he com- "manded, that he ſhould within Eleven days be ready at the Port "for his Voyage, where he ſhould meet a Meſſenger from himſelf, "who ſhould tell him what He and thoſe that accompanied him "ſhould be permitted to carry over with them.

[1.] *Idem.* P. 41. The Archbiſhop takes his Leave of the King.

[1.] This Affair being thus diſpatched, the Archbiſhop went and took his leave of the King, when offering him his Bleſſing before he departed, the King replied, *I do not refuſe your Bleſſing.* So bowing his Head, the Archbiſhop making the Sign of the *Croſs* over it, and giving him his Benediction, he preſently departed, and went to *Canterbury*,

terbury, to take his Leave of, and comfort the Monks, and a multitude of People that reſorted thither. Then he took a Scrip and Staff, after the manner of Pilgrims, and commending them all to Chriſt, he departed, they following him out of Town with tears and great lamentations. But when he came to *Dover*, he found there one *William* a Prieſt or Clerk ſent from the King, who for fourteen days that the Archbiſhop lay there Wind-bound, ſaid nothing concerning what he was ſent about; but when on the fifteenth day the Wind ſerved, and the Seamen urged them to go on Board, he then commanded him from the King not to depart till he had ſearched whatever he had brought with him. So that all his Trunks and Baggage were open'd, and ſearch'd to ſee if he could find any quantity of Plate or Money in them; but miſſing of what was expected, he at laſt permitted him to go on Board; ſo he quickly paſſed over to *Whitſand*, and from thence went to *St. Omers*, and after ſome ſtay there, he travelled to *Lyons*, where he abode a good while, till the Pope ſent for him to come to *Rome*; of which I ſhall ſay more anon. But ſo ſoon as the King had heard that the Archbiſhop was Landed, he preſently commanded all his Goods and Revenues to be transfer'd into his own Exchequer, and all things that had been ordain'd, or alter'd by him, from his firſt coming to the Archbiſhoprick, to be declared null and void.

Anno Dom. MXCVII.

The Archbiſhop paſſes over beyond Sea.

I have been the more particular in this Relation, becauſe the Reader may ſee how much an Archbiſhop of *Canterbury* took upon him in thoſe days, and the great boldneſs of this Man, who being ſure of ſupport from the Pope, durſt quit the Kingdom againſt the King's will; a thing which none of his Predeceſſors ever attempted before; tho' perhaps the King was glad to hear of his departure, becauſe he was thereby not only rid of One who always took upon him to controll him, but he alſo by that means got all his ample Revenues into his own hands.

The King having ſeized the Archbiſhop's Revenues, goes into *Normandy*.

The King being now rid of the Archbiſhop, about the end of *November* paſſed over into *Normandy*, where he ſpent all the reſt of this Year, either in Buſineſs, or Diverſions; for I find no particular Action related.

But to conclude this Year's Tranſactions between the King and this Archbiſhop, I ſhall from the ſame Author give you a ſhort account of what happened at *Rome* after his arrival, [2.] where he was received very kindly by the Pope; to whom he gave the ſame account of the occaſion of his leaving *England*, as he had before done by [3.] Letter from *Lyons*; in which he highly complained of the King, that he had given the Lands of the Archbiſhoprick to his Knights, and did not reſtore them to him, as *Lanfranc* had enjoy'd them: That he exacted grievous Services from him, ſuch as his Predeceſſors knew not, and ſuch as he could not, nay ought not to bear: And that he overturned the Laws of God, and all Canonical Conſtitutions by his Arbitrary Cuſtoms, and would not give him leave to come to his *Fatherhood* to ſeek redreſs, or ask advice what he ſhould do, *&c.*

[2.] *Idem. P.* 45. The Archbiſhop is kindly received at *Rome*.

[3.] *Idem. P.* 43.

[4.] The Pope having heard his Complaints, promiſed him relief; and immediately wrote Letters to King *William*, wherein he earneſtly exhorted him to reſtore the Archbiſhop to all that had been taken from him, as alſo to what other Rights he ought to enjoy. And *Anſelm* himſelf wrote to the King to the ſame effect; but before the Meſſenger

[4.] *Ibid. P.* 45. The Pope writes Letters to the King on his behalf.

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Meſſenger that carried theſe Letters could return, *Anſelm* made great Complaints to the Pope of the burthen of his Place, and beg'd his *Holineſs*'s leave to reſign it, which he would by no means permit, but enjoyn'd him to keep it: And he had very good reaſon for ſo doing, for he could not have had a better Man for his turn. He alſo told the Archbiſhop, that as for King *William* he ſhould be *Excommunicated* in the next General Council, which was ſhortly to be held at *Bari* in *Apulia*, if the King refuſed to obey his Commands.

[5.] *Ibid.* P. 48,49. The Archbiſhop attends the Pope at the Council of *Bari*, and what was done in it.

[5.] Then the Archbiſhop retiring for ſome time to an Abbey not far from *Capua*, remain'd there till the Council met, where he not long after attended on the Pope, and being placed among the chief Biſhops of the *Weſtern* Church, he by the Pope's Command was called up to ſit on a Seat nearer to him, and there made a Speech to the General ſatisfaction of all there preſent, concerning the differences then in Diſpute between the *Greek* and *Latin* Church touching the Proceſſion of the *Holy Ghoſt*; after which mention being made in this Council of King *William*, and the Pope making great Complaints againſt him, it was decreed, that he ſhould be *Curs'd* and *Excommunicated*, which *Anſelm* hearing, fell down upon his Knees before the Pope, and with much difficulty obtained the Revocation of that Sentence.

[1.] *Idem.* P. 51, 52, 53. How the King received the Pope's and Archbiſhop's Letters.

[1.] This Council being ended, the Pope and *Anſelm* departed to *Rome*, where they found the Meſſenger that carried the laſt Letters to King *William*; who told them that with much ado he received the Pope's Letters, but would by no means receive *Anſelm*'s; and that perceiving the Meſſenger to be a Retainer of his, he ſwore by *God's Face*, (his uſual Oath) That if he did not depart the Kingdom immediately, he ſhould have his Eyes pulled out, which highly incenſed both the Pope and the Archbiſhop. But let us ſee what in the mean while happen'd in *England*.

[2.] *Idem. Ibid.* The King ſends an Envoy to *Rome* about Archbiſhop *Anſelm*, and what was then Tranſacted.

The [2.] King being rather willing to return the Pope an Anſwer by his own Envoy, ſent *William Warelwaſt* on purpoſe to *Rome*, who declared that the King his Maſter wonder'd not a little, why he ſhould ſo much urge the Reſtitution of *Anſelm*, ſeeing he was expreſsly warned, that if he departed out of *England* without Licenſe, the King would ſeize his Archbiſhoprick. The Pope asked, whither there was any thing elſe againſt *Anſelm*, ſave that he had appealed to the Apoſtolick See, and come thither without his King's leave? He anſwered no: *Wonderful!* (ſaid the Pope) *have you come thus far to tell me this! Return, and that quickly, and command your King on behalf of St.* Peter, *if he will not be* Excommunicated, *to reſtore Archbiſhop* Anſelm *intirely to all things; and let me know his Reſolution before the next Meeting of the General Council*, (which was to be not long after *Eaſter* in that City) *otherwiſe he ſhall there receive the Sentence he deſerves.* To which the King's Agent replied, *That he had private Inſtructions to impart to his Holineſs.* And remaining a good while in *Rome*, he ſo well managed this Affair, that with Gifts and Promiſes he procured ſeveral Cardinals to favour his Cauſe; who ſo turned the Pope's mind, that to the ſatisfaction of his Maſter, the further Proſecution of it was put off until *Michaelmſs* following, it being then *Chriſtmaſs* time. After *Eaſter* the Pope, as he had appointed, held a Council at *Rome*, in which, tho' *Anſelm*'s Cauſe was propounded, and

and vehemently urged by ſome, yet nothing was done in it particularly to his advantage, the Pope himſelf putting a ſtop to all further proceedings againſt the King. So that the chief Affair which paſſed in this Council was, that all Laymen that gave Inveſtitures of Churches, as alſo thoſe that received them, ſhould be *Excommunicated.* But of this you ſhall hear more hereafter. *Anno Dom.* MXCVII.

I ſhall conclude this Year with ſome *Engliſh* Tranſactions, tho' of leſs moment. [3.] The King continuing ſtill in *Normandy*, *England* ſuffer'd very much in the mean while, by reaſon of the great ſcarcity of Proviſions, occaſion'd by the badneſs of the Seaſon; as alſo through the heavy Taxes that were laid upon the Nation, for the rebuilding of *London*-Bridge, which had been lately carried away by an unuſual Flood; and for building the New Walls about the *Tower*, and the Great Hall at *Weſtminſter*; which tho' they were Buildings of great uſe, as well as Magnificence, yet requir'd vaſt Sums of Money to finiſh them. [3.] C. S.

All [4.] this Year King *William* remain'd in *Normandy*, being taken up in reducing the City of *Mans*, and great part of that Province to his Obedience; and all that time there happened nothing here in *England*, worth the mentioning, except that the [1.] Nation continued ſtill to be very much oppreſſed by the King's cruel and unreaſonable Taxes; and that *Hugh* Earl of *Shrewsbury*, and *Hugh* Sirnamed *Lupus*, Earl of *Cheſter*, (with a good number of the Nobility) raiſed a great Army, and invaded *North-Wales*, being thereto excited by certain Lords of that Country. But *Griffyth ap Conan* Prince of *Wales*, and *Cadogan ap Blethyn* took the Mountains for their Defence, becauſe they were not able to cope with the ſaid Earls, neither durſt they truſt to their own Men; and ſo the Earls came over againſt the Iſle of *Mon* or *Angleſey*, where they built the Caſtle of *Aberlhiennawc.* After this the Princes *Griffyth* and *Cadogan* went to *Angleſey*, thinking to defend that Iſle, and ſent for Succours to *Ireland*; but what they received thence was very ſmall and inſignificant. Then did *Owen ap Edwin*, who was the Prince's chief Councellor, and Father-in-law, diſcover his Treaſon, in going with all his Forces to the Earls above mentioned, and marching them over into the Iſle of *Angleſey*, which ſo ſoon as the Princes *Griffyth* and *Codagan* perceived, diſtruſting the Treachery of their own People, preſently fled over into *Ireland*; but the Earls coming into the Iſle, Plundered it, uſed great Cruelties toward thoſe Inhabitants they could meet with; in cutting off the Hands and Feet of ſome, and the Privy-Parts of others. *Anno Dom.* MXCVIII. [4.] C. S. R. H. The King continues in *Normandy* and takes *Mans*. [1.] *Idem.* Dr. *Powel's* Chron. The Earls of *Cheſter* and *Shrewsbury* Invade *Wales*. The *Welſh* Princes being betray'd, the Earl's take the Iſle of *Angleſey*.

But they had not been long there, [2.] before *Magnus* Son of *Olave*, King of *Norway*, (who had lately Conquered the *Orchades* and Iſle of *Man*) happened to come thither with a few Ships (either being driven by a Storm, or elſe coming to ſpy the Country, for our Authors do not tell us which) and would fain have Landed with his Men, but theſe Earls with their Forces oppoſed him. However there *Magnus* with an Arrow ſhot the Earl of *Shrewsbury* in the Face, of which Wound within a few days after he died; which at that time was looked upon as a juſt Reward of his Cruelty toward the Poor unarmed *Welſhmen.* But yet *Magnus* his *Norwegians*, when they found they could not Land, return'd home; and the Earl of *Cheſter* and the *Engliſh* that were with him, being ſenſible they could not keep the Iſland, left the Com- [2.] F. W. But are beaten out of it by the *Norwegians*. The Earl of *Shrewsbury* mortally Wounded.

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mand of it to *Owen ap Edwin*, who had invited them thither.

[3.] King *William* kept his *Chriſtmaſs* in *Normandy*, and returning into *England* a little before *Whitſontide*, kept that Feaſt in his New Hall at *Weſtminſter*, which had been built in his Abſence; when he firſt ſaw it, and heard others highly admire it for its Spaciouſneſs, the King was of another opinion, ſaying, it was too little by half; which ſhew'd the Greatneſs of his Mind, whatever it did of his Judgment. From [4.] thence he went down to hunt at *New Forreſt*, and whilſt he was one day there at his Sport, a Meſſenger came in all haſt out of *Normandy*, and told him, that the City of *Mans* was ſurprized by *Count Hely de la Fleſche*, who (in right of his Wife pretended to it) and that the Caſtle which held out ſtoutly for him, was, without ſome preſent relief, like to be Surrendered: Upon which News he immediately ſent back the Meſſenger, bidding him to tell thoſe in the Caſtle, that if poſſible he would be with them in Eight days. And then turning his Horſe's Head toward the Sea-ſide, he rode on with all the ſpeed he could; but ſome that were near deſiring him to ſtay till his Army could be got ready, he replied only this, *They who love me will follow me.* And ſo coming to *Dartmouth* with very few Attendants, in order to take Shipping, the Weather proved ſo very rough, that the Maſter of the Veſſel ſaid there was no paſſing over without eminent hazard of their Lives: *Tuſh*, (ſaid the King) *ſet ſail, I never yet heard of a King that was drowned.* And ſo making all the Sail he could, he arrived at *Barfleur* the next Morning, and ſent for all his Officers and Soldiers that were in *Normandy*, to attend him at *Mans*; but no ſooner had the Enemy heard of his approach, but they raiſed the Siege, and the King preſently after taking this *Count Elias* Priſoner, and he being brought before him, the King ſomewhat as it were in triumph, ſaid, *Now Sir, I have got you: Yes*, anſwered he, *you have got me, but it was by a Wile, yet if I were at liberty again, I know what I could do*: The King thereupon replied, *Well, Sir, and what would you do? get you gone, and do your worſt, nor do I expect any return for the favour*; And ſo preſently diſmiſſed him to go where he pleaſed. The King having thus reſcued *Mans*, and reduced the Country once more to his Obedience, return'd into *England* about *Michaelmaſs*.

[3.] C. S. H. H. King *William* keeps his *Whitſontide* in his New Hall at *Weſtminſter*.

[4.] *Idem.* W. M. P. 124. The King hearing *Mans* was ſurprized, goes preſently for *Normandy*.

The King reſolved to go to Sea notwithſtanding a Storm.

As [5.] for Eccleſiaſtical Affairs, this Year Pope *Urban* held a General Council at *Rome*, in which he *Excommunicated* all Laymen who ſhould offer to grant the Inveſtitures of Churches, and all thoſe Clergymen that ſhould offer to receive them at their hands, or any that ſhould Conſecrate ſuch Receivers, as likewiſe all thoſe that did any Homage to Laymen for Eccleſiaſtical Benefices; all which Decrees being approved of by the Cardinals and Biſhops there preſent were confirmed by the Pope. Archbiſhop *Anſelm* was preſent at this Council, and from thence went to *Lyons*, where he ſtayed till the King's Death.

[5.] F. W. Pope *Urban* holds a Council at *Rome*.

[1.] At a Great Court or Council held at *London* about *Whitſontide*, he beſtowed the Biſhoprick of *Durham* upon *Ranulph* his Chaplain, [2.] whom from one of the meaneſt of the Vulgar the King advanced by degrees, and long made uſe of as a chief Informer and Miniſter to raiſe Money by all manner of ways; it was he who let out the Vacant Biſhopricks and Abbeys to Farm for the King's uſe, and thereby gained

[1.] F. W. [2.] W. M. P. 69. 4. The King beſtows divers Biſhopricks in a great Council held at *London*.

gained him a great Revenue; and when the King iſſued out his Edict, and had ſet what Tax *England* ſhould pay, this bold Man would by one ſtroke of his Pen make it as much more: He was an invincible Lawyer, and to whom the King committed the management of the Revenues of the whole Kingdom. Thus he continued oppreſſing the Rich, and peeling the Poor during all the King's Reign; being but too well rewarded for his Tyranny and Injuſtice. *Anno Dom.* MXCIX.

[3.] This Year alſo the Chriſtians took the City of *Jeruſalem* by Storm, and near Forty thouſand *Saracens* that were in it were put to the Sword; then the Chriſtian Princes all agreed to Elect *Robert* Duke of *Normandy* King of that City, and all *Paleſtine*, but he refuſing out of an expectation of the Crown of *England*, it is obſerved by our Hiſtorians, that he never after proſpered in any thing he undertook; and upon this his Denial, the Chriſtian Princes agreed to chuſe *Geoffrey* Duke of *Lorrain* (commonly called *Geoffrey* of *Boloign*) King of *Jeruſalem*, a Prince of great Courage and Piety, and who Governed very worthily, tho' it happened to be but for a little time. [3.] W. M. P. 80. a. F. W. *Jeruſalem* taken by the Chriſtians.

[4.] King *William* being now in perfect quiet and great proſperity, kept his *Chriſtmaſs* at *Glouceſter*, and his *Eaſter* at *Wincheſter*, where [5.] (as *Ordericus* informs us, for I find it in no other Author) the King had vaſt deſigns in his head; for *William* Earl of *Poictou* having an Intention to go to make War in the *Holy Land* (according to the humour of the Princes of that Age) now offer'd King *William* to Morgage to him his Dutchy of *Aquitain*, with his other Territories, for a great Sum of Money which he deſired to borrow for that Expedition, and that the King moſt willingly embraced the Propoſal, and commanded a mighty Fleet to be prepared, and a great Army to accompany him out of *England*, that he might hinder his Brother *Robert's* return into *Normandy*, take Poſſeſſion of *Aquitain*, and extend the Bounds of his Empire, as far as the River *Garonne*. In order to which his Royal Navy that was to carry over vaſt Sums of Gold and Silver, was now almoſt ready to Sail; which till it was got ready, the King to divert himſelf went in the beginning of *Auguſt* to Hunt in the *New Forreſt* (which in the *Engliſh-Saxon* was called *Itene*) where he met his Death; of which our [1.] Author gives us theſe Circumſtances. A Monk (it ſeems) the Night before had dream'd, that he ſaw the King knaw a Crucifix with his Teeth, and that as he was about to bite off its Leggs, the Image ſpurn'd him to the Ground, and that as he lay groveling on the Earth, there came out of his mouth a flame of fire, with abundance of ſmoke; this being related to the King in the Morning by *Robert Fitz Haimon*, he made a Jeſt of it, ſaying, This Monk would fain have ſomething for his Dream: Go, give him a Hundred Shillings, but bid him look he dream better Dreams hereafter. Nevertheleſs the King being much diſſwaded by thoſe about him not to make tryal of the truth of this Dream at his own expence. *Anno Dom.* MC. [4.] *Idem.* C. S. [5.] P. 649. King *William* has vaſt Deſigns in his Head, and makes great Warlike Preparations. The King goes down to *New Forreſt* to Hunt. [1.] W. M. P. 71. The ſtrange Dream before his Death. [2.] *Id. Ib.* The odd manner of it.

[2.] When ſetting aſide all ſerious buſineſs, he went to Breakfaſt, and having drank plentifully, would needs in that humour go out into the Forreſt a Hunting, being accompanied with but a few Followers, of whom his Brother *Henry* was chief; yet one of the moſt intimate, was, * *Walter Tyrrell* a *French* Knight (who had lived in *Normandy* for ſome years, and being invited hither by the King's Liberality, was newly

* *Ordericus* calls him a rich Native of *Pontoiſe*, a Valiant Knight, dextrous in Arms, and therefore very intimate with the King.

Anno Dom. MC.

newly come over; this Man being an expert Huntſman, and an excellent Archer, remain'd alone with the King, who at the end of the Chace being then alighted, ſtayed till the reſt of his Company (diſperſed up and down the Forreſt) could come up; when about Sun-ſet a Stag happening to paſs by the King, he ſhot at him, and gave him a ſlight Wound, and as he ran away, the King followed him (holding up his hand before his Eyes to defend them from the Sun, then ſhining full in his Face) when another Deer juſt paſſing by, *Walter* ſhot at it; But his Arrow miſſing the Stag, hit the King (then intent upon another Object) full in the Breaſt, who preſently fell down without ſpeaking a word, and in the fall not only broke the Arrow, but haſtened his own Death; upon which, *Walter* when he ſaw he had neither Breath nor Life in him, left him, preſently took his Horſe, and Gallopped away as faſt as he could, no Man perſuing him; every Body's thoughts being taken up about greater matters. Then a few *Colliers* paſſing through the Forreſt, put his Body into their Cart, and drove it to the Biſhop's Palace at *Wincheſter*, where it was the next day Buried in the Church under the Tower, many Noblemen being preſent, and few or none lamenting his loſs.

He is Kill'd by *Walter Tyrell.*

His Body is Buried at *Wincheſter.*

His Tomb (ſomewhat raiſed from the Ground) remains at this day in the midſt of the *Choir* of that Cathedral: Thus fell this Magnanimous, but rough-natured Prince, in the Forty fourth Year of his Age, and the Thirteenth of his Reign.

And here I cannot but take notice, that tho' *W.* of *Malmesbury*, *Florence* of *Worceſter*, and *Simeon* of *Durham* (Authors of the beſt Credit, who flouriſhed and wrote their Hiſtories within leſs than forty years after this Accident) I ſay tho' they do all agree not only in the Place, but the Perſon, who had the misfortune thus to kill this Prince, yet there are alſo Authors of that very Age, and thoſe of good credit too, who are not only doubtful of it, but ſome of them do poſitively deny that this *Walter* had any hand in it; for [3.] *Eadmerus* ſpeaking of it by the by, only ſays, *That whither the Arrow was ſhot at him, as (as moſt affirm) ſlew him by his ſtumbling, and falling down upon it, it were needleſs to enquire; it being ſufficient to underſtand, that which way ſoever it happened, it was by the juſt Judgment of God.*

The difference between Authors as to the manner of his Death.

[3.] *Lib.* 2. *P.* 34.

But tho' Dr. *Brady* in his Hiſtory makes it uncertain, whither *Tyrrell* then ſhot at a Deer, or elſe at the King, yet I am ſatisfied he cannot make out his Suſpition from the Authority of any other Author; for thoſe that lived in that very time make a great doubt of it, as may farther appear from [5.] *Sugerius* Abbot of *St. Denis* near *Paris*, who lived at that time, and in his Life of King *Lewis* the *Groſſe*, ſpeaking of the manner of *William Rufus*'s Death, ſays thus, *It was laid by ſome upon a moſt Noble Perſon, called* Walter Tyrrell, *as if he ſhould have ſhot him through with an Arrow, whom we* (ſays he) *have often heard, when he had no occaſion either to fear or hope to affirm with an Oath, That he came not that day into that ſide of the Forreſt, where the King hunted, nor ever ſaw him there.* The ſame Paſſage is taken almoſt word for word by the Continuator of *Bede*'s Hiſtory, out of the Author above mentioned, who, without ſo much as citing him, ſpeaks in his own Perſon, as if he had ſeen it himſelf, which ſhews what a bungling Plagiarie this Writer was, who ſeems to have been a Monk, that lived in that very time, ſince he concludes his Hiſtory with the beginning

[4.] P. 224.

[5.] *Hiſtor. Franc. Tom.* 4. *P.* 283.

of

of the Reign of King *Henry* the First; I desire the Reader's pardon for this digression, for tho' it be of no great moment to posterity, how this King came by his Death, yet since it is a piece of History not commonly known, and also concerns the memory of a Person, who is looked upon as the Common Ancestor of all of that numerous Family both in *England* and *Ireland*, of the same name, I hope I may not appear impertinent, if I have dwelt somewhat the longer upon it. *Anno Dom.* MC.

I cannot but here also remark that this Prince was the Third of this Race who found their Deaths in this Forrest within a few years: for [1.] *Richard* his Elder Brother here perished by the goring of a Stag's Horn, or (as *William* of *Malmesbury* relates it) by the blast of a Pestilential Air that took him as he was Hunting; and *Richard* his Nephew, base Son to Duke *Robert*, was but the Year before this killed by an Arrow as he was Hunting in this same Forrest, much after the same manner, as his Uncle King *William*; or else (as others relate) was caught by the Neck as he rid under the Boughs of a thick Oak, and his Horse going from under him was there hanged: So that it seems as if God designed to revenge upon the Children their Father's Sins, in destroying so many Churches and Villages to make them a Receptable for wild Beasts. [1.] *Idem. P.* 111.

I shall now conclude with saying something of this King's Person and Disposition: [2.] He was but of a middle Stature, yet strong and well set, his Face Red; his Hair a deep Yellow, inclining to the same colour; his Forehead square, his Eyes speckled, the one not like the other; His Countenance severe, his Speech unpleasant and stammering, especially when provoked to anger. [2.] W. M. P. 124. The Description of this Prince's Person.

As for the Qualities of his Mind, they may be best known from the Actions of his Life, which shew him to have been stout and daring, never dejected in the greatest extremity. A Character of his Humour.

He was also very Liberal to his Friends, and especially to Soldiers; Magnificent in his Retinue and Buildings, which *Westminster* Hall remains a lasting Monument of; but as to his own Apparel very plain and moderate, reckoning the finery of his Clothes, not by the outside, but the price they cost; as appears by the noted story of the pair of Breeches or Hose which his Chamberlain brought him one Morning, which he disliked, because they cost but three Shillings: which being so common a Story, I need but only mention. *Idem.* P. 122, 123.

He was also a Prince of little or no Faith, breaking his Oaths and Promises not only to his own Subjects, and foreign Princes, but even to his own Brother when he found it for his Advantage; as you may observe through the whole course of his Reign. He is also by divers Monkish Writers said to be mightily addicted to *Fornication*, but they do not name any particular Mistress of his; which shews, that either he was not very constant in his Amours, or else that the Mistresses he kept were of that mean condition as not to deserve any particular mention: But being never Married, it is not likely a Prince of his loose Principles and Sanguine Constitution should be very chast. He was also cruel, seldom or never pardoning any that he thought had offended him; but either putting them to death, or else to punishments worse than death it self, as you may observe by his severe usage of *William* Count of *Owe* or *Eu*, his near Kinsman, and others; as like-

Anno Dom. MC.

likewiſe by this paſſage: [3.] There were fifty *Engliſh* Gentlemen (who had ſome Eſtates left,) accuſed for hunting and killing the King's Deer, which they denied, and were therefore condemned to the tryal of the *Fire-ordeal*, which (by God's mercy) they paſſed through untouched. The King hearing of it, and being deceived of the Confiſcations he expected, ſaid in a great paſſion, *How happens this? is God a Juſt Judge in ſuffering it! Now a Murrain take him that believes it:* So that he ſeems to have been as cruel as he was prophane; and how unſetled he was in the *Chriſtian* Religion, may appear alſo in the Story related by the ſame [4.] Author.

[3.] *Ead. P.* 48. Some Inſtances of his Prophaneſs and Infidelity.

[4.] *Idem. P.* 47.

A young *Jew* was Converted to the *Chriſtian* Faith (as he ſaid) by the Viſion of a Saint that had appeared to him; his Father being much troubled at it, preſented the King with ſixty Marks, intreating him to make his Son return to his former *Judaiſm*; whereupon the King ſent for him, commanding him without more a do to return to the Religion of his Nation. But the young Man anſwered with much Reſolution, He wondred his Majeſty ſhould uſe ſuch words; for being a *Chriſtian* himſelf, he ſhould rather perſwade him to continue in that belief. With which Anſwer the King was ſo confounded, that he commanded the young Man to get out of his ſight. His Father finding the King could do no good upon his Son, required his Money again: *Nay*, (ſaid the King) *I have taken pains enough for it all; but yet that thou may'ſt ſee how kindly I will uſe thee, thou ſhalt have one half, and the other half thou canſt not in conſcience deny me for my pains.* Which Reply ſhews him to have had Wit enough had he been pleaſed to have made good uſe of it; which ſince he did not, I ſhall not relate ſeveral other of his prophane Sayings, for the very reading of them were enough to create Horror and Averſion in all ſober Readers.

[5.] W. M. Pag. 184.

[5.] He was of a very haughty Temper, as appears by his carriage to the King of *Scots*; and yet in private converſation amongſt his Confidents no Prince could be more free, playing and jeſting not only upon others, but Himſelf too, if he thought he had done any thing that they might juſtly carp at. Yet notwithſtanding his ſevere and covetous temper, there are ſome Relations that ſhew he had ſometimes a ſenſe of Generoſity, Juſtice, and Good Nature, of which I ſhall give you ſome Inſtances, I find in our [1.] Authors: One is that a great Abbey becoming vacant by the Death of the Abbot, two rich and ambitious Monks came to the King, each of whom deſiring to purchaſe it, privately ſtrived to out-bid the other, but whither the King did not like the Price they offer'd, or elſe his Chapmen, is uncertain; only that ſeeing a third Monk (who came as a Companion to one of them) ſtanding at a diſtance, he called him to him, and asked what he would offer for the Inveſtiture of that Abbey? the Monk replied, That he had no Money, and if he had, that his Conſcience would not permit him to give any thing for it, and that for his part he had enough already; whereupon the King admiring his modeſty, immediately made Anſwer, *By St.* Luke's *Face, thou alone doſt deſerve it, and therefore ſhalt have it for nothing.* And ſo immediately beſtowed it on him, and caus'd the Monks of that Abbey to chuſe him, as he commanded.

[1.] *Ran. Higden. Polychron, & alii.*

The

The other is this, [2.] one *Hugh* a *Norman* Knight, and Kinſman to King *William*, having been a valiant Warrior, quitted the World, and took the Habit of a Monk in the Monaſtery of St. *Auguſtine* in *Canterbury*, where he had not been long, when *Guido* the Abbot deceaſing, the Monks of that Abbey ſent two of their Brethren, and with them this *Hugh* (being as yet in the year of his Probation) to the King, to ſee if they could prevail with him, to give them leave to chuſe a new Abbot; ſo ſoon as they came into his Preſence, and that he ſaw *Hugh* in the Habit of a Monk, whom he had lately known in all his Military Gallantry, he could not forbear weeping, and hearing their Requeſt, preſently gave them leave to Elect one, provided it were his Kinſman *Hugh*, and no other Perſon; threatening if they did not, to burn down their Houſe about their Ears. With which Injunction the Monks eaſily complying, preſently choſe him Abbot, tho' much againſt their will; and this the King did out of pure kindneſs and compaſſion, tho' he might have had a good Sum of Money for it: yet theſe were but ſingle Inſtances, and the greater part of his Life being Covetous and cruel, we may juſtly repute him One of the worſt and moſt Tyrannical Kings that ever *England* had; and yet none had better fortune than he, till the Accident of his untimely Death; which I term ſo, not in reſpect of the *Nation*, but of himſelf, being then in the flower of his Age.

Anno Dom. MC.

[2.] *Will. Thorn's* Chron. *Anno* 1097. Col. 1795.

Of Laws and Taxations during his Reign.

As for his Laws, if ever he made any, they are loſt, and indeed there ſeemed no great need of any under a Prince who commonly made his Will his Law; yet as Arbitrary as he was, we ſee he would not condemn thoſe Gentlemen above mentioned, who had been quitted by the *Ordeal*.

As for his Taxations, we cannot tell how many they were, (his whole Reign being ſo full of them) only it is certain, he impoſed the *Danegueld* in divers years thereof; and we find in the *Saxon* Chronicles under almoſt every year great complaints of his Taxes, and oppreſſing Exactions. He alſo ſold divers Abbeys for Money, and let out others when vacant, and alſo Biſhopricks to Farm; and at the time of his Death had the Archbiſhoprick of *Canterbury*, with the Biſhopricks of *Wincheſter* and *Salisbury* in his hands, of all which he received the Profits.

As a Concluſion to this Reign, I ſhall alſo here take notice from [3.] * *William* of *Malmesbury*, and † *Odericus Vitalis*, of the great corruption of Manners among the young Noblemen and Gentlemen of thoſe Times, notwithſtanding the Warlikeneſs of the Age; for it was then the faſhion for them to wear their Hair as long as Women, which they kept every day curl'd, and nicely Combed out; they wore alſo ſtraight-Bodied Coats with wide Sleeves, * their Breaſts open, ſo that they differ'd not much from our preſent faſhions; only they wore the Tooes of their Shoos long and picked, which much exceeding the length of their Feet turn'd up in their Faces; which fooliſh faſhion was again reaſſumed in the Reign of King *Richard* the *Second*; inſomuch that the Hiſtorians of thoſe Times tell us that many Noblemen and Gentlemen uſed Gold or Silver Chains tyed to their Knees to keep

[3.] * Pag. 86. † Pag. 682.

* *Latere nuda.*

Anno Dom. MC.

keep them ſtill turned up. From whence we may obſerve, that the ſame Modes in Clothes after ſeveral Ages return again, and are ever thought becoming by thoſe that wear them.

[4.] W. M. *Ibid.*

[4.] But which was worſe than the folly of thoſe Faſhions the young Men that wore them ſeem'd to contend with Women in ſoftneſs and effeminancy, walking affectedly, as if they ſeemed unwilling to appear what they really were, ſhewing themſelves Men in nothing ſo much as in their attempts upon the Chaſtity of the Women: and I wiſh a great deal of this Character might not be too juſtly applied to the Youth of our preſent Age.

THE General History OF ENGLAND BOTH Ecclesiastical and Civil.

VOL. II. Book III.

King *HENRY* I.

HENRY, Youngest Son to King *William* the First, was the only Child he had Born in *England*, after he came to the Crown; upon which account he is looked upon by [1.] *William* of *Malmesbury* to have had the best Right to it. He was in his Youth kept close to his Book, which gave his Mind such a deep tincture of good Literature, that neither Wars, nor Domestick Troubles could ever efface it: This also gave him so great a Reputation for Learning (not then commonly found among the Laiety, and especially Princes) that it procured him the Sirname of *Beau-clerk*, that is, the *Good Scholar*. He had not much Land left him by his Father, the greatest part of his Portion being in Money, which was bequeathed him both by King *William*, and by the Queen his Mother; but most of what he had by the former, he was defrauded of by his Brother Duke *Robert*, who payed it away to his Mercenary Soldiers, that under him made War upon King *William*, whilst *Henry* was gone into *Bretaign* upon Duke *Robert*'s Service: after which being still hardly used by him (as you have heard) in the former Reign, he came over to the late King, and continued with him for some time before his Death; and being a Hunting with him that day he was killed, he laid hold on that opportunity to obtain the Crown, and immediately Posting to *Winchester*, where the late King's Treasure then was, and boldly demanding the Keys, he seized it to his own use; and had, I think, as much

Anno Dom. MC.

[1.] P. 87. *b.* An account of this King's Actions before he came to the Crown.

Anno Dom. MC.

How he laid hold of this Opportunity to gain the Crown.

Anno Dom. MC.

right to it as his Brother *Robert*, who was then upon his return from the *Holy Land*.

[2.] *Idem.* P. 88. He is ſolemnly Elected, and Crown'd.

[2.] The day after his Brother's Interment, he haſted to *London*, (where as many of the Nobility as could meet upon ſo ſhort warning attended him) and was in a [3.] Great Council of the Biſhops, Earls and Barons, the *Saturday* following Elected King, tho' ſome * diſputes had aroſe among them about it, but they were at laſt compoſed by *Henry* Earl of *Warwick*, whoſe Friendſhip he had gained long before; and the next being *Sunday* the fifth of *Auguſt*, he was ſolemnly Crowned by *Maurice* [4.] Biſhop of *London*. But before hand he took an Oath,

[3.] *Id. Ib.*

[3.] C. S. H. H. * W.M. *Ibid.*

[4.] *Ead. L. 3. p. 55.*

[5.] F. W. C. S. His Coronation Oath.

[5.] "To obſerve and keep all good and juſt Laws "toward his People, and to take away all thoſe Oppreſſions "and unjuſt Practiſes, which had ſprung up during his Brother's "Reign, as well in Eccleſiaſtical as Secular Affairs. All which ſo ſoon as the Solemnity was over, he cauſed to be publiſhed by his Edict or Proclamation, and ſoon after confirmed by his Charter, * under his Broad Seal; a Copy of which is at this day to be found in the Red Book of the *Exchequer*; but a Tranſcript of that which was ſent into *Herefordſhire* (being the Foundation of King *John*'s *Magna Charta*) I ſhall here give you from [1.] *Matthew Paris*.

* See this Charter in *Latin* in the Appendix. No. 1. His Charter of Liberties.

[1.] P. 55.

"*Henry*, by the Grace of God King of *England*, to *Hugh de Bockland* the Sheriff; and to all his faithful Subjects in *Herefordſhire*, "as well *French* as *Engliſh*, Greeting: Know ye, that ſeeing by the "Mercy of God, and the Common Aſſent of the *Barons* of *England*, "I am now Crowned King, and being ſenſible that this Kingdom "has been oppreſſed by unjuſt Exactions: *&c.* I do hereby, for the "Honour of God, and the Love which I bear toward you all, ſet "God's Church at Liberty; ſo that I will neither ſell, nor ſet it out "to Farm; nor upon any Archbiſhop, Biſhop, or Abbot's death, will "I take any thing of the Demeſnes of the Church, or its Tenants, "until a Succeſſor ſhall be admitted to it.

"I alſo abrogate all evil Cuſtoms, with which the Kingdom of "*England* has been unjuſtly oppreſſed, and which I here in part ſet "down.

"If any of my Barons, Earls, or others who hold of me, ſhall die, "his Heir ſhall not redeem the Eſtate, as he was wont to do in the "time of my Father, but ſhall redeem it by a juſt and lawful Relief, "(and in like manner ſhall other * Tenants † redeem their Eſtates of "their Lord by a lawful and juſt Relief;) if any of my Barons or "other Tenants will give his Daughter, Siſter, Neice, or Kinſwoman "in Mariage, he ſhall treat with me about it; but I will neither "take any thing of his for it, nor will I forbid him to give her in "Mariage, unleſs he ſhall do it to my Enemies. And if a Baron or "any other of my Tenants die, leaving a Daughter and Heir, I will "give her in Mariage, together with her Land, by the Aſſent of "my Barons.

* *Homines.* † *Relevare.*

"But if the Husband die, and the Wife remain alive without Children, ſhe ſhall have her Dower and Mariage-Portion, and I will "not give her again in Marriage without her own conſent: But if "the Wife be left with Children, ſhe ſhall then have her Dower and "Mariage-Portion, whilſt ſhe preſerves her Body in * Chaſtity; and "I will not diſpoſe of her in Mariage, but with her own good "liking.

* *Legitimè.*

"There

"There ſhall alſo be Guardians appointed of the Children's Eſtates, *Anno Dom.* MC.
" either the Wife, or ſome near Kinſman, who ought to be juſt.
" I alſo Command that all my Vaſſals carry themſelves in like
" manner towards the Sons, Daughters and Wives of their Te-
" nants.
" The Common Mintage * of Money, which was wont to be ta- * *Monetagium.*
" ken through Cities or Countries, and not paid in the time of King
" *Edward*, I do wholly forbid to be taken for the future.
" If any *Coyner* or other be taken with falſe Money, Right Juſtice
" ſhall be done upon him.
" All Pleas and Debts which were due to my Brother I forgive,
" except my Farms, and thoſe things which were Bargained for, con-
" cerning the Inheritance of others; or for thoſe things which juſtly
" concern'd other Men.
" But if any one has engaged any thing for his own Inheritance,
" that I forgive, with all Reliefs which were Bargain'd for ſuch their
" Lawful Inheritances. And if any of my Barons or Tenants ſhall lye
" Sick, and he will give, or deſigns to bequeath his Money or Eſtate,
" I grant it ſhall be diſpoſed of accordingly.
" But if, being prevented by War, or Sickneſs, he neither give nor
" diſpoſe of his Money, or Eſtate; his Wife, or Children, or next
" of Kin, and his * Lawful Tenants, ſhall divide it among them, for * *Legitimi homines ſui.*
" the good of his Soul, as it ſhall ſeem beſt to them.
" If any of my Barons or Tenants ſhall forfeit, he ſhall not give
" a Pledge for the † forbearance of the Fine, as he did in the Reigns † *Miſeria.*
" of my Father and Brother, but only according to the meaſure of
" the Fine, as he was wont formerly to make: But if he ſhall be con-
" victed of Perfidie, or other wickedneſs, he ſhall * make ſatis- * *Emendabit.*
" faction for ſuch his offence.
" Alſo I pardon all † Murthers from the day in which I was Crown- † *Murdra.*
" ed King, and thoſe things which ſhall be hereafter committed, ſhall
" be juſtly amended or ſatisfied for, according to the * Law of King * *Lagam.*
" *Edward.*
" I have by the Common Aſſent of my Barons retain'd in my
" hands all Foreſts in ſuch manner as my Father held them.
" I alſo grant of my own free gift to my Knights, *i.e.* Tenants by
" Knight-ſervice, who defend their Lands by their * *Habergeons*, that * *Loricis.*
" their Demeſne-Lands ſhall be free from all unjuſt *Guelds*, or Taxes,
" that ſince they are eaſed of ſo great a Burthen, they may the better
" provide themſelves with Horſes and Armes, and ſo be made fiter
" and more ready for my Service, and for the defence of my King-
" dom.
" I eſtabliſh firm Peace in all my Realm, and command it to be ob-
" ſerved for the future.
" I alſo reſtore you the † Law of King *Edward*, with thoſe amend- † *Lagam.*
" ments with which my Father amended it, by the Aſſent of his
" Barons.
" If any Man hath taken any thing of mine, or the Goods of ano-
" thers, ſince the death of King *William* my Brother, the whole ſhall
" be ſpeedily reſtored without any other ſatisfaction; but if he ſhall
" retain any thing thereof, he upon whom it is found ſhall pay ſound-
" ly for it. To which theſe are Witneſſes, *Maurice* Biſhop of *London*,

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William Elect of *Wincheſter*, *Girald* Biſhop of *Hereford*, Earl *Simon*, Earl *Walter Gifford*, *Robert de Montford*, *Roger Bigot*, and many others.

[2.] *Id. Ibid.* Many of theſe Charters ſent into ſeveral Counties, and Religious Houſes.

[2.] It is alſo to be noted, that by the King's Command, there were as many of theſe Charters tranſcribed as there were Counties in *England*, and they were ſent to certain Abbeys in each County to be there preſerved as Monuments to Poſterity; and yet notwithſtanding all this care, there were ſcarce any of them to be found in the Reign of King *John*, when the Quarrel began about this Charter, between that King and the Barons, as you will find in due time.

[3.] *Idem Ib.* F. W. W. M. P. 88*a*. *Ranulph* Biſhop of *Durham* committed to Priſon.

[3.] Beſides this the King further to ingratiate himſelf with the Nation, by the conſent of its Common Council, committed *Ranulph* Biſhop of *Durham* cloſe Priſoner, he being looked on as the chief Inſtrument of all the Violences and Oppreſſions of the late Reign; but he not long after eſcaping by corrupting his Keepers, fled over into *Normandy*, and what he did there you will find hereafter.

[4.] *Eadm.* p. 55. Archbiſhop *Anſelm* invited to return home.

[4.] Preſently after the Coronation, the King and great Men diſpatched a Meſſenger to Archbiſhop *Anſelm*, then in Exile at *Lyons* in *France*, inviting him to return into *England* with what ſpeed he could; the King in his Letters adding his Prayers and Wiſhes for the ſame, promiſing to ſubject himſelf and his Kingdom to his Council and Direction: So he making all the haſt he could, Landed at *Dover* the Twenty third day of *September*, to the great ſatisfaction of the whole Nation.

[5.] W. M. P. 88*a*. *Ead.* p. 56. The King is inclined to Marry *Mathilda*, Daughter to the late King of *Scots*.

[5.] Not long after his return, the King by the advice of his Friends, and eſpecially the Biſhops, reſolved to leave off his Miſtreſſes, and Marry; and he having a very great affection for *Matilda*, Daughter to *Malcolme*, late King of *Scotland*, and Grand-daughter to *Margaret*, Siſter to *Edgar Atheling*, reſolved (if it could proved be Lawful) to Marry her; for there being ſome ſcruple, Whither ſhe might Marry or not, the Cauſe was brought before the Archbiſhop not long after his return; and the reaſon of this doubt was, for that ſhe had been educated in the *Monaſtery* of *Wilton* amongſt *Nuns* from her Infancy; whereon it was thought by many that had often ſeen her there, that her Parents had devoted her to God: theſe Reports putting a ſtop to the intended Mariage; to take away all Scruples about it, it was left to the determination of Archbiſhop *Anſelm*, to whom the Lady privately applied her ſelf, and begged his Advice and Aſſiſtance in it; and confeſſed, to him, That indeed ſhe had been Veil'd, tho' againſt her will, and took that Habit upon her, only to preſerve her Chaſtity from the then raging luſt of the *Normans*, (which ſhe could prove by ſufficient Witneſſes) But as for the Veil ſhe had never worn it, unleſs in the preſence of the Abbeſs *Chriſtiana* her Aunt, and that as ſoon as her back was turned, ſhe flung it away; alſo that the King her Father ſeeing it once upon her Head, had pulled it off and torn it, proteſting to *Alan* Earl of *Bretaign*, that he intended to Marry her, and not to make her a *Nun*. This is the ſubſtance of this Lady's Defence.

Some Scruples againſt it, as ſhe had been a *Nun*.

[1.] *Idem.* P. 57. *Anſelm* calls a Synod to determine whither *Mathilda* had been really a *Nun*.

[1.] Upon hearing which, Archbiſhop *Anſelm* deferr'd giving his Judgment, and for greater ſecurity reſolved to adjourn it to an Aſſembly of all the Clergy, who were to meet immediately after by his Command; where in a full Council of the Biſhops, Abbots, and Inferior Clergy, together with certain Noblemen, held at *Lambeth*, the Cauſe

Cauſe being ſolemnly heard, and all there preſent giving their Votes according to their Conſciences, and the Merits of the Cauſe, the matter of fact appear'd to be thus; That when the Great *William* had ſubdued this Land, divers Virgins went into *Monaſteries*, and Veiled themſelves, that they might be thereby protected from the Luſts of his Soldiers, who being puffed up with ſo great a Victory, thought all things ſubject to their will, and that they might not only ſeize the Eſtates of the Conquered, but alſo raviſh Matrons and Virgins whenever they had opportunity. Yet that Archbiſhop *Lanfranc*, when Peace was ſettled, being asked his Opinion concerning ſuch Perſons, whither they ſhould be kept to a Monaſtick Life or not, had given it in the Negative, unleſs they would undertake it by their own Free wills. Whereupon the Archbiſhop, after hearing all the ſaid Allegations and Proofs, coming out before the Church-doors, there in the preſence of the King, the Nobility and * Common People (who all flocked about him) related the whole Proceſs in this Cauſe, and then openly gave Sentence, That the Lady might enjoy the Lawful liberty of her Perſon, and according to the Law of God might Marry; which being approved of by the whole Aſſembly there preſent, not long after *(viz.)* at *Martinmaſs* following, the Mariage between King *Henry* and the Lady was Solemnized.

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* *Populus minor.*

This Year in [2.] *September*, after the King's Coronation, Duke *Robert* his Brother returned home from his Voyage to *Jeruſalem*, from whence he brought more Reputation than Money; but tho' in all that Expedition, as alſo at the taking of that City from the *Saracens*, he behaved himſelf with remarkable valour; yet (as for what ſome of our Hiſtorians relate) that he was offer'd by all the Princes there preſent, to be choſen King of that new Kingdom, but that he refuſing it, *Godfrey* Duke of *Lorrain* was Elected in his ſtead, ſince I find it in no antienter Author than [3.] *Henry* of *Huntington*, I ſhall not mention it, as any more than a common Tradition of that Age.

[2.] W. M. P. 89. F. W. Duke *Robert* returns from his Voyage to the *Holy Land.*

[3.] *Idem. Ibid.*

Yet he was now joyfully received into his Dutchy without any oppoſition, [4.] having in his return home Married in *Sicily* a moſt beautiful Lady, called *Sibilla*, Daughter to *William* Earl of *Converſano*, a Prince of *Italy*, and with whom he had a Portion ſufficient to have redeem'd his Dutchy (had there been occaſion for it) but he ſquander'd away all that Money in a ſhort time, upon Paraſites and mean Fellows. The Duke was no ſooner a little ſettled, but being much diſcontented at the loſs of the Kingdom of *England*, many Noblemen that were diſſatisfied with the new King's Government, went over to him, and excited him to vindicate his Right; but ſince he did nothing in it all the reſt of this Year, I ſhall defer the further mention of it till the next.

[4.] F. W. W. M. *Ibid.* His Mariage in his way home.

I ſhall conclude this Year with an Account of Eccleſiaſtical Affairs: [5.] Archbiſhop *Anſelm* not long after his Return waited on the King at *Salisbury*, who firſt made him an Excuſe that he could not ſtop his Coronation till coming over, becauſe it required his immediate diſpatch; and then deſired him, that according to the Cuſtom of his Predeceſſors, he would do him homage, and receive the Inveſtiture of his Biſhoprick at his hand: To which the Archbiſhop anſwered, That he could by no means agree to it; and being asked the reaſon, he then related, what Injunctions he had lately received at *Rome* concerning

[5.] *Eadm. p. 56.* Archbiſhop *Anſelm* returns into *England*, and his Anſwer to the King's demands.

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ing that, as well as other matters; plainly declaring, That if the King would be contented with this, they might then agree, and there would be a firm Peace between them; but if he ſaw the King reſolved to confer Biſhopricks and Abbeys as had been done formerly, he (the Archbiſhop) ſhould then be ſatisfied, that his ſtay in *England* would neither be Honourable nor Safe; for he had not come over, nor would ſtay here, if the King was not reſolved to obey the Pope, and therefore deſired a poſitive anſwer what he muſt expect. The King hearing this, was very much troubled, becauſe it ſeemed hard for him to loſe the Inveſtiture of Churches, and the Homages of his Prelates, nevertheleſs it ſeemed as difficult to ſuffer the Archbiſhop to leave the Kingdom, being as yet unſetled; for he was ſatisfied he ſhould run a great Riſque if *Anſelm* ſhould go over to his Brother Duke *Robert*, and having perſwaded him to ſubmit to the See of *Rome*, ſhould thereupon own him for King.

The King being loth to loſe his Inveſtiture of Biſhopricks and Abbeys, requires ſome Reſpite.

[1.] *Idem. Ib.*

[1.] *Henry* therefore deſired ſome reſpite till *Eaſter*, that he might ſend to *Rome* to ſee if they could obtain of the Pope, that the Antient Cuſtoms of the Kingdom might continue, and that in the mean time the Churches of *England* ſhould remain in the ſame ſtate as they were at preſent, and the Archbiſhop ſhould have the Lands reſtored to him which the late King had taken away; and that if the Pope could not be drawn from his former Sentence, all things ſhould remain in the ſame ſtate as they were at preſent: this, tho' *Anſelm* very well knew would be altogether in vain (as he then foretold) yet leſt he ſhould give any ſuſpicion to the new King and the Nobility, as if he intended to tranſlate the Kingdom to his Brother, he yielded to their Entreaties, and the * Council being diſmiſſed, the Archbiſhop return'd home to his See.

* *Curia.*

[2.] *Idem Ib.* A Legate from the Pope comes over hither.

The ſame Year [2.] *Guido*, Archbiſhop of *Vienne* in *Dauphine*, came into *England*, as Legate of all *Bretaign*, by the Pope's command and authority, which being made publick, (as the ſame Author tells us) cauſed great Admiration, ſince all Men knew it was unheard of before in *Bretaign*, that any Man ſhould repreſent the Apoſtolick See here, except the Archbiſhop of *Canterbury*; and therefore as he came ſo he return'd, without being received by any body as the Pope's *Nuncio*, or performing the Office of a Legate in any matter whatſoever.

Now this ſeems very ſtrange, ſince, as this Author himſelf relates, *Walter* Biſhop of *Alba* came over hither as *Nuncio* from the Pope in the laſt King's Reign; not to mention others, who had been likewiſe ſent hither, and had preſided in former Synods, as you have already heard.

Anno Dom. MCI.

[3.] *Idem Ib.* Upon the News of Duke *Robert's* intended Invaſion, the Nation is divided.

But [3.] at *Whitſunday* following, the Report of Duke *Robert's* intended Invaſion of *England*, diſturbed the whole Realm, and (as it afterwards appear'd) drew Men's minds ſeveral ways; for *Ranulph* Biſhop of *Durham*, having lately made his eſcape out of Priſon into *Normandy*, (as has been ſaid before) had done his utmoſt to excite the Duke to make War upon his Brother; which news divided the Nobility into parties, and made the King very jealous of them; for as he ſuſpected their fidelity, leſt they ſhould depart from the Faith they had plighted to him, ſo they likewiſe fear'd, that when he was once ſettled in his Throne in Peace, he would again oppreſs them with ſeverer Laws: therefore it was upon mature deliberation reſolved, that

that ſuch a Security ſhould be mutually given on both ſides, as might effectually remove all Jealouſies; but when they were about to take a further engagement of the King's Faith, the whole Nobility of the Kingdom, with all the People, made Archbiſhop *Anſelm* Mediator between the King and them; who giving them his hand * on the King's behalf, ſolemnly promiſed, that he would govern the whole Kingdom ſo long as he lived, by pious and juſt Laws; which being done, every one was very well ſatisfied with this Security; from whence you may obſerve, how great a truſt the whole Nation at this time placed in this Archbiſhop's promiſe and engagement.

Anno Dom. MCI.

* A Cuſtom then in uſe upon all Pledging of Faith, which is ſtill retain'd in Mariage.

After [4.] the King was aſſured of his Brother's coming over, he reſolved to raiſe a Great Army out of the whole Kingdom to reſiſt him, which indeed was very numerous; and Archbiſhop *Anſelm* with his Dependants continued moſt faithful to the King in this Expedition.

[4.] *Idem Ib.* The King raiſes a great Army to reſiſt his Brother.

But ſince the *Saxon* Annals give us a more exact account of this affair than any other Author, I ſhall here give you what they relate concerning it, (*viz.*) that upon the News of the Duke's coming over, many of the Chief Men of this Kingdom became ſecret Enemies to the King, ſo that when he ſet out his Fleet to Sea, ſome of the Ships deſerted him, and went over to the Duke: To which *Florence* of *Worceſter* adds, That many of the Great Men had privately invited Duke *Robert* over, and that when he Landed, ſome of them openly ſided with him, whilſt others diſſembling their kindneſs, ſtayed with the King, expecting an opportunity to revolt; but that the Biſhops, Common Soldiers and *Engliſh* remain'd firm to the King: yet *William* of [5.] *Malmesbury* ſays expreſly, that almoſt all the Great Men of *England* broke their Oaths of Allegiance to him, ſome for no cauſe, and others for very ſlight ones, as that he would not grant them what Lands they deſired, or the like. To which [1.] *Ordericus Vitalis* joyns another reaſon, which might ſway very much with divers of theſe Seditious Grandees, *viz.* that they feared the Magnanimous temper of King *Henry*, that it would keep them too much in awe, and therefore prefer'd the eaſie and ſlothful humour of Duke *Robert*, ſo that (as the former Author relates) only *Robert Fitz-Haimon*, *Richard de Redvers*, and *Roger Bigod*, and a few others there named, ſtill remain'd faithful to him in this extremity. Then about *Midſummer* the King marched to *Pevenſie* with his whole Army againſt his Brother, and there tarried for his coming over; but he was at that time in ſuch great fear of both his Life and Kingdom, that he ſcarce truſted any Body beſides the Archbiſhop.

Many of the great Men deſert the King, as alſo ſome of his Fleet.

[5.] P. 88. *a.* Moſt of the Great Men break their Oaths to King *Henry*.

[1.] P. 786.

[2.] In *Auguſt* Duke *Robert* ſetting Sail from *Ultreſport* in *Normandy* with a powerful Force, (yet relying more upon the Revolt of the Nobility) arrived at *Portſmouth*, and marching thence encampt near *Wincheſter*; then the King with all his Army went out againſt him, but before he did ſo, he promiſed the Archbiſhop, that he ſhould freely exerciſe Eccleſiaſtical Diſcipline as he pleaſed, and that for ever after He himſelf would be obedient to the Decrees of the Apoſtolick See. Then the Archbiſhop called together all the Great Men, and urged to them and the whole Army, how execrable a thing it would be for them to violate their Faith once given to their Prince; by which Pathetical Diſcourſe he ſo well fixed their minds, that they reſolved rather to loſe their Lives, than ever to revolt from the King; and

[2.] F. W. Duke *Robert* arrives in *England*.

Eadm. p. 59.

Archbiſhop *Anſelm* and ſome of the Nobility ſtick cloſe to the King.

Anno Dom. MCI.

and it was chiefly the owing to Archbiſhop's Fidelity and Induſtry, that at this time King *Henry* kept the Crown upon his Head: for Duke *Robert* being thereby defeated of the Truſt he repoſed in the Nobility, and fearing to be *Excommunicated* by *Anſelm* as an Invader of another's Right, He by the Mediation of ſome of the Chief Men of his own as well as his Brother's Party, made Peace with the King upon certain Terms.

A Peace made between the King and Duke.

[3.] A more full Relation of it from *Ordericus*.

[3.] *Ordericus Vitalis* is ſomething more particular in this Tranſaction, and ſays, that ſo ſoon as the Duke Landed, he was received by the Noblemen of his Party, and that the two Brothers remain'd with their Forces in a Plain not far from *Wincheſter*, for ſome days, and there was a daily Intercourſe of Meſſengers between the Noblemen of both ſides, but without any effect; yet at length only the two Brothers by mutual conſent, without any Aſſiſtants, met between the two Armies, and after ſome Diſcourſe agreed upon the conditions that are expreſt more at large in our own Authors, being theſe that follow:

[4.] C. S. F. W. The Articles of their Agreement.

1. That [4.] the King ſhould ſurrender to the Duke whatſoever he had taken or held in *Normandy* by Force.

2. That all Perſons ſhould have their Honours and Lands reſtored to them who had loſt them upon the Duke's Account, and alſo *Euſtace* (Earl of *Boloign*) ſhould have thoſe his Father had enjoyed in this Kingdom, as alſo thoſe of the King's party, who had their Eſtates in *Normandy* ſeized, were to be reſtored to them.

3. That the King ſhould alſo pay to Duke *Robert* the Sum of three Thouſand marks of Silver yearly, and that the ſurviving Brother ſhould be Heir to the other, both of *England*, and *Normandy*, if the Deceaſed left no Lawful Heirs of his own Body.

Twelve Noblemen of each ſide ſwear to the true obſervance of them.

For the performance of which Agreement, Twelve of the chief Noblemen on each ſide were ſolemnly ſworn: Then the Duke diſbanded his Army; but before that, his Soldiers did a great deal of miſchief in all places where ever they marched; yet the Duke (being a Prince of an eaſie Temper) ſtayed here till *Michaelmaſs* was over, and then he returned into *Normandy*.

[5.] *Eadm. p.* 58. Archbiſhop *Anſelm* Summon'd to give his Anſwer concerning the Inveſtiture of Biſhops.

Not long after this Reconciliation, [5.] Archbiſhop *Anſelm* was Summon'd to appear at the King's Court, to give his Anſwer concerning the Inveſtitures of Biſhops, which had been hitherto delayed; for the Meſſengers being now returned from *Rome*, brought Letters from Pope *Paſchal* (who had lately ſucceeded *Urban*) concerning this Affair; which becauſe they are very tedious, and only contain ſome frivolous reaſons, why the Pope would not grant the King a Diſpenſation for his beſtowing the Inveſtiture of Biſhopricks and Abbeys, I ſhall paſs by, and refer the Reader for his further ſatisfaction to [1.] *Eadmerus* his Hiſtory concerning them.

[1.] P. 59.

Idem Ib. What was done upon his Arrival there.

But ſo ſoon as the Archbiſhop came to Court, the King by the Counſel of his Brother Duke *Robert*, and thoſe of his party (who were very angry with *Anſelm*, becauſe that by his means he had been defeated in his hopes of the Kingdom) required of him, that either he ſhould become the King's Liegeman, and, according to the Cuſtom of his Predeceſſors, conſecrate thoſe on whom the King would beſtow "Biſhopricks and Abbeys, or elſe quit the Kingdom without delay; "which was but an ungrateful return for the Archbiſhop's late kind-

"neſs

" neſs and fidelity: But to this meſſage he modeſtly replied that he " had already told the King what had been Ordained at the Council " of *Rome* in this matter, and that if he ſhould now yield to what " was required, he ſhould be *Excommunicated* by his own Sentence; " and ſince the Meſſengers who were ſent thither to get this altered, " were returned without doing any thing, that he ſhould be ve- " ry indiſcreet, if he ſhould offer now to tranſgreſs in thoſe things " which could not be done with any ſafety or honeſty. Whereupon " the King anſwered again, What is that to me? I will not loſe the " Uſages of my Predeceſſors, neither will I ſuffer any one to ſtay in " my Kingdom, who will not be my Subject. To which the Arch- " biſhop as ſharply retorted, I know very well to what all theſe things " tend, and have been already verſed in like matters; yet I ſhall not " leave the Land, as the King commands me, but will go to my " own Church, and there performing my duty, will ſee if any Body " dare do any violence to me and mine. There were many Meſſa- ges about this Affair carried between them by the Biſhops and No- bles, who in all things endeavoured to obſerve the King's will, and would have perſwaded the Archbiſhop to comply with it too, and not to obey the Pope: But nothing being now concluded, *Anſelm* returned home, and was much grieved at theſe great oppreſſions (as he thought them) of the *Engliſh* Church.

Anno I... [illegible]. *Anſelm* refuſes to receive any Inveſtiture from the King.

[2.] Not long after, the King ſent friendly Letters to the Arch- biſhop, inviting him to come to Court, telling him, That he was re- ſolved to mitigate his former Sentence; upon which the Archbiſhop went to *Wincheſter*, where the Biſhops and the Chief Men of the Kingdom were ſoon after aſſembled, and there it was by common aſſent reſolved, that farther time ſhould be allowed on both ſides, and other Meſſengers ſhould be ſent to *Rome* of greater quality than the former, who ſhould relate to the Pope by word of mouth, that he muſt either depart from his former Sentence, or elſe that Archbi- ſhop *Anſelm*, and thoſe of his party would be Baniſhed *England*, and then his Holineſs might loſe the Subjection of that Kingdom, and the Profits he was wont to receive from thence. Alſo the Archbiſhop ſent two Monks, *viz.* *Baldwin* of the Abbey of *Bec*, and *Alexander* of *Canterbury*, partly that they might appeal to the Pope againſt theſe Court-threatnings, and partly that they might relate to *Anſelm* the final Determination of the *Roman* See in this matter; ſo likewiſe from the King there went three Biſhops, *(viz.)* *Gerard* late Biſhop of *Hereford*, (now made Archbiſhop of *York*) *Herbert* Biſhop of *Thetford*, and *Robert* Biſhop of *Cheſter*, who had each of them their own parti- cular buſineſs beſides; but what ſucceſs they had in the Affair they were ſent about, you will hear further hereafter.

[2.] *Idem ib.* The King a- gain writes to the Arch- biſhop, and promiſes to mitigate his former Sen- tence.

Whereupon he and the Biſhops meet at *Wincheſter*.

The Archbi- ſhop and the King ſend their ſeveral Meſſengers to *Rome*.

The King had not been long free from the danger of a foreign In- vaſion, but there aroſe a freſh diſturbance at home, which proceeded from his over great ſeverity; for whereas it had been his wiſeſt way to have forgiven all offences paſt, yet he was no ſooner confirm'd in his Kingdom, but [3.] he began by degrees to puniſh all ſuch as had deſerted him, or adhered to, or invited over Duke *Robert*; he alſo Summon'd to tryal *Robert Mallet*, *Ivo de Grentemaiſnil*, *Robert de Pon- teſract*, the Son of *Ilbert Lacy*, and *Robert de Beleſme* the greateſt of them all, with divers others; tho' not all at once, but at ſeveral

Anno Dom. MCII.

[3.] O. V. P. 787. A new Inſur- rection in *England*, and on what occaſi- on.

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times, and in divers methods, he impleaded them as guilty of the Violation of their Oaths; ſome of them that could not purge themſelves of the Crimes wherewith they were charged, he condemned in great Sums of Money; and from others, whom he moſt feared and ſuſpected, he took away all their Eſtates, and Baniſhed them.

[4.] *Idem.* P. 806. *Robert* Earl of *Shrewsbury* Summon'd to appear.

But [4.] *R. de Beleſme* Earl of *Shrewsbury*, (a young Noble Man of a fierce and arrogant diſpoſition, and alſo very powerful by reaſon of his great Territories in *Normandy* and *England*) being now Summon'd to the King's Court, there were above forty ſeveral Crimes laid to his charge, as well of words as actions, and he was commanded to anſwer plainly to every one of them; for the King by the ſpace of a year laſt paſt, had ſet ſpies upon him, who obſerved and ſet down all his moſt culpable actions. He being thus charged, asked leave to adviſe with his friends, and having obtain'd it, and being conſcious that he could not purge himſelf of the tranſgreſſions objected to him, he in great fear fled to his Caſtles, while the King and his Barons were expecting his anſwer: But One of the Purſevants came and inform'd them, that Earl *Robert* had made his eſcape, whereupon the King iſſued forth his Proclamation, declaring, that unleſs he came in, and ſubmitted himſelf to tryal, he ſhould be adjudged a publick Enemy: [5.] But inſtead of appearing any more before the King's Court, he fortified his Caſtles of *Shrewsbury*, *Arundel*, and *Tickhill*, with all ſorts of Warlike Ammunition and Proviſions, and then prayed aid of the *Normans*, that were of his Alliance, as alſo of other his Dependants, nay of his antient Enemies the *Welſh*, who being now joyned with the *Normans*, the Earl and his Brother *Arnulph* ſpoiled great part of *Staffordſhire*, driving the Cattel they had taken into *Wales*.

He falls into open Rebellion.

[5.] F. W.

[1.] O. V. P. 806. * *Angliæ Exercitium.* The King raiſes the Militia, and Beſieges the Earl's Caſtles.

Upon this Rebellion the King [1.] preſently aſſembled all the * Militia of *England*, and Beſieged his Caſtle of *Arundel* in *Suſſex*, but being not able to take it by reaſon of its great Strength, he blocked it up by building ſeveral Forts about it, and ſo marched off. Then the Beſieged finding themſelves thus ſtreightened, Petition'd the King for leave to diſpatch Meſſengers to their Lord, that he would either ſend them Relief, or permit them to make their Peace, which was granted them; upon this the Earl ſeeing he could not help them, (tho' much againſt his will) gave them leave to make the beſt terms they could for themſelves.

[2.] R. H. The Biſhop of *Lincoln* Beſieges *Tickhill*-Caſtle, whilſt the King Beſieges *Bridgnorth*.

At [2.] the ſame time the King alſo commanded *Robert* Biſhop of *Lincoln*, with part of the Army, to Beſiege *Tickhill*-Caſtle, while he himſelf went and Beſieged that of *Bridgnorth* in *Shropſhire*, (but Earl *Robert* was lately gone from thence to *Shrewsbury*) the King ſpent three Weeks before it, until by his Gifts he had corrupted the *Welſh*, in whom the Earl placed moſt confidence, ſo that they ſurrendered the Caſtle. It ſeems Earl *Robert* ſtayed not long in *Shrewsbury*, but left it to the care of *Roger*, the Son of *Robert de Nevil*, and *Ulger de Venables*, with whom he joyned Eighty Stipendiary Soldiers, and then making a League with the *Welſh*, drew over their Princes *Cadagon* and *Gervaſ*, the Sons of *Rees*, to his party, by whom and his own Forces he often much diſturbed the King's Army.

[3.] O. V. P. 807. *William Pantulf* quits the Earl's Party.

[3.] But *William Pantulf*, a Nobleman of *Shropſhire*, (who had been before diſinherited by the King) about this time fell off from the Earl, and returned to the King's Allegiance; who forthwith ſent him

him Two hundred Soldiers, and made him Governour of *Stafford*-Caſtle; from whence by Excurſions he mightily annoyed the Earl; and it was He that by great Promiſes and Gifts brought over the *Welſh* Princes to the King's ſide. After this the King demanded *Shrewsbury* of the two Governours, and threaten'd, that if it were not delivered to him in three days, he would hang all he ſhould take therein. Then the Governours Treated with the King by the Mediation of *William Pantulf*, One allied to them, who with the Townſmen and Burgeſſes were willing to ſave themſelves, and deliver up the Town; ſo the Keys of the Caſtle were ſent to the King by *Ralph* Abbot of *Seys*, who was afterwards made Archbiſhop of *Canterbury*; but the Mercenaries knew nothing of this Treaty, but ſtill remained faithful to their Maſter, and therefore when the King entred the Town, he permitted them freely to depart with their Horſes and Armes.

Anno Dom. MCII.

The King Summons *Shrewsbury*, which is at laſt ſurrendred.

King [4.] *Henry* having thus ſubdued his Enemies, took away from *Robert de Beleſme* his Earldom and Lands, and all the Eſtates of ſuch as adhered to him; yet gave him a ſafe Conduct to paſs into *Normandy*, (knowing very well, that a Nobleman bereft of his Eſtate, is like an Eagle ſtript of his Wings and Feathers; the King alſo Baniſhed his two Brothers, *Arnulph* and *Roger* of *Poictou*, which put an end to this Rebellion ſooner than was expected.

[4.] O. V. *Robert de Beleſme* is diſinherited and Baniſhed the Kingdom, with other Noblemen.

But theſe Noblemen being expell'd *England*, raiſed freſh Diſturbances in *Normandy*, which laſted three years longer; for Duke *Robert*, tho' he had courage enough, yet wanted Power (or rather Diſcretion) to quell them; for *Robert de Beleſme* being a Man of great Power in *Normandy*, always kept conſiderable Forces about him, and ſupported himſelf by his vaſt Wealth, which he had Treaſured up in Thirty four ſtrong Caſtles, formerly built with a deſign to rebell when ever it lay in his Power.

Let us now look back to Eccleſiaſtical Affairs: [5] The Meſſengers who were lately ſent to *Rome*, as well on the Archbiſhop's as on the King's behalf, returning this Summer, brought back the Pope's Letters to the King in anſwer to his laſt Meſſage, concerning his Reſolution of retaining the Inveſtiture of Churches; the Pope alſo wrote to the Archbiſhop upon the ſame Subject; in thoſe to the King, by his Pontifical Authority he poſitively forbad him any longer to retain thoſe Inveſtitures; whilſt in thoſe to the Archbiſhop he exclaims againſt it as the Root of all Simoniacal corruption, and directly againſt the late Decrees of the *Lateran* Council.

[5.] *Eadm. Lib. 3. p. 63.* The Meſſengers return from *Rome*, with Letters from the Pope.

But [1.] the King concealing the Letters which were ſent to himſelf, Summoned the Archbiſhop to Court, and the Nobility being again aſſembled at *London*, he demanded of *Anſelm*, either to obſerve the Cuſtoms of his Predeceſſors, or elſe to quit the Kingdom. To which the Archbiſhop anſwered, That he deſired the Pope's Letters might be read that were lately brought, and then he ſhould not ſtick to obey the King, ſtill preſerving his Obedience to the Apoſtolick See; which the King denying he had receiv'd, the Archbiſhop told him, That when ever he pleaſed to produce thoſe Letters, he ſhould always find him ready to obſerve them: Whereupon the King ſtill perſiſting in his denyal that he had any, he at laſt declared he would treat with him no further about them, but bid him to anſwer poſitively, whither he would obey his will or not, without any further

[1.] *Id. Ib.* The King conceals the Contents of the Pope's Letters.

Anno Dom. MCII.

Subterfuges: Which made ſome give out, That the Pope's Letters were according to the King's own deſires, and that he would quickly publiſh them, whither *Anſelm* would or not.

[2.] *Idem.* P. 65. The Biſhop's Report differs from the Archbiſhop's Letters.

But thoſe to the Archbiſhop being read over and over before all there preſent, nothing could be found in them to the King's advantage, yet notwithſtanding the Biſhops who came from *Rome* pretended to have received other private Inſtructions from the Pope by word of mouth, than what the Letters even to the King himſelf contained; and being required upon their Epiſcopal Veracity to ſpeak the truth, they further declar'd that the Pope himſelf had ſent the King word by them, that ſo long as he did the part of a good Prince in other things, he would connive at the Inveſtiture of Churches, and would never *Excommunicate* him, altho' he Inveſted Religious Perſons with the delivery of the Paſtoral Staff; but the reaſon why he would not grant him that priviledge in Writing, as they pretended, was, leſt if it ſhould come to the knowledg of other Princes, they ſhould contemn the Authority of the Pope, and without his leave uſurp it to themſelves. Which *Baldwin* the Monk hearing, he challenged the Biſhops as if they had acted contrary to the Faith and Oaths they had given the Pope at *Rome*. So there aroſe no ſmall Diſſention among the Noblemen and Biſhops, ſome endeavouring to maintain, that ſlighting the uncertainty of Verbal Meſſages, they ought rather to believe the Pope's Letters, and the Teſtimony of the Monks, whilſt others maintained the contrary, that they ought rather to give credit to the aſſertion of three Biſhops, than to a piece of Parchment ſcribled over with Ink, or to the Teſtimony of two Monks, who as ſoon as they profeſſed to renounce the World, had loſt the credit of Witneſſes. Whereupon a great Diſpute aroſe between them and the two Monks, inſomuch that the Archbiſhop was for ſome time doubtful which way to turn himſelf, the Pope's Letters ſaying one thing, and the Biſhops another.

[3.] *Ibid.* P. 66. The King inſiſts that *Anſelm* ſhould do him Homage, whereupon the Archbiſhop reſolves to go to *Rome*.

The [3.] King therefore being encouraged in his opinion from thoſe things which the Biſhops then alledged, and the Noblemen inciting him to it, he began again to inſiſt, That Archbiſhop *Anſelm* ſhould do him Homage, and alſo promiſe to Conſecrate thoſe whom the King ſhould nominate to Biſhopricks; which the Archbiſhop refuſed, ſaying, That if the Pope's Letters had agreed with the Biſhop's words, perhaps he would have done what was now required; but to prevent all miſtakes for the future, he thought it better to go to *Rome* himſelf, to conſult the Pope in this Affair, than to precipitate his opinion in ſo doubtful a point. So after ſome further conteſt between him and the Biſhops that came from *Rome*, he at laſt told them, that he reſolved to ſend thither again about this matter, and in the mean time would not Conſecrate any of thoſe who had received their Inveſtitures from the King, nor yet would command any other Biſhop to do it. Upon which the Controverſie was laid aſleep for a time.

[4.] *Ibid.* P. 67. A General Synod held at *Weſtminſter*.

Not [4.] long after, (*viz.* at *Michaelmaſs* following) the King being at *Weſtminſter*, there was held a General Synod in the Church of St. *Peter's*, of all the Biſhops and Abbots of *England*, in which Archbiſhop *Anſelm* preſided, there ſitting with him *Gerard* Archbiſhop of *York*, and the other Biſhops particularly named by *Eadmerus*, who has given us the Decrees of this Synod at large, and likewiſe informs us,

us, that at the requeſt of *Anſelm* Archbiſhop of *Canterbury*, (the chief Noblemen of the Kingdom being alſo preſent) it was declar'd, that whatſoever was decreed by the Authority of the ſaid Council, (and being alſo eſtabliſh'd and confirm'd by the joynt conſent of both Orders) ſhould be inviolably obſerved; the chief Decrees of which Synod, ſince they alter'd many things in Church-Diſcipline, and alſo relate to Secular Affairs, I ſhall here ſet down at large from [5.] *Eadmerus*. *Anno Dom.* MCII. [5.] *Idem Ib.*

1. That *Symony* be ſeverely puniſhed; of which ſeveral Abbots (there named) being found guilty, were by this Synod depoſed.

2. That Biſhops undertake not the Office of Secular Pleas, nor wear Habits like Lay-men, but as becomes Religious Perſons. "Yet "notwithſtanding this Decree, we find ſeveral Biſhops not long after to "Officiate as Judges in the King's Courts; which ſhews how little "they were concern'd in thoſe days for the Canons of the Church, "when either profit or honour ſtood in competition with them.

3. That no Arch-Deaconries ſhould be let out to Farm.

4. That all Arch-Deacons ſhould be Deacons.

From whence we may obſerve, that before this Council, that great Office of an Arch-Deacon was often by the Biſhops let out to Farm to meer Lay-men.

5. That no Arch-Deacon, Prieſt, Deacon, or Chanon marry a Wife, or retain one, tho' Maried to him; and that every Sub-Deacon that is not a Chanon, (if he had Maried after his Profeſſion made of Chaſtity) ſhould be bound by the ſame Rule.

This Decree tho' made before at *Rome*, was not till now received in *England*, and gave occaſion to *Henry* Arch-Deacon of *Huntington*, to paſs this ſevere remark upon this Prohibition: *Hoc quibuſdam mundiſſimum viſum eſt, quibuſdam periculoſum, nè dum munditiæ viribus majores Sacerdotes appeterent, in immunditias horribiles ad Chriſtiani nominis ſummum dedecus inciderent:* In *Engliſh* thus, *Which thing ſeemed very pure to ſome, to others very dangerous, leſt whilſt the Prieſts ſought for a purity beyond their ſtrength, they ſhould fall into horrible uncleannesſes to the great diſgrace of the Chriſtian Profeſſion.* Which cenſure has ſince been found but too true, amongſt many of the Clergy of the Church of *Rome*.

6. That a Prieſt, ſo long as he holds unlawful converſation with a Woman (tho' his own Wife) is not Chanonical, nor can rightly Celebrate, nor is his Maſs to be heard.

7. That none be admitted to the Order of Sub-Deacon, or upwards, without the Profeſſion of Chaſtity.

8. That the Sons of Prieſts be not made Heirs to the Churches of their Fathers.

9. That no Clerk be a *Bayliff or Steward in Secular Matters, or Judge in Blood. * Præpoſitus.*

This is the Reaſon, ſaith the *Appendix* to *Harpsfield's* Church-Hiſtory, why Biſhops, being arraigned for their Lives, are not to be tryed by their Peers, but by a Jury of Ordinary Men; becauſe debarred by the Canons to be Judges of Lay-Peers in like Caſes, and therefore it was conceived unfitting, that they ſhould receive that Honour which they could not return.

But

Anno Dom. MCII.

But ſince this is only that Author's gueſs, I think I may alſo give another, and I hope as ſatisfactory a reaſon for this Law, or rather Cuſtom now in uſe; *viz.* that Biſhops, being formerly exempted from the Authority of Secular Courts, could not be arraigned before them, until they were firſt ſolemnly degraded of their Epiſcopal Orders, and when ſo degraded they were no longer Barons.

10. That Prieſts ſhould not go to publick Drinkings, *Nec ad pinnas bibant*, nor drink to the Pins.

You may remember at the end of the laſt Volume there is an additional Law of King *Edgar*'s, whereby Men were forbidden to drink at one Draught below certain Pins, that were ordered to be fixed on the inſide of the Cups and Goblets; which being alſo abuſed to Drunkenneſs by the Clergy as well as Laiety, it now produced this Law to forbid it.

11. That the Garments of Clergy-men be of one Colour, and their Shoos alſo, according to order.

12. That Monks and Clerks, who have caſt off their Orders, either return thereto, or be *Excommunicated.*

[1.] *Idem.* P. 68.

13. [1.] That Clerks have Crowns *Patent*, (*i.e.* broad Shaved) ſo that their Shaving be conſpicuous to the Beholders.

14. That Tythes be given to none, but to Churches.

15. That Churches, or Prebends, be not Bought.

16. That New Chappels be not made without the conſent of the Biſhop.

17. That no Church be Conſecrated, until a neceſſary Maintenance be provided for the Prieſt and Church.

18. That Abbots make no Knights, and that they Eat and ſleep in the ſame Houſe with their Monks, except ſome neceſſity forbid.

Hence it farther appeareth, that it was the Antient Cuſtom of Abbots in thoſe days to make Knights, as you may find from the example of Abbot *Brand*'s Knighting his Nephew *Hereward*, in the Reign of King *William* the Firſt, the Form of which I have there alſo ſet down: And yet this is certain, that notwithſtanding this Canon, King *Henry* the Firſt, ſome years after granted, and King *John* confirmed to the Abbot of *Reading*, the Power of making Knights, with ſome Cautions for their Behaviour therein.

19. That Monks enjoyn no Pennance to any, without permiſſion of their Abbot, and that only to ſuch Perſons, of whoſe Souls they have the Cure.

By which Decree great part of the Monks's Profits, which aroſe from their hearing Confeſſions, was now taken away.

20. That Monks and Nuns, be not God-fathers nor God-mothers.

21. That Monks hold no Lands in Farm.

22. That they take no Churches unleſs by the Biſhops Conſent; and that they may not alienate the Revenues of ſuch as are given them, ſo that the Prieſts ſerving in thoſe Cures, may be provided with Neceſſaries.

This is to be underſtood of ſuch Churches whoſe Advowſons belonged to their own Monaſteries; yet of theſe they were to take Inſtitution from the Biſhop.

23. That

23. That Vows of Mariage pledged ſecretly, and without Witneſſes betwixt Man and Woman be of no effect, if either party do deny them. *Anno Dom.* MCII.

24. That ſuch as * wore long Hair be ſo polled, that part of their Ears may appear, and their Eyes be not covered. * *Criniti.*

This the Church then thought it had cogniſance of, as being contrary to the dictates of * St. *Paul.* * 1 Cor. 11. 14.

This Faſhion having very much prevailed in the laſt King's Reign, was come to that height, that the ſame † Author tells us, the young Gentlemen of the Court uſed to wear their Hair very long, and daily combed out like Women; which Archbiſhop *Anſelm* not enduring, when ſeveral of thoſe Gallants came on *Aſh-wedneſday* to hear his Maſs, he refuſed to ſprinkle aſhes on them, or to give them Abſolution, unleſs they would cut off their Hair; whereupon a good many of them did: but it ſeems this faſhion could not ſuddenly be rooted out, and therefore this Decree was now made againſt it, and yet all to little purpoſe (as you will ſee anon) till the King himſelf reformed it by his own example. † *Eadmerus.*

24. That Parties akin to the Seventh Generation be not Coupled in Mariage, and that Perſons ſo Coupled remain not in that ſtate; and if any be privy to this Inceſt, without declaring it, he ſhall be accounted guilty of the ſame crime.

26. That the Bodies of the Dead be not carried to be buried out of their own Pariſhes, leſt the Pariſh Prieſt ſhould loſe his Dues.

From whence we may gather the Reaſon, why Parſons now a days demand their Fees for the Burial of ſuch as die within their Pariſhes, tho' carried to be Interr'd elſe where.

27. That none out of a raſh deſire of Novelty pay any Reverence to any dead Bodies, Fountains, or other things without Authority from the Biſhops.

Where you may obſerve, that this Superſtition of paying Religious Worſhip to Bodies of pretended Saints was unlawful without the Biſhop's Licenſes.

28. That none preſume hereafter to ſell Men like Brute-beaſts; a thing which hath hitherto been too much uſed.

From which time we do not read of the publick Sale of Slaves, which before was frequently practiſed.

29. That the Sin of *Sodomy* both in Clergy and Laiety ſhould be puniſhed with heavy Cenſures, until by Pennance and Confeſſion they might deſerve Abſolution.

And it was Decreed, That if a Perſon in Holy Orders were found guilty of it, he ſhould be deprived, and advanced no higher; but a Lay-Gentleman and Nobleman was to be degraded from his Dignity.

And it was likewiſe Ordained, That the ſaid *Excommunication* ſhould be renewed every Lord's-day through all *England.*

But this was alſo diſpenſed with by Archbiſhop *Anſelm*'s Order, which ſhews how general this Horrid Sin was then in *England*, and the ſmallneſs of the puniſhment that was ordained for it.

Theſe were the Decrees of this Council, which now broke up.

But it is high time to return to Civil Affairs.

This

Anno Dom. MCIII.

This [2.] Year Duke *Robert* came again out of *Normandy* to visit the King his Brother, and then out of Kindness and Generosity, or (as others report) at the request of his Sister-in-law, Queen *Mathilda*, he also remitted the Pension of *Three thousand Marks*, which the King was to pay him, according to the late Agreement between them.

[2.] C. S. Duke *Robert* comes into *England*, and the 3000. Mark's Pension he was to have from hence.

[3.] Not long after the Duke's coming over, the old Quarrel between the King and the Archbishop about Investitures was again revived, upon the Archbishop's refusing to Consecrate those Bishops the King had nominated: Whereupon the King commanded *Gerard* Archbishop of *York* to Consecrate those on whom he had before bestowed the Investitures of the Bishopricks, *(viz.) William Gifford* Bishop Elect of *Wincheſter*, and *Roger* Bishop Elect of *Sarum*; but as for *Renelm* Bishop Elect of *Hereford*, he repenting of what he had done, returned the King the Pastoral Staff and Ring; upon this, when the Archbishop of *York* was just ready to Consecrate the two other Bishops, *William* Elect of *Wincheſter* also would not consent to be Consecrated by him, as not being his Metropolitan; and being thereof accused before the King, and having endured many threatnings about it, he still obstinately refused to obey his Commands; whereupon he was bereaved of his Goods, and Banished the Kingdom, which begot such a Division among these Bishops of the King's making, that now there were not any Bishops Consecrated at all.

[3.] *Eadm. p. 69.* The old Quarrel between the King and the Archbishop about Investitures is again revived.

[4.] Then about *Mid-lent* following the King went down to *Dover*, in order to treat with the Earl of *Flanders* about some weighty Affairs; and taking *Canterbury* in his way, stay'd there for three days, and from thence sent Messengers to the Archbishop, admonishing him to observe the Antient Customs of his Kingdom, and not provoke him to Execute against him according to the utmost of his Power. To which the Archbishop answered, That the Messengers he had sent to *Rome* concerning the Message lately brought by the Bishops, were now return'd, and had brought Letters along with them, attesting the truth, which he desired might be opened, to see whether there were any thing in them that might persuade him to yield to the King's will: But to this the King reply'd, That he would endure no farther delays, but expected his final resolution in this matter; for what had the Pope to do with his Affairs? Did not whatsoever his Predecessors had enjoy'd, belong to him? therefore whoever would take it from him, was his Enemy. To which the Archbishop protested, that his design was not to take away any thing which belonged to the King, yet he should know that for his Life he could not consent to those things which he had heard forbidden in the Council at *Rome*, unless he could receive a *Dispensation* from the same See from whence they had received their Sanction. Upon this many Messages passing to and fro between them, the King at last meeting the Archbishop himself, spoke to him very calmly, and desired him with many Entreaties to go to *Rome* in Person, and that he would endeavour to procure for him what others could not obtain, lest losing the Antient Rights of his Predecessors, he should appear inferiour to them. Then the Archbishop perceiving whither these things tended, desired that all might be defer'd till *Easter*, that the chief Men of the Kingdom being met in Council, he might there give his Answer, and so they parted for the present upon pretty good Terms.

[4.] *Id. Ib.* P. 69, 70. The King goes to *Dover* to meet with the Earl of *Flanders*.

And sends Messengers to the Archbishop, and his Answer.

[5.] There-

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[5.] Therefore when the Archbiſhop came to the Court at *Eaſter*, he conſulted the * Nobility of the Kingdom upon the preſent Affair, and then received the General Vote of the Common Council, that " it was very fitting, for the ſake of ſo weighty a Buſineſs, that he " ſhould not refuſe the trouble of ſo long a Journey; to which the " Archbiſhop replyed, Since they all agreed in that opinion, tho' he " were weak in Body, and on the confines of old Age, yet he would " undertake the Voyage and go to *Rome*, as they adviſed, as God " gave him ſtrength; yet they muſt know, that if ever he came to " the Pope's Preſence he ſhould not deſire him to do any thing at his " requeſt, which might be contrary to the Liberty of the Church, or " his own honeſty. They then reply'd, That the King would ſend his Ambaſſadour along with him, who was to repreſent the whole matter to the Pope, ſo that the Archbiſhop was to do no more than atteſt thoſe things to be true, which he ſhould ſay. The Archbiſhop's anſwer to this was ſhort, (*viz.*) That what he had already ſaid he now repeated, that by God's help he would never contradict any Man ſo long as he ſpoke the truth.

[5.] *Idem Ib.*
* *Ingenuitas Regni.*
The Nobility of *England* deſire *Anſelm* to go to *Rome.*

[1.] The Feaſt of *Eaſter* being over, *Anſelm* left the Court, reſolving to haſten his Departure out of *England*, for he was much concern'd that the King would neither by himſelf, nor any of his Miniſters let him know the Contents of the Letters lately brought from *Rome*, which however ſome believed he did, becauſe he ſeem'd already to underſtand the ſubſtance of them; for one of thoſe whom *Anſelm* had ſent to *Rome* might have acquainted him therewith. Whereupon the Archbiſhop got himſelf ready to begin his Journey with all the ſpeed he could, leſt by Communicating with thoſe who were *Excommunicated*, he himſelf might be involved in the ſame crime, and arriving at *Canterbury*, he ſtayed there about four days, and having beſtowed his Benediction upon the Monks, Citizens, and thoſe multitudes of People that flock'd to take their leaves of him, he went to the Sea-ſide, and there embarking (with the King's approbation) Landed at *Witſands*, and went by *Boloign* into *Normandy*, where he made his Reſidence for ſome time at the Abbey of *Bec.*

[1.] *Idem Ib.*
The Archbiſh. reſolves upon the Journey, and takes his Leave.

So ſoon as he came thither, he opened the Pope's Letters, which, tho' he had before received them, he had deferred peruſing till now, for fear the King ſhould have required them to be read; and then finding their Seals already broken, might have had ſome pretence to deny their Authority; but as for the Letters themſelves you may find them at large in *Eadmerus*; the ſubſtance of which is, that the Pope there utterly denies, whatſoever the Biſhops that came from *Rome* had ſaid, concerning his being willing to connive at the King's granting the Inveſtiture of Churches, or that he would not *Excommunicate* him for it, and informs the Archbiſhop, that, it ſeems, the Biſhops had made him ſay thoſe things which he had never ſo much as thought of before. The reſt containing his Reaſons, why no Lay-men ought to confer the Paſtoral Staff and Ring, for if they did, that the Chriſtian Religion would be trampled upon, &c. I omit, as not material enough to be here related.

The Archbiſhop arriving in *Normandy*, opens the Pope's Letters.

The Contents of the Pope's Letters.

Yet I cannot but take notice, that ſome things in this Tranſaction ſeem very myſterious: Firſt, that the King, who ſent two Biſhops as his Ambaſſadours on purpoſe to *Rome*, ſhould not from them have re-

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ceived a full Account of the Pope's Determination in this Affair, but that he muſt have it at ſecond hand from the Archbiſhop's Meſſengers; Next, what ſhould make ſo quick-ſighted a Prince as King *Henry*, ſo earneſt to ſend the Archbiſhop himſelf to *Rome*, to mediate for him in an Affair, to which he could not but be ſenſible that he was in his own opinion wholly averſe.

But before we leave this Year, and return to Civil Affairs, it is fit we give you a ſhort account, what ſucceſs the Buſineſs (about which Archbiſhop *Anſelm* went) met with in the Pope's Court.

[2.] *Idem.* P. 72.

The Archbiſhop comes to *Rome*, and there finds the King's Ambaſſadour.

They both receive Audience of the Pope, and what paſſed there.

The [2.] Archbiſhop having paſſed the Summer heats at the Abbey of *Bec*, about the end of *Auguſt* began his Journey for *Rome*, where he found *William de Warelwaſt*, the King's Ambaſſadour (who had been formerly ſent thither by *William Rufus* on the like Errand) already arrived; the Archbiſhop being very kindly received by the Pope, within a few days after his coming had an Audience of him together with *William Warelwaſt* aboveſaid, who uſed all his Intereſt as well as Rhetorick, to perſwade the Pope to confirm to his Maſter the Antient Rights and Uſages of his Predeceſſors; ſince otherwiſe, as the King of *England* had been very kind and bountiful to the Apoſto-See, ſo it would prove a thing of fatal conſequence, ſhould the Pope go about to deprive him of his Antient Rights.

[3.] *Idem.* P. 73.

The Pope's ſturdy Reply to the Ambaſſadour's Remonſtrance.

[3.] Then the Ambaſſadour preſuming on the great Intereſt he ſuppoſed he had already made in the *Roman* Court, and that the Pope could deny him nothing he deſired, broke out into this Expreſſion, *That whatever may be thought to the contrary, the King his Maſter would not for his Kingdom ſuffer himſelf to loſe the Inveſtiture of Churches.* Then the Pope interrupting him, anſwered ſharply, tho' in few words: *If, as you ſay, your King would not for his Kingdom loſe the Inveſtiture of Churches, you muſt then know, that whilſt* Paſchal *is Pope, (were it to ſave your King's life) he will never permit him ever quietly to enjoy it.* At which poſitive Anſwer of the Pope, the King's Ambaſſadour was much confounded, eſpecially when he perceived all the Cardinals to applaud his Holyneſs for it.

[4.] *Idem Ib.*

[5.] *Idem Ib.*

The Pope forbids all Lay-Inveſtitures, and orders all Biſhops who had receiv'd them to remain *Excommunicated.*

And [4.] as for Archbiſhop *Anſelm*, he was ſo well pleaſed with it, that he did not ſo much as interpoſe the leaſt word on the King's behalf. [5.] Whereupon the Pope again abſolutely forbad all Lay-Inveſtitures of Churches, and tho' he left the King free from the Sentence of *Excommunication* for ſome time, yet all thoſe Biſhops who had already received any ſuch Inveſtitures at his hands, were ſtill to lye under it, until they had acknowledged their crime, and made the Church ſatisfaction. And further, left the Parties already ſo Inveſted to the Judgment and Cenſure of the Archbiſhop, who having met with all the ſucceſs in this Buſineſs which he could well deſire, and having likewiſe received the Pope's Letters containing a confirmation of the Power and Preheminence of the See of *Canterbury* above that of *York*, and having had his Audience of Leave from the Pope, he departed *Rome* in Company with the King's Ambaſſadour, by whom alſo the Pope ſent a Letter to the King, wherein he again declared, That he could by no means conſent to his conferring Inveſtitures, it being contrary (as he alledged) to the Word of God.

The Archbiſhop having done his Buſineſs, takes leave of the Pope.

[1.] And

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[1.] And now the Archbiſhop and the Ambaſſadour travelled together till they came near *Lyons*, and there the latter took his leave of him, being to return ſpeedily for *England*; but before his Departure he told him the King's Meſſage, which he had till then concealed, (*viz.*) "If he would carry himſelf towards the King as his Predeceſ-"ſors had done towards his Anceſtors, he ſhould then deſire his Com-"pany in *England*, otherwiſe not. And thereupon the Archbiſhop asking him, Whither he had any thing more to ſay? He replyed, "I "ſpeak to a prudent Man, and I need ſay no more. To which the "Archbiſhop returned, *I underſtand what you ſay, and take it accordingly.* And finding by this Diſcourſe, that he ſhould not be welcome in *England*, he went to *Lyons*, and there remained with the Archbiſhop of that Place. From thence he ſent Letters to acquaint the King with the Pope's Final Determination concerning the Buſineſs he had gone about, and then repeating the Meſſage which had been delivered to him by *William Warelwaſt*, he returned this Anſwer to it, That he "could not continue with the King upon the ſame Terms as his Pre-"deceſſors had done, for he could now neither do him Homage, nor "yet communicate with thoſe who had received Inveſtitures from "his hands, becauſe of the Church's late Prohibition to the contrary; "therefore humbly deſired to know the King's pleaſure, whither he "might return into *England* upon the Terms he had propoſed, for he "was ſtill ready to do his Duty to the King, and the People com-"mitted to his charge; but if he might not, and that any damage "ſhould happen thereby to Men's Souls, he hoped it would not lye "at his door.

[1.] *Idem.* P. 75. Returns back with the King's Ambaſſadour, but by the way is forbid to go into *England*, unleſs he would comply with the King.

[2.] The Archbiſhop having ſent away theſe Letters, tarried at *Lyons* waiting the King's Anſwer; but when *William* the late Ambaſſadour arrived in *England*, and had given him an account of the whole Affair, he without any more ado commanded the Rents of the Archbiſhoprick to be ſeized to his own uſe, yet appointed two of the Archbiſhop's Tenants to receive them, that ſo there might be the leſs oppreſſion uſed in the collecting of them: But I will leave this matter for a time, and now return to the Secular.

[2.] *Idem. Lib. 6. P. 76.* The Archbiſhop thereupon writes to the King.

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[3.] This Year produced little Alterations in *England*, only *William* Earl of *Mortaigne*, the King's Couſin, (*viz.* Son to Count *Robert* the King's half Uncle) was diſſeized of all his Honours and Eſtate in *England*, upon this occaſion; [4.] he had been under-hand a favourer of the Rebellion of *Robert de Beleſme*, (tho' it was not then known to the King) and alſo not being contented with two Earldoms, that of *Mortaigne* in *Normandy*, and of *Cornwall* in *England*; upon the late Invaſion of the *Norman* Duke, he had alſo ſued to the King for the Earldom of *Kent*, which Biſhop *Odo* his Uncle had before enjoyed; but he was then for that time put off by the King's prudent Anſwer; but thoſe ſtorms being blown over, and peace now happily ſettled, the King did not only deny his Requeſt, but alſo began to challenge whatſoever he had illegally uſurped; yet it was done by Judicial Proceſs, leſt he ſhould ſeem to act any thing contrary to Law; upon which Earl *William* being caſt by the Judgment of the King's Court, he ſo highly reſented it, that he went over into *Normandy*, where beſides the aſſaults which he committed upon the King's Caſtles there, he alſo invaded and took away by force ſome Lands belonging to *Hugh* Earl of

[3.] C. S. F. W. The Earl of *Mortaigne* diſſeized of his Eſtate, and on what occaſion.

[4.] W. M. *Lib. 5.* P. 88. *b.*

The Earl goes over into *Normandy*, and there raiſes freſh Diſturbances.

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of *Cheſter*, being then a *Minor* under the King's Tutelage; and thus the Counts *Robert* and *William* (above mention'd) became the Heads of two ſeveral Factions, who together with divers others (whom for ſome reaſons our Author will not name) became the Principal Inciters of Rebellion, and every where Plagued their Native Country with continual Devaſtations, whilſt the Injured People made frequent complaints of their violence to the Duke, but all in vain; for tho' he was ſomewhat concerned at it, yet fearing leſt theſe Noblemen, when once ptovoked, ſhould joyn together and diſturb his eaſe, he winked at all their Exorbitancies.

[5.] P. 812. The remiſs Government of Duke *Robert* occaſions many miſchiefs to *Normandy*.

But [5.] *Ordericus Vitalis* farther adds more particularly (what our *Engliſh* Hiſtorians have omitted) that this careleſs Duke having pawned and imbezelled the greateſt part of the Revenues of his Dutchy, even to the City of *Roüen* it ſelf, and ſeeing the deſolation of his Country, and his own Inability to defend it againſt the Inſolence of *Robert de Beleſme*, without the advice or Privity of the King his Brother, he made Peace with him, who was his utter Enemy; but *Serlo* Biſhop of *Seez*, and *Ralph* Abbot of the ſame place, not being willing to lye expoſed to the Tyrannical Power of *Robert*, after they had *Excommunicated* him for his former Violences, they departed from that City, and fled into *England* to King *Henry*, who received them very kindly.

[1.] *Idem.* P. 813. King *Henry* is deſired by many of the *Normans* to come over and redreſs them, which he complies with.

Not [1.] long after which many of the *Norman* Nobility both of the Clergy and Laiety, reflecting upon the Miſeries of their Church and Country, Petitioned King *Henry* to come over, and take both into his protection, and to correct thoſe Prophane Robbers with the Rod of his Juſtice; accordingly he paſſed into *Normandy* with a great Fleet, and viſited *Damfront* and other Towns ſubject to him, and was very Honourably received by his own Great Men, and alſo magnificently preſented by thoſe belonging to the Duke his Brother; then *Robert* Earl of *Mellent*, and *Richard* Earl of *Cheſter*, with ſeveral *Norman* Earls and Barons (too many to be particularly ſet down here, and thoſe that are curious may ſee their Names in our Author) who all held Great Eſtates in *England*, upon the King's Arrival in *Normandy*, did alſo adhere to him, together with their Tenants and Dependants, and were ready to fight for him even againſt their own Country-men the *Normans*: A few days after this, the King ſent to his Brother for an Interview, and when they met, he then gently reproved him for breaking the Accord concluded between them in *England*, by making Peace with *Robert de Beleſme* (a Traytor to them both) and reſtoring him to his Father's Eſtate, as alſo for many other things unkindly done on his part. Then the Duke fearing his Brother's power, deſired his Friendſhip, and they being again outwardly reconciled, the King before Winter returned into *England*.

[2.] *Idem.* P. 814. As ſoon as the King is gone back, a freſh Rebellion breaks out there.

But [2.] no ſooner was he gone, but *Robert de Beleſme* with his *Nephew*, *William* Earl of *Mortaigne*, and as many Nobles as they could ſeduce to their Party, broke out again into open War, and falling upon ſuch as favoured the King, ſeized their Lands, killed their Tenants, and burn'd their Houſes; ſo that the Ploughmen and ordinary People fled into *France* with their Wives and Children, and ſuffer'd Great Miſeries during their abode there; in the midſt of theſe troubles the *Normans* applied themſelves anew to the King of *England* for Succour and Relief.

He

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He having kept [3.] his *Chriſtmaſs* at *Windſor*, there received their Addreſſes and Complaints, and ſeeming much concern'd at them, he not long after took Shipping, and [4.] the laſt Week of *Lent* Landed again at *Barbefleet* (now *Barfleur*) in *Normandy*, and on *Eaſter*-day was at *Carenton*, ſeated on the River *Vire*, where *Serlo* the Biſhop of *Sees* came to him and offer'd his ſervice; then going with the King into the Church of *Carenton* to celebrate the Solemnity of *Eaſter*, they found it almoſt filled with the Cheſts and other Moveables of the Country People, which was brought thither as to a place of ſafety; upon which ſad ſpectacle he in an harangue to the King, laid open the Miſeries of that Country, and ſhewed him what ſhift the poor People were forced to make to ſecure themſelves from Robberies and Plunders, and that it was for want of a good courageous Prince and Governour that theſe things had happened to them; likewiſe laying open all the Vices and Failings of Duke *Robert*, he exhorted the King that by the Sword of Juſtice he would recover and defend that Dutchy. The King inflamed by this Speech, and by what he heard from the Noblemen that were with him, immediately conſented by their aſſiſtance to procure the Peace and quiet of the Church and State, then in ſo much danger; whereupon the Earl of *Mellent* by the direction of all the Great Men there preſent, adviſed and urged him immediately to put in Execution what he had reſolved.

[3.] C. S.
[4.] O. V. P. 815.
The King, upon the freſh Addreſſes of the *Norman* Nobility, returns again thither.
The Biſhop of *Sees* makes a Speech to the King.

But [5.] before they made any farther progreſs in this Affair, the Biſhop laid hold of this opportunity to put in practice a ſmall point of Eccleſiaſtical Diſcipline; the *Norman* Nobility (as I have told you) then wore very long Hair, and uſed much art in preſerving and making it (as was then thought) Ornamental, when this Eloquent Prelate (ſays our Hiſtorian) continuing his Oration enveigh'd mightily againſt that (then ſuppoſed) vice, admoniſhing and exhorting the King to ſhew a good Example to others, and ſuffer his own Hair to be firſt cut off; to which he preſently ſubmitting, the Biſhop as preſently drew a pair of Sciſſors out of his Sleeve, and firſt polled the King, and then the Earl of *Mellent*, and ſeveral Noblemen with his own hands; upon which the reſt of the People, fearing the King's Edict came from all parts, and ſtrove who ſhould be thus polled, or clipt.

[5.] *Idem.* P. 815.
The Biſhop's Artifice to make the King and the Lay-Nobility cut off their Hair.

Whence we may obſerve that the Examples of Princes, are much more prevalent than their Laws; for tho' this ſuppoſed ſin of long Hair had been often endeavoured to be reformed by Law in this King's, as well as in his Brother's Reign, yet they all proved ineffectual, till the King himſelf not only reſolved to obſerve it, but made all others that belonged to his Court to follow his Example.

After [1.] *Eaſter* the King ſent Ambaſſadors to *Philip* King of *France*, and invited *Geoffrey* Earl of *Anjou* to his Aſſiſtance, and by that means ſeverely chaſtized thoſe that prey'd upon the Goods of Churchmen.

[1.] *Idem. Ib.*
The King ſends Ambaſſadours to King *Philip*.

King [2.] *Henry* was now reſolved to make himſelf ſole Lord of *Normandy*, deſigning wholly to take it from his Brother *Robert*; and to this end hired more Forces of *Elias* Earl of *Main*, and Beſieged the City *Bayeux*, of which one *Gunter Dauney* was Governour, who went out to the King, and put into his hands *Robert Fitz-Haimon*, whom he had lately taken Priſoner; but yet he would not (though I know not for what

[2.] *Idem.*
King *Henry* reſolves to make himſelf Maſter of *Normandy*, and takes ſeveral Towns.

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what reaſon) ſurrender the City to him; whereupon the King forthwith aſſaulted it, ſet it on fire, burnt it (with the Cathedral Church) almoſt to the Ground, and took the Governour and Gariſon Priſoners; at which ſharp proceeding the Inhabitants of other places were ſo much affrightned, that the People of *Caën* (when the King marched againſt them) ſent to him and yielded to his Terms, expelling *Engeran Fitz-Ilbert* their Governour, and received the King's Gariſon: for this Service He beſtowed on four of the chief Citizens of *Caën*, the Mannour of *Dallington* in *England*, worth fourſcore Pounds *per Annum* Rent; from hence he proceeded to *Falais*, but could not take it, becauſe Count *Elias* would aſſiſt him no further, but returned home; yet there was an Aſſault given to the place in which he loſt many Men whom he much valued, as *Roger* of *Glouceſter* a Valiant Knight was ſlain, by a ſhot from a Croſs-bow. But the Reader may obſerve, that altho' the Printed Copies of *Ordericus Vitalis* place theſe Actions under the next year, *viz.* 1106. yet it is a miſtake, and they ſhould be put under this, for the King went not over into *Normandy* the next Spring (as this Author places it) but in this; and the year following he did not arrive there until the latter end of *July*, as you will find in the *Saxon* Chronicle, as alſo in *Florence* of *Worceſter*, Authors beyond exception, and tho' Co-temporaries with this Writer, yet are more curious in their Chronology, albeit his Relation of theſe matters of Fact is the moſt exact of any we have.

Yet thus much is certain, that the King this Year (as all our Authors agree) having taken *Bayeux* by force, and *Caën* by Compoſition, beſides many other Caſtles and ſtrong Places that were Surrendered to him, [3.] returned into *England* Victorious, in the end of *Autumn*, in order to Renew the War the next Campagne, being not able to finiſh his Conqueſts in this, for want of Money, which he went over on purpoſe to raiſe; in the mean time the Earl of *Mortaigne* did not fail to do the King all the miſchief he could during his abſence.

[3.] *Idem.* The King returns victorious into *England.*

This is the Account the *Norman* Hiſtorians do give of the occaſion and beginnings of this War, being very much to the King's Advantage; to which [4.] *William* of *Malmesbury* likewiſe adds, that as well for his Brother's Reputation, as for the Sufferings of *Normandy*, he could no longer endure that wicked Men ſhould maintain their own Luxury with the Eſtates of the Poor, and therefore he firſt ſent for his Brother into *England*, and there admoniſhed him with gentle words, *That he ſhould Act like a Duke, and not like a Monk:* And that ſince the King himſelf had before taken from Earl *William* (the chief Inciter of theſe Troubles) all his Eſtate in *England*, and razed his Caſtles to the Ground, and that Duke *Robert* had notwithſtanding made Peace with him, who was the Common Enemy of his Country, therefore the King thought it high time to correct his Injuſtice and Partiality, yet was divided within himſelf for a while, whither he ſhould lay aſide all Brotherly Relation, and deliver his Country from ſo eminent a danger as it was then in, or elſe ſhould prefer the Natural affection to his Brother before it. Yet at laſt the Common Good prevailed over his private Inclinations, which was alſo furthered by Pope *Paſchal*'s Exhortatory Letters, exciting him thereto; wherein he aſſerted, That it could not be reckoned an unjuſt War, but a commendable

[4.] P. 88. *a. William* of *Malmesbury*'s Defence of King *Henry*'s Proceedings againſt his Brother Duke *Robert.*

mendable Benefit to relieve his Country, which was then in ſuch a confuſion. Whereupon the King paſſed over into *Normandy*, and there acted as you have already heard. *Anno Dom.* MCV.

But moſt of our *Engliſh* Writers give us no better Reaſons for this War, than the King's Ambition, as if he deſired to make uſe of the opportunity of the preſent diſturbances in *Normandy*, only to Conquer that Dutchy for himſelf; and that as ſoon as he arrived, almoſt all the Great Men of that Country, deſpiſing their own natural Duke for his too great Lenity and careleſneſs, ran after the Gold and Silver the King had brought over with him, which he ſo well beſtowed, that they eaſily betrayed the Caſtles and Fortified Towns which had been committed to their Charge; and that thus King *Henry* Sacrificed his Brother to his own Ambition under the ſpecious pretence of the publick good of his Country. How moſt of our *Engliſh* Hiſtorians repreſent this Action of King *Henry*'s.

But it is very hard for a Writer (unleſs he knows it himſelf) poſitively to determine on what motives Princes have acted, eſpecially at ſuch a diſtance of time, and perhaps a mixture of both cauſes here given might influence King *Henry* to make this Expedition.

Therefore having faithfully given you the ſeveral Accounts related by the Hiſtorians of the cauſes of this War, I ſhall leave them to the Reader to determine as he ſhall think fit. After the King's coming over there happened little conſiderable this Winter, [5.] only not long before *Chriſtmaſs*, *Robert de Beleſme* came over into *England*, but whither upon any Ambaſſy from Duke *Robert*, or elſe upon his own private account, to make his Peace with the King, they do not tell us; tho' the latter ſeems moſt likely, ſince the ſame Author ſays, that he again left the Kingdom about *Chriſtmaſs* following much diſpleaſed; and indeed it ſeems ſomewhat ſtrange, that the King ſhould permit a Man to ſtay here ſo long, againſt whom he had expreſſed ſo great an averſion. [5.] C. S. *Robert de Beleſm* comes over into *England*.

This [1.] Year was very calamitous in *England*, as well by reaſon of the great Dearth, as the many ſevere Taxes, which were levied not only before he went over, but alſo after his return home. [1.] *Idem Ib.* This Year very Calamitous to *England*.

As for Eccleſiaſtical Affairs I cannot here omit, that this Summer, whilſt the King ſtayed in *Normandy*, [2.] he was in great part reconciled to Archbiſhop *Anſelm*, who was now returned thither from the farther parts of *France*; for a meeting being procured between the King and him, by the Interceſſion of his Siſter *Adela*, Counteſs of *Blois*, at the Caſtle of *Aquila*, he ſo far relaxed of his former ſeverity, that the Archbiſhop was again reſtored to the Profits of his Archbiſhoprick, and the King would have given him leave to return into *England*, if he would have promiſed not to withdraw himſelf from the Communion of thoſe Biſhops who had received the King's Inveſtiture, or of thoſe who had Conſecrated them; which he ſtill refuſing to accept of, reſolved to remain in *Normandy*, till the Meſſengers that were ſent to the Pope for his directions in that, as well as in ſome other Affairs, could again come back from *Rome*; and ſo the King for the preſent avoided the *Excommunication*, which was every where reported to be ready to iſſue out againſt him. [2.] *Eadm.* p. 80. The King is almoſt quite reconciled to Archbiſhop *Anſelm*, and thereby avoids the *Excommunication* with which he was threatned.

Yet ſo [3.] ſoon as he returned into *England*, that he might raiſe Money with greater Expedition, he ordered all the Prieſts to be impleaded in his Court for having Wives or Concubines, and to make them [3.] *Idem.* P. 83, 84. The King exacts Money from the Prieſts that kept either Wives, or Concubines.

Anno Dom. MCV. them pay ſoundly for that offence; but when very many were found innocent, and that the profit thereby expected was like to fall much ſhort of the Sum at which it was firſt rated, the King's Officers changed their Methods, and confounding the innocent with the guilty, Taxed all Pariſh Churches at a certain Rate, all Perſons being to redeem themſelves by the immediate payment of it, which when ſome refuſed, and others delayed to perform, many of them were caſt into Priſon; but the King coming to *London* in the height of this Exaction, near two hundred Prieſts in their Surplices went to Petition Him on their bare Feet to have pity upon them; but all to no purpoſe.

Anno Dom. MCVI. This [4.] Year the King kept his *Chriſtmaſs* at *Weſtminſter*, and ſomewhat before *Lent* Duke *Robert* came over to viſit him, who was gone then to *Northampton*, deſiring to be reſtored to thoſe Places which had been lately taken from him in *Normandy*; but the King abſolutely refuſing it, the Duke returned back again much more exaſperated then he was before, and threaten'd to be revenged for all theſe injuries.

[4.] C. S. F. W. Duke *Robert* comes over into *England*, hoping to obtain his Brother's favour, and being repulſed, goes back more exaſperated.

[5.] *Matthew Paris* in his Relation of this Affair, makes King *Henry* to feel ſome remorſe of Conſcience for this unkind uſage of his Brother, and uſurping of his Kingdom, and alſo that he feared ſome ſudden Rebellion of his Subjects; yet that he rather feared Men, than God; whom he ſuppoſed he could appeaſe by building of an Abbey; all which depending on the Author's ſole Relation, and not being to be found in any Writer of that Age, I think ſhould rather be ſlighted as a malicious ſurmiſe, proceeding from the ill will the Monks bore to this King's memory. But this ſeems more certain from the ſame Author, that not long after Duke *Robert*'s departure, the King called a Great Council at *London*, and there he brings him in making of a long Speech to them, "Enveighing againſt Duke *Robert* his Brother; and "that for refuſing the Kingdom of *Jeruſalem*, he was now forſaken "of God. Then ſetting forth his uneaſie temper, and contempt "of the *Engliſh* Nobility, as alſo his own humble and peaceable "diſpoſition and reſolution to maintain their Liberties, and the "Laws of King *Edward*; and that if he had but their affections, he va-"lued not any thing his Brother and all his *Normans* could do againſt "him: And with theſe fair Promiſes he ſo won their hearts, that they "declared they would live and die with him againſt any Enemy "whatever.

P. 61, 62.

The King after his Departure holds a Great Council at *London*, where he enveighs againſt his Brother.

From whence you may obſerve, that an *Engliſh* King, who has once gain'd the affections of his People, by the reſtoring and maintaining their Antient Liberties and Priviledges, needs not fear any foreign Powers, being ſtrong enough of himſelf to make an abſolute Conqueſt.

After this the King ſtayed in *England* moſt part of this Summer, keeping his *Eaſter* at *Bathe*, and his *Whitſontide* at *Salisbury*, becauſe he would not hold his Court or Great Council in Foreign Parts.

[1.] F. W. O. V. P. 818. Then [1.] about the end of *July* (as our Writers place it) the King paſſed over again into *Normandy* with the Principal Nobility of the Kingdom; where upon his arrival moſt of the chief Men of that Country ſubmitted themſelves to him, except *Robert de Beleſme*, and *William* Earl of *Mortaigne*, with ſome other Barons who ſtill held firm to Duke *Robert*.

The King paſſes again into *Normandy*, where moſt of the Great Men ſubmit to him.

Not

Not long after the King built a Fort near the Town of *Tenerchebray* (now called *Tinchebray*) and put a Garison into it, with intention so to streighten it, as to make it yield; but the Earl of *Mortaigne* with some Companies of Soldiers relieved it, at which the King being much incensed, assembled his Army, and laid Siege to the Town; whereupon the said Earl sollicited Duke *Robert*, and *Robert de Belesme*, and others for their assistance, to raise the Siege, and obtain'd it; for there immediately marched along with the Duke, (besides the two Great Earls last mentioned) *Robert de Stuteville*, and *William de Ferrars*, with many other Noblemen, and indeed all the Forces the Duke could then muster together. The King had on his side *William* Earl of *Eureux*, *Robert* Earl of *Mellent*, *William* Earl of *Warren*, with divers other Barons, most of whom had Estates both in *Normandy* and *England*. And tho' the King had a greater number of Horse in his Army; yet the Duke had many more Foot; so before this Town they came to a Battel, which was very sharply fought on both sides, till at last the Duke's Army was totally routed, with very small loss on the King's part. There were taken Prisoners at this Battel, the Duke of *Normandy*, and the Earl of *Mortaigne*; and of *Norman* Barons, *William Crispin*, *William Ferrars*, *Robert Stuteville* the Elder, and many others, to the number of Four hundred Knights, or Horsemen, and Ten thousand Foot; so that upon this Great Victory all *Normandy* Surrendered it self to the King, as appears by a Letter, which he then wrote to Archbishop *Anselm* on that Subject, as you will find in [2.] *Eadmerus*; for the Archbishop had not long before returned into *England* after more than three years absence, all differences between the King and him having been fully composed at a meeting they lately had at the Abbey of *Bec*.

Anno Dom. MCVI.

The Great Battel of *Tenchebray*, where Duke *Robert* with divers Barons are taken Prisoners.

Whereupon all *Normandy* submits to the King.

[2.] P. 90.

I have been the more particular in this great Battel between the King and his Brother, because it was fought on *Michaelmas* Eve, near that time forty years, that the Battel of *Hastings* had been gained before, and as the *Norman* Duke then subdued an *English* King, and thereby obtained this Kingdom; so now an *English* King (by the assistance of his *English* Subjects) now Conquered *Normandy*, which from that time was held by the King's of *England*, (except for some part of King *Stephen*'s Reign) till *Philip* (Sirnamed *Augustus*,) King of *France* took it from King *John*, by the same means by which it was at first acquired.

The [3.] King notwithstanding this great Success was so far from claiming *Normandy* as a Conquerour, that calling a Great Council at *Lisieux* of all the Great Men of *Normandy*, it was then decreed, That for the future a firm Peace should be establish'd throughout all that Dutchy; so that all Plunderings, Robberies, forcible Entries, and Warlike Invasions upon Men's Estates being suppressed, the Churches as well as private Subjects should enjoy their Possessions in Peace, as they did the day his Father died.

[3.] O. V. P. 822. The King does not claim that Province as a Conquerour, but settles it by a Council of the Estates.

He then also took into his own Possession all his Father's Lands and Lordships, which his Brother had Sold, or squandered away, and by the Judgment of his Great and wise Men made all those Grants void, which had been imprudently bestowed upon undeserving Persons.

Anno Dom. MCVI.

As for the Priſoners taken in this Battel, [4.] he ſent Duke *Robert* his Brother, *William* Earl of *Mortaigne*, *Robert de Stuteveille*, and ſome others into *England*, where they were kept perpetual Priſoners, notwithſtanding all the Interceſſion and Promiſes made on their behalfs for their Releaſes; for the King wiſely truſted more to the ſtrong Caſtles wherein they were kept, than to the frail and uncertain engagements of thoſe who had always ſhew'd themſelves his Enemies.

[4.] *Eadm.* p. 90. R. H. The King ſends Duke *Robert*, and the Earl of *Mortaigne* Priſoners into *England*.

Our *Saxons Annals* alſo inform us, that *Edgar Atheling* being taken Priſoner at the Battel, was by the King preſently ſet at liberty, whither out of love or contempt I will not determine; but it is certain he lived all the reſt of his days at home in Peace.

But ſince we find no farther mention of this Prince in any of our Annals or Hiſtories, I ſhall here give you [5.] *William* of *Malmeſbury*'s Character of him, *viz.* "That being contemned at Court for his eaſineſs "and ſimplicity, which (he thinks) muſt needs be great, ſince he "remitted to the King a Pound-weight of Silver (being his daily "allowance) for a Horſe in his younger years. He went to *Jeruſalem* (as hath been already declared) and having loſt all his Men in his return, received great favours from both the *Greek* and *German* Emperors, who, becauſe of the Nobleneſs of his Birth, would have allowed him an Honourable maintenance, but he refuſed it, out of too fond a love to his native ſoil; to which being returned at laſt, and having been often made the ſport of Fortune; He had (when our * Author wrote this) retired from Court, and paſſed his old age privately in the Country, without ever being Married, as we can find.

[5.] *Ib.* p. 89.

* *Viz.* About the middle or latter end of K. *Henry* the *Firſt*'s Reign.

As for [1.] *Robert de Beleſme*, the King's mortal Enemy, he eſcaped by flight out of this Battle, and when he ſaw he could raiſe no more diſturbances, he at laſt made his Peace with the King, and was for a time reſtored to all his Paternal Eſtate, which he again forfeited by a new Treaſon, as you will find hereafter.

[1.] *Idem.* O. U. P. 823.

The [2.] King having thus ſubdued *Normandy*, and ſettled it in Peace, by the good Laws he made in ſeveral Aſſemblies of the Eſtates of that Dutchy, return'd into *England* in the *Lent* of the enſuing Year.

[2.] *Idem Ib.*

Anno Dom. MCVII.

But almoſt ſo ſoon as he arrived, [3.] He held a * Council of all the chief Men in the Kingdom at *Windſor*; yet nevertheleſs he delayed to diſpoſe of all the vacant Churches as he intended, becauſe the Pope being arrived in *France*, was about to hold a General Council at *Troys* in *Champagne*, to which the King and the Archbiſhop had ſent *William Warelwaſt*, and *Baldwin* the Monk, as their Envoys, to know the Pope's pleaſure in ſome Points of Importance (I ſuppoſe concerning the Homages of Biſhops) that ſo the King might the more ſecurely diſpoſe of theſe Vacant Sees and Abbeys.

[3.] *Eadm. p.* 90. * *Curia.* The King returns into *England*, and there holds a Council of all the chief Men of the Kingdom.

Alſo in [4.] the beginning of the Month of *Auguſt*, the King again Summoned a Great Council of all the Biſhops, Abbots and Nobles of the Kingdom, at his Palace at *Weſtminſter*, which laſted three days, (Archbiſhop *Anſelm* being at firſt abſent by reaſon of a late Sickneſs) where the great Affair concerning the Inveſtiture of Churches was ſufficiently debated between the King and the Biſhops; ſome endeavour'd (tho' in vain) to have the King confer them, as his Father and Brother had done before, and not according to the Pope's late Decree; but tho' he continued firm as to the point of Inveſtitures, yet he granted to the King that he might receive the Homages of the Biſhops

[4.] *Idem. P.* 91. The King holds another Council in *Auguſt*, where he gives up his Right of Inveſtiture of Biſhops and Abbots.

ſhops and Abbots, which Pope *Urban* had forbad as well as the other; yet this Pope was willing to yield the one, that ſo he might oblige the King the more eaſily to part with the other. *Anno Dom.* MCVII.

Towards the end of the Council, the Archbiſhop came thither, and then the King granted and ordained, (in the * preſence of the People) that for the future no Perſon ſhould be Inveſted in any Biſhoprick, either by himſelf, or any other Lay-hand, by the delivery of the Paſtoral Staff, or Ring; whereupon the Archbiſhop alſo conſented that no Perſon Elected to be a Prelate ſhould be refuſed Conſecration, becauſe of the Homage he had done to the King. Theſe matters now being thus ſettled, all the Biſhopricks and Abbeys which were then Vacant were filled up by the King, with the Council and conſent of Archbiſhop *Anſelm*, and the * chief Men of the Kingdom. [5.] *Idem ib.* * *Aſſante multitudine.* * *Procerum Regni.*

Then [1.] the Archbiſhop, before the King, Biſhops and Nobility of the Kingdom, began to demand of *Gerard* Archbiſhop of *York*, a Profeſſion of his Obedience and Subjection to him, which he had not yet made ſince the time that he had been Tranſlated from *Hereford* to *York*; but the King himſelf declared, he did not think it neceſſary for the Archbiſhop now to renew that Profeſſion he had formerly made when he was firſt Ordained Biſhop, ſince, tho' he had changed Sees, yet he was ſtill the ſame Perſon; with which Declaration of the King's Archbiſhop *Anſelm* ſeemed to be ſatisfied for the preſent, provided *Gerard* would give him his hand, and promiſe to obſerve the ſame Subjection to himſelf and his Succeſſors, that he had profeſſed when he was made a Biſhop, which accordingly was done; then it was alſo Ordained, That thoſe who for the future ſhould be Elected to any Biſhoprick ſhould go to *Canterbury*, and there receive their Conſecration, which was obſerved by all the Biſhops that were then Ordained. [2.] For about this time *William* Biſhop of *Wincheſter*, *Roger* of *Saliſbury*, and *Reinelm* of *Hereford*, as alſo *William Warelwaſt* (the late Ambaſſadour) being Elected Biſhop of *Exceter*, as *Urban* was of *Landaffe*, went all to *Canterbury*, and were there Conſecrated by that Archbiſhop; but this Law did not hold long, as you will find hereafter. [1.] *Id. Ib.* The Archbiſhop of *Canterbury* demands a new Profeſſion of Obedience from him of *York*. [2.] *Idem.* P. 92.

To return to Secular Affairs. Nothing remarkable happened this Year, [3.] except that *Edgar* King of *Scotland* deceaſed without Iſſue, and *Alexander* his Brother ſucceeded to him, being a Prince of a much more Warlike Genius. [3.] C. S. C. Mailros.

This Year the King at a Great Council, held either at [4.] *Chriſtmaſs* at *Weſtminſter*, or elſe at *Wincheſter* the *Eaſter* following, (our Author not aſſerting the Time or Place) by the advice of Archbiſhop *Anſelm* and the Noblemen of the Kingdom, he redreſſed ſeveral Grievances and evil practiſes, by which Poor Men where oppreſſed, and for example-ſake began with his own Court; for in the time of the King his Brother, thoſe who followed the Court had this evil Cuſtom, that in the King's Progreſs they ſpoiled and Plunder'd all things that came in their way, without any reſtraint, ſo that the Country was laid waſt where ever the King travelled; for which cauſe all People when they knew of the King's coming, left their Houſes, and carried away what Proviſions they could, ſheltering themſelves in the Woods, and other by-places; but King *Henry* reſolving fully to cure this Malady iſſued out a Proclamation, That who ever *Anno Dom.* MCVIII. [4.] *Eadm. p. 94.* The King calls another Council, wherein he redreſſes ſeveral Grievances of his Subjects.

Anno Dom. MCVIII.

ſpoiled any Goods of thoſe that entertain'd them, or abuſed their Perſons, ſhould, if proved, have their Eyes put out, or their Hands or Feet, or other Members cut off, which ſevere Juſtice being executed upon ſome, deterred others from the like Villanies.

[5.] *Id. Ib.* Alſo [5.] the bad ſtate of the *Coyn* did very much trouble the People, which the King took care to have remedied with that ſeverity, that none could ever be pardoned that was convicted of having Counterfeited any Money, but he certainly loſt his Eyes and Teſticles; and becauſe the ſmall Money, or *Pence*, being broke in pieces, were afterwards refuſed, he ordained that no * *Penny*, or *Half-penny*, ſhould be whole, which was a great help and benefit to the poor ſort of People.

* Note, that in theſe Times *Pence* were ſo Coyned with a Creaſe through them that they might be broken (when Men wanted Change) into four parts.

And in [1.] Eccleſiaſtical matters, becauſe he ſuppoſed the Divine Offices were not perform'd as they ought by the hands of ſuch Prieſts who ſtill kept their Wives and Concubines, notwithſtanding the late Decrees of the Council held at *London*, the King reſolving to make a further Reformation in this matter, conſulted with the Archbiſhops, Biſhops, and Great Men of the Kingdom, when they met at *London*, at the Feaſt of *Pentecoſt*, how he might cure this Evil by his Royal Authority; wherefore *Anſelm*, Archbiſhop of *Canterbury*, and *Thomas*, Archbiſhop Elect of *York*, and all the Biſhops of *England*, being again met in a Council or Synod, with the conſent of all the Barons, in the Preſence of King *Henry* Ordained anew.

[1.] *Idem Ib.*

Another Council held where ſeveral Decrees are made againſt Prieſt's Marying, or keeping Women in their Houſes.

1. That all Presbyters, Deacons, and Sub-Deacons, ſhould live chaſtly, and ſhould not keep any Woman in their Houſes unleſs they were near Relations.

2. That all thoſe above mentioned, who kept their Wives, after they were forbid by the Council of *London*, or ſhould take new ones, if they intended to perform their Functions, ſhould put them away, ſo that they ſhould not ſo much as come into their Houſes, nor into their Company, unleſs it were upon ſome Lawful occaſion, and then it was to be out of their own Houſes, in the preſence of two, or more Witneſſes.

3. But if any of thoſe above mentioned, were accuſed by two or three Lawful Witneſſes, or the Common Report of their Pariſhioners, that they had broken this Law, if ſuch a one were a Presbyter, he ſhould purge himſelf by ſix ſufficient Witneſſes of his own Order; but if he were a Deacon with four; if a Sub-Deacon with two; and if he ſhould be found wanting in this Purgation, he ſhould be Judged as a Tranſgreſſor of this Decree.

4. But thoſe Presbyters, who ſhould prefer their Wives before the Service of the Holy Altar, ſhould forthwith be removed from all * Eccleſiaſtical Office and Benefice, and not be admitted into the *Choir*, but be looked upon as infamous.

* *Officio & Beneficio.*

5. But he who like a Rebel againſt, and a Contemner of this Decrees, ſhould preſume to keep his Wife, or Concubine, and yet would ſtill ſay *Maſs*, ſhould be *Excommunicated*, if he refuſed to make ſatisfaction.

6. The ſame Sentence alſo was to extend to all Arch-Deacons, and Secular Chanons, concerning their leaving off Women, and avoiding their Converſation, and they to be under the ſame Cenſures, if they tranſgreſſed.

7. Alſo

7. Alſo all Arch-Deacons and Deans, ſhould ſwear that they would receive no Money for tolerating any Tranſgreſſion of this Law, nor ſhould ſuffer any Prieſt, whom they knew to keep a Woman, to Sing *Maß*, or to put in Curates; and the Arch-Deacon, or Dean, that ſhould refuſe thus to ſwear, ſhould loſe his Preferment. *Anno Dom.* MCVIII.

8. And ſuch Prieſts that would leave their Wives, and chuſe to ſerve at the Holy Altar, ſhould however forbear forty days from Executing their Functions, and have Vicars in the mean time to ſupply their Places, and ſhould undergo ſuch Pennance as the Biſhops ſhould think fit to enjoyn them.

I have been the more exact in ſetting down this Statute, becauſe it is the firſt made by all the Eſtates of the Kingdom, that forbids Prieſts keeping either Wives or Concubines: Theſe Canons which *Eadmerus* mentions to have been now made at *London*, having been before only Ordain'd by a Synod of the Biſhops and Clergy of *Rome*.

Alſo this Year [2.] *Hervy* Biſhop of *Bangor*, having been driven out by the *Welſh*, was now become Abbot of *Ely*, of which Abbey being deſirous to make a Biſhop's See, he not only obtain'd the good will of his Monks by fair Promiſes, but alſo procured the King's Charter, for the advancement of that Church to be a Cathedral; yet ſince that of *Lincoln* was thereby to loſe a great part of its Juriſdiction, and that without the conſent of *Robert* the then Biſhop, this change could not be effected, it was therefore agreed between them, that that Church ſhould enjoy the Manner of *Spalding* for ever, in exchange for the Epiſcopal Juriſdiction over all *Cambridgeſhire*, and the Iſle of *Ely*.

[2.] *Eadm. p. 96.* The Abbey of *Ely* made a Biſhop's See by the King's Charter.

And becauſe the Pope's conſent was alſo neceſſary for ſo great an alteration, Archbiſhop *Anſelm* wrote Letters to him, ſetting forth, that ſince the King, Biſhops and Chief Men of *England*, nay, and the Biſhop of *Lincoln* himſelf, had all conſented, that this Dioceſs being too large for one Man's care, ſhould have a new Biſhoprick taken out of it, whoſe See was to be at the place above mentioned: Wherefore he in all their Names deſired the Pope's Confirmation of it; but tho' his Anſwer to the Archbiſhop concerning this Affair is not ſet down by *Eadmerus*, yet the Manuſcript Hiſtory of *Ely* hath given us the Pope's Letter to King *Henry*, (which was ſent by Biſhop *Hervey* himſelf) wherein his *Holineſs* conſents to this Alteration, and with it alſo grants a Bull to the ſame effect. But as for the Charter of King *Henry*, which is there alſo recited, Mr. *Selden*, I think, does deſervedly impeach it of Forgery, and that upon theſe accounts; firſt, that the year of Pope *Paſchal* is there expreſſed before that of the Reign of the King himſelf; and next, that this Charter bears date *Anno Dom.* 1108. as in the Tenth year of this King's Reign, and as if it had been after the death of Archbiſhop *Anſelm*; whereas the Year of our Lord above mentioned was not the tenth, but the eighth Year of this King's Reign; nor did *Anſelm* die till the Year following, as you will ſee by and by. But we have enough other inſtances of the like Monkiſh Forgeries, therefore to return to Civil Affairs.

[3.] *Id. Ibid.* The Pope's conſent alſo neceſſary, for which the Archbiſhop wrote Letters.

* *Penes Doctiſſ. Doct. Gale & vid. Seldeni notas in Eadmer. p.* 210. The Pope's Anſwer to theſe Letters.

† *In Notis ad Eadm. p.* 212.

The King having ſettled his Affairs in *England*, [4.] at the beginning of *Auguſt* he paſſed over into *Normandy* upon the news of the death of *Philip* King of *France*, to whom [5.] *Lewis* his Son (an active young Prince) ſucceeding, he threaten'd to invade King *Henry*'s Dominions.

[4.] C. S. The King goes into *Normandy* upon the Death of King *Philip*.

[5.] H. H.

But

Anno Dom. MCVIII.

But whilſt [1.] he was in *Normandy* ſettling all things according to his mind, he upon ſome freſh Jealouſie commanded his Nephew *William*, Son to his Brother *Robert*, (whom he had committed to the care of *Elias de St. Sidon*) to be taken into ſafe Cuſtody, and appointed *Robert Beauchamp*, Viſcount *d'Arches* to do it; but when he came to *Elias*'s Caſtle, the young Prince had by the means of his Tutor already made his eſcape; then *Elias* his Governour carried him to the Court of the King of *France*, and divers other Princes to ſollicite for aid and aſſiſtance in his behalf, but all to no purpoſe, for tho' many of the *Normans* favoured him, as being a handſome Perſon, and one of good Natural Parts; and that *Robert de Beleſme* upon the ſcore of the affection he had for his Father, endeavoured all he could to ſet up his Son, yet none of them, either Prince or Subject, would preſume at that time to make War upon King *Henry* on his behalf; and what became of this young Prince afterwards, we ſhall ſee anon.

[1.] O. V. P. 838. The King commands his Nephew *William* to be committed to ſafe Cuſtody, who eſcapes.

There [2.] was alſo this Year renewed the old Quarrel between the two Churches of *Canterbury* and *York*, concerning their Priviledges; for *Gerard* Archbiſhop of *York* being lately Deceaſed, *Thomas* the King's Chaplain, and Provoſt of *Beverley*, was Elected in his ſtead; who had not only deferred his Conſecration, becauſe he was unwilling to make that Profeſſion of Obedience and Subjection to Archbiſhop *Anſelm*, as his Predeceſſor had done, but had been dealing under-hand with the Pope to obtain a Promiſe of his Pall before the Conſecration, which produced many angry Letters between *Anſelm* and him concerning that matter; the former preſſing his coming to *Canterbury*, there to receive his Conſecration with all ſpeed poſſible, and then to perform thoſe things, that he ought. [3.] But the King interpoſing by his Letters commanded *Anſelm* to defer the Conſecration of Archbiſhop *Thomas*, till the *Eaſter* following; and then before that time the former being much indiſpoſed died, as you will ſee farther the next Year; ſo that this Buſineſs remain'd ſtill undecided. I have put all this Tranſaction here together, tho' it did not happen all at one time.

[2.] *Eadm. p. 97.* The whole Quarrel between the Archbiſhops of *Canterbury* and *York* again renewed upon the choice of a new Archbiſhop.

[3.] *Idem. P. 101.* Archbiſhop *Thomas* his Conſecration.

Anno Dom. MCIX.

King [4.] *Henry* having paſſed all this Winter in *Normandy*, came over into *England* a little before *Whitſontide*, and held his Court (which was never more ſplendid than ordinary) at *Weſtminſter*. *Henry* the Fourth, Emperour of *Germany*, having ſent Ambaſſadours with a mighty Noble Retinue to the King, to deſire his Daughter *Mathilda* in Mariage, which was conſented to, and all the Articles agreed upon; and the King alſo received an Oath from the Emperour's Ambaſſadour to perform them. But the Princeſs her ſelf being very young, continued in *England* till the Year following.

[4.] C. S. M. P. P. 64. The Emperour *Henry* IV. ſends Ambaſſadors to the King deſiring his Daughter to Wife.

But during this Year nothing happen'd that was remarkable in Eccleſiaſtical Affairs, only [5.] *Anſelm* the Archbiſhop of *Canterbury* his Death, on the Twenty ſecond of *May* in the Seventy ſixth year of his Age. He was certainly a Prelate of great Learning, Piety and ſtrictneſs of Life, but, being bred a *Monk*, was ſo exceſſively Bigotted to the See of *Rome*, that he did all he could to advance its Grandeur, which procur'd him many Troubles both in this, as well as the former King's Reign, and therefore that *See* in Gratitude has Canonized him for a Saint.

[5.] *Eadm. p. 97.* Archbiſhop *Anſelm* dies, and his Character.

But

Anno Dom. MCIX.

But [1.] tho' the Archbiſhop of *York* Elect was in hopes, that by the Deceaſe of *Anſelm*, he ſhould thereby avoid making his profeſſing Subjection to the See of *Canterbury*, yet he therein found himſelf much miſtaken; for at a great Council held at *London*, immediately after the Feaſt of *Pentecoſt*, the King conſulted with the Biſhops, and chief Men of the Kingdom, what was to be done concerning the Conſecration of the Elect of *York*, and ſome Debate ariſing about it, whither it ſhould be performed without his making the ſaid Profeſſion or not, it was at laſt agreed on by all the Biſhops there preſent, (*Sampſon* Biſhop of *Worceſter*, Father to the Archbiſhop Elect, firſt giving his Vote againſt him) that he ſhould not be Conſecrated without making that Profeſſion, this being reported to the King, he thereupon commanded the Antient Priviledges of the Papal See to the Church of *Canterbury* to be read before him, which when he had heard, and was fully ſatisfied about it, he thereupon commanded the Profeſſion, which Archbiſhop *Thomas* was to make, to be dictated and written in his own Preſence, and cloſe Sealed up with his Seal, and ſo be kept ſecret till the Conſecration, which was ſolemnly performed the Twenty eighth of *June* following in St. *Paul's* Church, by *Richard* Biſhop of *London*, and ſeveral other Biſhops; but before the Archbiſhop was Conſecrated, the aforeſaid Profeſſion of Obedience was opened, and required by the Biſhops to be read aloud by him, which was done accordingly; and when the Conſecration was over, was delivered by the Biſhop of *London* to the Prior of *Canterbury*, to be kept as a perpetual Memorial; the Form of which the curious Reader may ſee in [2.] *Eadmerus* in *Latin*, and in [3.] Dr. *Brady's* Hiſtory in *Engliſh*, Tranſlated from that Author. About [4.] the ſame time alſo *Hervy* late Biſhop of *Bangor*, and Elect of *Ely*, was Conſecrated Biſhop of that Place, for tho' all things in order to it were agreed upon the Year before, yet having been forced to go to *Rome* on purpoſe to obtain the Pope's conſent, he could not till now be ſettled in it, and that too not without many difficulties.

[1.] *Idem.* P. 103, 104. The Elect of *York* is forced to make his Profeſſion of Obedience to the See of *Canterbury*.

[2.] *Ibid.* [3.] P. 264. [4.] *Id. Ib.* New Biſhops alſo Conſecrated.

This [5.] Year affords us nothing more remarkable in Eccleſiaſtical Affairs, than that the Prieſts were now again forbid the Company of their Wives, tho' many of them hoped that by the death of Archbiſhop *Anſelm* they might have found ſome Relaxation from that ſevere Law; yet the King impoſed it upon them more ſtrictly than ever, and made them ſubmit to it, whither they would or not.

[5.] *Idem.* P. 105. The Prieſts again forbad the Company of their Wives.

But [1.] tho' the King held the poor Prieſts under this ſevere Diſcipline, yet he intended to be free himſelf; for having been perplexed by the late Archbiſhop *Anſelm*, he reſolved not to have another in haſt, and therefore kept the See of *Canterbury* Vacant for above four Years after.

[1.] *Idem. Ib.*

The [2.] ſame Year in *May* appeared a terrible Comet near the *Milky-way*, having its Tayl toward the *South*, which was ſeen for three Weeks, and then diſappeared. There alſo happen'd a Great Earthquake at *Shrewsbury*, and the River of *Trent* near *Nottingham* ceaſed running from Morning till Three of the Clock in the Afternoon, ſo that Men paſſed over its Channel dry-ſhod.

[2.] *Id. Ib.* Several Prodigies in *England*.

I hope it will not be impertinent if I relate the Account which an Author of good Credit gives us, of the reſtitution of Learning at the Univerſity of *Cambridge*, which happened about this time, when

[3.] *Joffrid*

Anno Dom. MCIX.

[3.] *Joffrid* Abbot of *Crowland* ſent over to his Mannor of *Cottenham* nigh *Cambridge*, *Giſlebert* his fellow Monk, and Profeſſor of Divinity, with three other Monks, who had followed him into *England*, who being throughly furniſhed with Philoſophical Theorems, and other antient Sciences, repaired daily to *Cambridge*; and having hired a certain Barn, made open Profeſſion of them, and in a ſhort ſpace drew together a great Company of Scholars; but in the ſecond year after their coming their number grew ſo great, as well from out of the whole Country, as the Town, that not the biggeſt Houſe nor Barn there, nor any Church there ſufficed to contain them; whereupon theſe Monks dividing themſelves into ſeveral Places, and taking the Univerſity of *Orleance* for their Pattern, read to their Scholars apart in ſeveral Companies.

[3.] *Pet. Bleſ. Contin. Hiſt. Ingulph. Rer. Ang. Scriptor. Vol. I. p.* 114. The Revival of Learning at *Cambridge*.

I ſhall not trouble my ſelf or the Reader, how theſe ſorted their Scholars into the ſeveral Claſſes of *Grammar*, *Rhetorick* and *Logick*, but ſhall for that refer you to the Author for further ſatisfaction; only I muſt remark, that they made uſe of the beſt Authors; as for *Rhetorick*, Reading Lectures in *Tully* and *Quintilian*; and for *Logick* in *Ariſtotle*, with the Commentaries of *Porphyry* and *Averroes*. It is alſo worth obſerving, that *Giſlebert* (chief of theſe Monks) upon every *Sunday* and *Holyday* Preached God's Word unto the People, tho' he were but meanly skill'd in the *Engliſh* Tongue; this ſhews that however Preaching might afterwards grow out of faſhion, it was then accounted a duty by the Monks, tho' perhaps it was to ſhame the Secular Prieſts, who were extremely lazy and ignorant in that Age, as well as in after Times.

But that the Study of antient Learning then flouriſh'd at *Oxford* as well as at *Cambridge*, and that there were Publick Schools for the Teaching the Sciences I refer the Curious Ready to *Anthony a Wood's* Hiſtory and Antiquities of the Univerſity of *Oxon* under the Years 1109, and 1122.

Anno Dom. MCX.

The [4.] King having the Year before betroathed his Daughter to the Emperour (as you have already heard) ſent her now over to him a little before *Lent* with a Noble Retinue, and a vaſt Portion in ready Money, for which *England* was made to pay very dear; Three Shillings being laid upon every Hyde of Land throughout the whole Kingdom.

[4.] F. W. H. H. The King ſends over his Daughter to be Married to the Empeperour.

This ſerves to reconcile the difference between *Florence* and *Henry Huntington* on the one ſide, and the *Saxon* Chronicle, and *Matt. Paris* on the other, about the time of this Affair: the two former placing it under this, and the latter in the preceeding Year; but the truth is, the Emperour's Ambaſſadours came over the laſt Year to demand her, and then the Mariage was agreed upon, but they were not Affianced till her arrival in *Germany* this preſent Year (as is alſo expreſſed by *Matt. Paris*) nor was it conſummated till four Years after, the Princeſs it ſeems not being till then mature for it, as you will find anon.

[5.] Chron. of *Robert* of *Gloceſter*.

This [5.] Year alſo King *Henry* Married *Robert* his Natural Son to *Maud* Daughter and Heir to *Robert Fitz-Haimon* (late Earl of *Glouceſter*) and then Inveſted him with that Earldom: [1.] The King alſo holding his Court, or Great Council at the Caſtle of *Windſor*, (which he new built) diſſeized *Philip de Braüſe*, *William Mallet*, and *William Bainart*, (all

[1.] H. H. When divers Barons were diſinherited.

(all great Barons) of their Eſtates, becauſe they had been treacherous to him, tho' our Hiſtorians do not tell us in what. *Anno Dom.* MCX.

The ſame [2.] Year alſo (*Elias* late Earl of *Maine* having been put to death by King *Henry* for Treaſon) *Fulk* Earl of *Anjou*, who had Married *Elias* his Daughter, immediately thereupon ſeized the Earldom whither the King would or not, which produced a War between them the Year enſuing. [2.] *Idem Ib.*

This Year [3.] King *Henry* did not wear his Crown, (that is, did not appear in State) neither at *Chriſtmaß*, *Eaſter*, nor *Whitſontide*, according to the uſual Cuſtom of thoſe Times, and as he would have done, if the Great Council conſiſting of the Biſhops and Noblemen of the Kingdom, had then aſſembled as they were wont to do, at ſuch Feſtival Solemnities. *Anno Dom.* MCXI. [3.] C. S. The King omits wearing his Crown at the great Feſtivals.

In [4.] the Month of *Auguſt* following, the King paſſed over again into *Normandy*, to proſecute the War with the Duke of *Anjou*, who had now got Poſſeſſion of the Earldom of *Maine* againſt his will; ſo that all this Year nothing happened, but betraying and burning of Towns, and ſeveral other Devaſtations that were committed in thoſe Parts, needleſs here to be recited. [4.] *Idem Ib.* H. H. The King goes over again to proſecute the War with the Earl of *Anjou*.

Yet I cannot omit a moſt wiſe and Politick action of this King which happened this Year, and that was this; many Poor *Flemmings* had come over into *England*, in the Reign of King *William* his Father, as alſo lately in his own, being compell'd to ſeek refuge here, for their Habitations were deſtroyed, great part of the Sea-Coaſts of *Flanders* having been overwhelmed by the Sea ſome years before; by whoſe coming in ſuch great Numbers, *England* ſo ſwarmed with them, that they became a burthen to the Nation, whereupon the King at firſt Planted them in the waſt parts of *Northumberland*; but finding they might do more good in *Wales*, to reſtrain the *Welſh*, whom he had not long before ſubdued, [1.] he tranſplanted them thither with their Goods and Families, giving them all the Country of *Rhos*, lying about *Pembroke* and *Haverford-weſt*, for their Habitation, which had been not long before Conquered from the *Welſh* Princes, and there the Deſcendants of thoſe *Flemmings* have continued to this day, being quite different from the Native *Britains*, or *Welſhmen*, both in Language and Manners: and theſe *Flemmings* being an Induſtrious and ſtout People, proved afterwards a ſtrong Defence againſt the Inſurrections of the *Welſh*, and ſerve to confirm that excellent *Roman* Policy, of preſerving New Conqueſts by Colonies. [5.] W. M. F. W. P. 89. The *Flemmings* removed from the *North* into *Wales*. [1.] *Camden's Britan.* in *Pembrokeſhire*.

About this time alſo [2.] deceaſed *Robert* Earl of *Flanders*, who had been ſo famous in the late Expedition to the *Holy Land*, and his Son of the ſame Name ſucceeded him in that Earldom. [2.] H. H. *Robert* Earl of *Flanders* dies.

The [3.] King ſpent all this Year in *Normandy* by reaſon of his continual Wars with the King of *France*, and the Earl of *Anjou*, in the old Quarrel concerning the Earldom of *Maine*. [3.] C. S.

About this time alſo [4.] *Almeric* Earl of *Montfort*, who was Nephew and Heir to *William* Earl of *Eureux*, having diſpleaſed the King, he ſeiz'd upon that Earldom; whereupon the Earl having Confederated with the Earl of *Anjou*, by the Aſſiſtance of the King of *France*, Invaded *Normandy*; but by the Prudence and Power of King *Henry*, and the Succour of his Nephew *Theobald* Earl of *Blois*, (who at that time made War upon the King of *France*, and gave him a Diverſion) the Enemy's [4.] W. G. *L.* 8. *c.* 7. O. V. *P.* 843. *Almeric de Montfort* having diſpleaſed the King, he ſeizes on the Earldom of *Eureux*.

Anno Dom. MCXI.

Forces were ſoon diſperſed, and their Deſigns fruſtrated.

But [5.] *Robert de Beleſme*, the King's antient Enemy, being found privy to this Deſign, now fell again into the King's diſpleaſure, and being impeached for breach of Faith, and for not appearing at his Court, (tho' thrice Summoned,) as alſo for ſeveral other Miſdemeanours, which he could not deny, was by the juſt Judgment of the King's Court condemned, and all his Eſtate forfeited to the King [1.], who ſtill remained moſt part of this Year in *Normandy*; and before he returned into *England*, a Peace was concluded between him and *Fulk* Earl of *Anjou*, and he coming into the Territory of *Alençon*, there ſwore fealty to King *Henry*, and, doing him Homage, received from his hands the Earldom of *Main*; the Earl alſo betrothed his Daughter to *William* the King's Son, and the King further conferred upon him the Earldom of *Eureux*, tho' at the ſame time he received into favour *Almeric de Mont-fort*, whoſe Right that Honour was.

[5.] *Idem.* P. 844. *Robert de Beleſme* is deprived of all his Eſtate.

[1.] *Idem Ib.* A Peace concluded between the King and the Earl of *Anjou*.

The [2.] King of *France* ſeeing himſelf bereft of two ſuch Great Conderates grew now more inclinable to Peace, whereupon he and the King of *England* had an Enterview at *Giſors*, and there ſtruck up a ſudden Peace on a very advantageous Condition for King *Henry*, who was not only to keep what he had got, but *Lewis* alſo releaſed to him all his Right to the Earldom of *Main*, and alſo his Pretences to the Sovereignty of *Bretaigne*, and then *Fergan* its Duke did King *Henry* Homage for it.

[2.] *Idem Ib.* The King of *France* makes Peace with King *Henry*.

And on what Terms.

Anno Dom. MCXIII.

This [3.] Year the King kept his *Chriſtmaß*, *Eaſter* and *Whitſontide*, in *Normandy*, being ſtill detained by ſome Affairs, and about *Midſummer* he ſent over *Robert de Beleſme* into *England* to be kept cloſe Priſoner in the Caſtle of *Warham*, where he continued all his life. But he was not to be pitied, having been a turbulent, faithleſs and cruel Man, [4.] as appears by his thruſting out the Eyes of his Godſon a little Boy, who was delivered to him as a Hoſtage by his Father, and that only for ſome ſmall offence the ſaid Father had committed.

[3.] C. S.

[4.] W. M. P. 80.

But tho' [5] K. *Henry* had now made Peace with all the Neighbouring Princes, yet *Americ de Valerie*, and other great Noblemen, who were Homagers to the Earldom of *Beleſme*, relying upon the ſtrength of the Town of that name, and the multitude of its Dependants, preſumed to hold it out againſt the King, and gave him ſome ſmall diſturbance; but he immediately marched againſt it with all the Forces of *Normandy*, and *Fulk* Earl of *Anjou*, *Theobald* Earl of *Blois*, with other Great Men, coming in unexpectedly to the King's aſſiſtance, they ſo Inveſted the *Town*, that within three days they took it by Aſſault.

[5.] O. V. P. 844. He ſubdues ſome Great Men that preſumed to rebell againſt him in *Normandy*.

Thus King *Henry* having at laſt totally ſubdued *Normandy*, and made Peace with all his Neighbours beyond the Seas, returned into *England* Victorious, and Governed this Kingdom and that Dutchy in great Tranquility for five years enſuing.

His Landing here was not till the Month of *July*, but what the King did after his return does not appear, and therefore it is to be ſuppoſed he ſpent it in diverſions which he might now very well afford to take, having endured ſuch great fatigues in his late Foreign Expeditions.

I find not any thing conſiderable to have happen'd this Year, [1.] but that the City of *Worceſter* was wholly deſtroyed by Fire, together with the Monaſtery and Caſtle.

[1.] F. W.

This

This Year the [2.] King prepared a great Army againſt *Wales*, being provoked by ſome Incurſions which had been made by thoſe of the *North* and *South* upon the Territories of *Hugh* Earl of *Cheſter*, and *Gilbert* Sirnamed *Strongbow*, Earl of *Striguil* (or *Chepſtow*) to whom the King had given all *Caerdiganſhire*, and whoſe Lands in *South-Wales*, *Owen ap Cadogan*, a great Nobleman of that Country, had then much moleſted and ſpoiled; wherefore theſe two great Lords had highly excited the King to this War; as alſo becauſe *Griffyth*, Prince of *North-Wales*, pretended not to owe any Service, nor had for a long time paid any Tribute to the King, wherewith he was ſo incenſed, that he ſwore he would utterly deſtroy the People of *North-Wales* and *Powis-Land*, and Plant them with new Inhabitants; ſo dividing his Army into three parts, he gave the Command of the firſt (conſiſting chiefly of *Weſt-Country* Men) to *Gilbert* Earl of *Striguil*, which was to march againſt *South-Wales*, whilſt *Alexander* King of *Scots*, and *Hugh* Earl of *Cheſter*, with the Forces of *Scotland*, and the *North* of *England*, marched againſt *North-Wales*; and the King himſelf followed with the main Body, conſiſting of all the Forces of the middle parts of *England*.

Anno Dom. MCXIV.

[2.] F. W. H. H. Dr. *Powel's* Chron. P. 172, 173.

The King raiſes a great Army, and invades *North-Wales*.

So ſoon as the News of this Expedition arrived in *South-Wales*, [3.] *Meredyth ap Blethyn* a great Nobleman of that Country, (who had been accuſed for one concern'd in the late Incurſions) being terrified with the King's great Preparations, came and ſubmitted himſelf to his mercy; but *Owen ap Edwin*, another *Welſh* Lord of thoſe parts, who was alſo accuſed of the ſame crime, fearing to commit himſelf to them that were ſo greedy of his Lands, fled to *Griffyth ap Conan* into *North-Wales*; whereupon the King turned all his Forces that way, coming himſelf as far as *Murcaſtel*, whilſt the King of *Scots* marched up to *Pennant Bachwy*; but the People fled to the Mountains and Woods, and carried all their Victuals and Cattel along with them, ſo that the King could not follow them; and ſuch of his Men as entered the Country were either ſlain or wounded in the Streights of the Mountains: then the *Scotiſh* King ſent to the Prince of *Wales* to come and yield himſelf to the King, and promiſed him the King's Peace, but he would give no credence to thoſe Promiſes, and therefore refuſed to come in.

[3.] *Idem Ib.* *Meredyth ap Blethyn* ſubmits to King *Henry*.

The *Welſh* upon the King's approach fly to the Woods and Mountains, and their Prince refuſes to ſubmit to him.

Then [4.] the King, becauſe he would not return without doing ſomething, ſent to Prince *Owen ap Edwin* to come to him, and leave the *Welſh Prince*, as one not able to defend himſelf, but was about to make Peace with the *Scotiſh* King, and the Earl of *Cheſter*, yet for all this *Owen* durſt not truſt the King, until ſuch time as his Uncle *Meredyth* came and adviſed him not to ſlight the King's Gracious Offers, but to make his Peace before Prince *Griffyth* ſhould prevent him. Thereupon *Owen* hearing this, came voluntarily to the King, who received him Graciouſly, telling him, That ſince he had truſted to his word, he would not only perform that, but alſo prefer him and all his Family, and he ſhould enjoy his Lands without any Tribute. Then *Griffyth ap Conan* Prince of *North-Wales*, ſo ſoon as he heard this, ſent to the King to make Peace, and he (not being able to come at him) was fain to grant it, tho' upon the Payment of a good round Sum of Money; and ſo this mighty Expedition ended with no great damage to either party; this Reconciliation was chiefly procured by the cunning

[4.] *Idem Ib.* The King ſollicites other *Welſh* Princes to come in.

Prince *Owen* ſubmits himſelf.

The King makes Peace with the Prince of *North-Wales*, upon payment of a Sum of Money.

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and artifice of *Hugh* Earl of *Cheſter*, and *Meredyth ap Blethyn*, who made both Prince *Griffyth* and this *Owen* believe, that each of them had made a ſeparate Peace, when really there was no ſuch thing.

[5.] *Eadm.* p. 109. The King is at laſt perſwaded to make a new Archbiſhop of *Canterbury*.

But to come to Eccleſiaſtical Affairs, [5.] the Archbiſhoprick of *Canterbury*, having been now full five years vacant, the King was at laſt prevail'd upon by the Pope's Admonitions, as alſo by the Prayers of the Monks of *Canterbury*, and others, to Summon the Biſhops and * Chief Men of *England*, to meet at *Windſor* to take their Advice about the making a new Archbiſhop; where *Faricius* Abbot of *Abingdon*, was at firſt mentioned as fit for that Place, and *Ralph* Biſhop of *Rocheſter*, and the Prior, and ſome of the Monks of *Canterbury* were likewiſe ſent for to Court to concur in the Election; but the Biſhops and divers of the Great Men were more inclined to chuſe ſome Biſhop or Chaplain of the King's out of the Secular Clergy; and when it was objected, that it was never known from the time of St. *Auguſtine*, that any but a Monk had (except once) been choſen Archbiſhop, the minds of the Biſhops changing on the ſudden, they agreed in the Election of Biſhop *Ralph* above mentioned, and unanimouſly deſired the King's aſſent to confirm him Archbiſhop; with which he declared he would readily comply, provided the Monks with the Magiſtrates and People of *Canterbury* were willing; upon which there was no delay, for their good will was preſently asked, and they were found to agree on him alone; ſo the whole matter being referred to the People, they all with one voice approve the Election.

* *Principes.*

[1.] *Idem Ib.* *Ralph* Biſhop of *Rocheſter* Elected Archbiſhop.

Thus was [1.] *Ralph* Biſhop of *Rocheſter* with great Joy Elected Archbiſhop of *Canterbury*, by the conſent of all Men; being a Man highly beloved for his affability and good humour. *Matt. Paris* alſo relates, that the King Inveſted him with the *Archiepiſcopal* Staff and Ring, which muſt needs be an errour, for the King had already renounced that Right in the late Archbiſhop's time; but this is certain, [2.] that in *June* following he went to *Canterbury*, and being there pompouſly received by the Clergy and Laiety, was Conſecrated by the Biſhops, who came thither for that purpoſe.

[2.] *Idem Ib.* P. 110.

[3.] *Idem Ib.*

This Election being over, the [3.] King reſolved to go into *Normandy*, about Affairs of great moment, but before he went he ſupplied all the Vacant Abbeys; tho' they might have been better filled, had he pleaſed to have choſen ſome of thoſe Abbots out of the *Engliſh* Natives, and not all Strangers; and it had been well if the King had not had ſuch an averſion for the former, as that if he were an *Engliſh* Man no Vertues could promote him; but if a Foreigner pretended to the leaſt ſhew of merit, by the help of his Friends he was advanced to the Higheſt Honours: this the Author laments as a Judgment of God, and as the effect of very evil Times.

The Corruption of theſe times.

[4.] *Idem Ib.* F. W.

The [4.] King having thus diſpatched his Affairs, took Shipping and paſſed into *Normandy*, to prevent the attempts which the *French* and ſome others of his Neighbours were then about to make againſt him.

[5.] *Idem Ib.* P. 111. *Ernulf* Conſecrated Biſhop of *Rocheſter*, and the Prodigy that then happen'd.

Not [5.] long after his departure the new Archbiſhop went to *Rocheſter*, there to Inſtall *Ernulf* Abbot of *Peterburgh* in that See. And our Author relates a great Prodigy to have happen'd that day, *viz.* the River *Medway* (which runs by *Rocheſter*) fail'd on a ſudden; ſo that between the Bridge and the Caſtle it became ſo ſhallow, that great multitudes of Men and Boys waded over the River on Foot, the water ſcarce reach-

reaching to their knees; this laſted from Midnight till the Night following, as many who ſaw it teſtified to our Author. But that it was no miracle, appears from this, that the ſame defect was obſerved in the River of *Thames*, whoſe waters failed ſo much, that for the ſpace of two days, they were ſcarce two foot deep; and this was obſerved not only in the *South*, but *North* parts of *England*, where the River of *Were* failed in like manner at *Weremuthe*, as did alſo divers other Rivers.

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But to ſay ſomething more of Eccleſiaſtical Affairs, *Thomas* Archbiſhop of *York* being lately deceaſed, *Thurſtan* the King's Chaplain was at *Wincheſter* Elected Archbiſhop in his ſtead, of whom you ſhall hear more hereafter.

As [1.] for Foreign Affairs I find nothing to have happened conſiderable this Year, except the conſummation of the Mariage between the Emperour *Henry* and *Mathilda* the King's Daughter, who was at the ſame time alſo ſolemnly Crowned Empreſs at *Mentz*; which ſhews the Errour of thoſe Hiſtorians, who make her to have been Married to him five years before, which is not at all likely, ſhe being then but nine years of age, and now not above fourteen.

[1.] F. W. The Mariage conſummated between the Emperour, and the Lady *Mathilda*.

This Year proved very quiet and peaceable in [2.] *England*, ſo that our Hiſtorians are forced to fill it up with Accounts of the Weather: the Winter proving ſo ſevere, that moſt of the Bridges of *England* (being then of Wood) were broken by the Froſt; but King *Henry* ſtaying all this Year in *Normandy*, the main thing he did whilſt he continued there, was, that he cauſed all the chief Men of that Dutchy to ſwear Fealty to his Son *William*, as his Lawful Succeſſor, being then but Twelve years of Age, and ſo the King returned into *England* in *July* following.

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[2.] C. S. The Chief Men of *Normandy* ſwear Fealty to *William* the King's Son.

[3.] But not long after, hearing that *Rees ap Theodor* (or *ap Tudor*) Son to the late Prince of *South-Wales*, was harboured and protected by *Griffyth ap Conan*, Prince of *North-Wales*, he ſent for the Prince by Civil Letters to come to him; and being arrived, the King Courted him with fair words and great Preſents, to ſend him ſo ſoon as he return'd home, the Head of young Prince *Rees*, which *Griffyth* (being overcome by the King's Preſents) promiſed to do: and as ſoon as ever he came to his Palace at *Abberfraw*, he inquired for *Griffyth ap Rees*, and learning where he was, ſent certain Horſemen to bring him to his Court; but as they drew pretty near to the Houſe where he was, he had notice given him of their coming, and with much ado eſcaped to the Church of *Aberdaron*, and there took Sanctuary; then the Meſſengers returned, and declared to the Prince what had happened, at which he was ſo much offended, that he commanded him to be pulled out by force; but the Clergy of the whole Country withſtood it, and defended the Liberties of the Church. That Night ſome that pitied to ſee an innocent young Prince thus perſecuted, conveyed him away out of *North-Wales* to *Stratywy* in *South-Wales*, where he was compelled for the ſafety of his own life to rebell againſt the King, and ſo muſtering all the Power he could to him, he made War againſt the *Flemmings* and *Normans* for ſome time, as you will find hereafter.

[3.] Dr. *Powel's* Chron. *P.* 176. The King returns back, and does all he can to get Prince *Rees ap Theodor* into his hands.

Who to prevent being taken falls into Rebellion.

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Nor did the Year produce any great Alteration in Eccleſiaſtical Affairs; only [4.] Pope *Paſchal* now ſent the Pall to the new Archbiſhop *Ralph* by Abbot *Anſelm*, Nephew to the late Archbiſhop of the ſame name, who was therefore joyfully received by the preſent Archbiſhop: and *Anſelm* bringing the Pall in a Silver Box, the Legate came to *Canterbury*, and the Archbiſhop went out barefoot to meet it, attended by all the Monks of *Chriſt-Church*, and St. *Auguſtines*: then the Pall being laid upon the High Altar, was from thence taken and put upon the Archbiſhop's Shoulders, who having firſt made an Oath of Fidelity and Canonical Obedience to the Pope, was preſently Enthron'd, and having there Conſecrated *Theobald* Biſhop of *Worceſter* (with the aſſiſtance of *Richard* Biſhop of *London*, and of divers other Biſhops) the Solemnity ended.

[4.] *Eadm.* P. 113. The Pope ſends the Pall to the new Archbiſhop of *Canterbury*.

The Ceremony of the Archbiſhop's receiving the Pall.

I have been the more particular in this Relation, that ſo the Reader may obſerve the manner how the Archbiſhops of *Canterbury* received their Palls from the Pope, when they were ſent them into *England*; as alſo the end for which the Pope uſed to confer them, (*viz.*) that he might thereby oblige the new Archbiſhop to take the Oath above mentioned.

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But [5.] this Year the King kept his *Chriſtmaſs* at St. *Albans*; the *Spring* following his Affairs again requiring his Preſence in *Normandy*, and not knowing what might befall him in this Expedition, and beſides being reſolved to ſecure the Succeſſion of the Crown in his own Family [1.] he therefore Summon'd a Great Council of all the Biſhops, Abbots, and * Chief Men of the Kingdom at *Salisbury* on the Twentieth of *March*, that he might appoint his Son *William* Heir of the Kingdom, and ſecure the Title to him; then all the Nobles (or Chief Men) perceiving the King's mind, readily did Homage, and ſwore Fealty to him, the Archbiſhop of *Canterbury*, and other Biſhops, and Abbots ſwearing firſt, that if he ſhould out-live his Father, they would (laying aſide all other Claims whatſoever) put him in poſſeſſion of the Crown and Kingdom, and that when he ſhould be King, they would faithfully ſerve him.

[5.] C. S. *Idem.* P. 116.

[1.] *Idem.* P. 117.

* *Principes.*

The King cauſes all the Clergy and Laiety of the Kingdom to do Homage, and ſwear Fealty to *William* his Son.

[2.] *W.* of *Malmesbury* declareth this Tranſaction more at large, affirming, "That all the Freemen of *England* and *Normandy*, of what-
"ſoever Order or Dignity, or to what Lord ſoever they were Vaſ-
"ſals (or Tenents) were made to do Homage, and ſwear Fealty to
"*William*, the Son of King *Henry*, and Queen *Mathilda*.

[2.] P. 165. A more particular Account of the ſame Tranſaction from *W.* of *Malmesbury*.

The Reader may obſerve, that *Polydore Virgil*, and from him both *Stow* and *Speed*'s Chronicle, commence the beginning of our High Court of Parliament from this Aſſembly, and that without citing any Authority for it. But I ſhall ſay no more of this grand miſtake in this place, becauſe I have already confuted it in my *Introduction* to this Volume. But to return to the Hiſtory.

The Error of certain Modern Authors who date our Parliaments from this Aſſembly.

So ſoon [3.] as ever the King left *England*, and had arrived in *Normandy* about *Eaſter*, there aroſe a bloody War between Him and *Lewis* King of *France*, the occaſion of which was thus; *Theobald* Earl of *Blois* Rebelling againſt that King (tho' his Sovereign) was therein aſſiſted by King *Henry* his Uncle, who ſending him both Commanders and Souldiers, reduced the *French* King to great Extremities; but he was even with the King of *England*, as you will ſee by and by, tho' in the mean time he was forced through the neceſſity of his Affairs to oppreſs the Kingdom with Grievous Taxes and Exactions. But

[3.] C. S. H. The K. paſſes over into *Normandy*, where a bloody War commences between him, and the King of *France*, and the cauſe of it.

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But [4.] *Sugerius* Abbot of St. *Denis* in his Life of King *Lewis* the *Groſs*, gives us a much more particular account of the cauſe of, and proceedings in this War, between King *Henry* and that Prince, than any other Writer, being to this effect: that when the former had vanquiſhed his Brother Duke *Robert*, and thereby wholly ſubdued *Normandy*, he and the *French* King mutually agreed, that whoſoever of them firſt recovered the Town and Caſtle of *Giſors* out of the hands of *Payn* a Valiant Nobleman (who took his Sirname from that Place) he ſhould raze that Caſtle to the Ground within four days, which the *French* King had a great deal of reaſon to deſire, becauſe it ſtood ſo conveniently upon the River *Epte*, that being a Frontier, it not only gave King *Henry* an eaſie entrance into *France*, but alſo kept the *French* from Invading *Normandy*, on that ſide; but when he had now long deferr'd demoliſhing this Caſtle according to the Agreement, King *Lewis* ſent divers Meſſages to him to put him in mind of it, but he ſtill ſlighting them, *France* proclaim'd War againſt King *Henry*, and thereupon gathered together a great Army, and with the Joynt Forces of *Robert* Earl of *Flanders*, *Theobald* Earl of *Blois*, the Earl of *Nevers*, and the Duke of *Burgundy*, with other Noblemen, Invading *Normandy*, marched as far as a place called *Plancas* (the *French* name I know not more than that it was a Caſtle near the River) where the King of *England*'s Army being drawn up on the other ſide of the River *Epte*, the *French* King ſent a Meſſage by ſome of his Noblemen, whereby (after upbraiding him with breach of his promiſe) he required him forthwith to demoliſh that Caſtle, or elſe to fight with him hand to hand; but King *Henry* thought the Caſtle too conſiderable to be deſtroyed, nor did he like to venture his Perſon without any juſt cauſe; ſo he only ſent him back word, that he would not decline to defend himſelf, when a fit place and opportunity offer'd; at which anſwer King *Lewis* being incenſed, both *French* and *Normans* marched to the River, but neither Party (for fear of the other) durſt paſs it, and ſo they retreated; the *Normans* to the Caſtle of *Giſors*, and the *French* to that of *Chaumont*: but the next Morning early the *French* paſſing the River near *Giſors*, and the *Normans* Sallying out from thence, there was a ſharp engagement between them, and (as this Hiſtorian relates) the *Normans* were repulſed to the very Town, where the *French* were like to have entered the Gates with them; but it ſeems they were defeated of their Intention, for (according to *Polydore Virgil*) the *Normans* within, making a briſk Sally, beat the *French* back with conſiderable loſs; which is moſt likely, ſince they did not ſo much as Beſiege the Place again at that time: but tho' this proved the beginning of a ſharp and bloody War, which laſted for near three years, between theſe two Kings and their Confederates, to the great damage of both Kingdoms, but more to the *French*, as the Reader will find hereafter; yet their Authors endeavour to conceal it.

[4.] Hiſt. *Franc.* Tom. IV. P. 296, 297. Edit. *Paris.* A more exact Account of it from *Sugerius.*

But it is now time to look back into *England*, and ſee what has been done there ſince the King's departure, for no ſooner was his Back turned, [5.] but *Griffyth ap Rees*, Prince of *Wales*, (who had entred into a War againſt the King the year before) aſſembling his *Welſhmen*, laid Siege to ſeveral Caſtles in *Wales*, ſome of which he took, burnt and razed to the Ground, and others he very much endangered; ſo that being encouraged with theſe petty Succeſſes, and having encreaſed

[5.] Dr. *Powel*'s Chron. P. 177. *Griffyth* Prince of *Wales* Invades *England.*

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ſed his Forces, he made Inroads into the Countries of *Roſſe* and *Dyvet*, ſpoiling and robbing all places where he came; wherefore the *Normans* and *Flemmings* conſulting how they might remedy the miſchief, reſolved to call together all the *Welſh* Lords of thoſe parts that continued ſtill faithful to the King, ſuch as *Owen ap Rytherech*, and *Rytherech ap Theodor*, with ſeveral others, (whoſe Names would be tedious to recite) and propoſed to them, that if they meant to continue faithful to the King of *England*, they muſt by turns with their own Men guard the Caſtle of *Caermarthin*, which they all undertook to do, each of them a Fortnight in his turn: But Prince *Griffyth* having intelligence by his Spies that the Caſtle was but weakly Mann'd, came ſuddenly before the Town with his Forces, and giving a great Shout, *Owen ap Caradoc* (whoſe turn it was then to keep the Caſtle) Salli-ed out toward the place where the Shout was given, and thinking his Men would have followed him, and fought as he did, he found himſelf much miſtaken for they all ran away. But *Owen* fighting manfully was ſlain, and the Town taken and burnt, except the Caſtle, and that was much defaced. Then *Griffyth* return'd to his wonted place with a rich Booty: Whereupon a great Company of luſty young Fellows came in to him, and ſerved him, thinking all was their own. He afterwards alſo went and took in ſeveral other Caſtles, all which he burnt and deſtroyed.

[1.] *Idem Ib.* The *Welſh* in *Cardiganſhire* Rebell.

But when the Men of *Cardigan* heard of *Griffyth*'s ſucceſs, they ſent to him, and choſe him for their Leader, and he was well received by ſeveral of the *Welſh* Gentry, who had been driven out of *Dyvet* by the *Normans* and *Flemmings*; and tho' King *Henry* had reduced this Country to his Subjection, yet moſt of it revolted: but as for the Caſtles in thoſe parts, which were held by Earl *Gilbert*'s Men, he took them, and ſlew all that were therein; but thinking to take another place called *Aberyſtyth*, he ſent for Succours from another Caſtle adjoyning, and they coming thither unknown to *Griffyth*, the *Normans* ſent ſome Men to a River, near which the Caſtle ſtood, to Skirmiſh with the *Welſhmen*, and intice them over the Bridge, which they having paſſed, the *Engliſh* who were on the other ſide fled towards the Caſtle on purpoſe, and the *Welſhmen* perſuing them to the Hill-top, an Ambuſh of Horſemen, that lay under the Hill, got between the *Welſhmen* and the Bridge; and then the *Engliſh* who had before fled, turn'd again upon the *Welſh*, ſo that they being encompaſſed on either ſide, were moſt of them cut off, but the reſt ſeeing a greater number of Armed Men than they looked for, retreated and quitted the Country with *Griffyth* their Leader.

The *Welſhmen* are repulſed at *Aberyſtyth*.

[2.] *Id. Ibid.* The King ſends *Robert* his Baſe Son againſt the *Welſh*.

When [2.] the King heard of theſe Devaſtations, he perſwaded *Owen ap Caradoc* (the *Welſh* Lord above mentioned) to joyn his Forces to thoſe he ſhould ſend under the Command of his baſe Son *Robert*; whereupon *Owen ap Rytherech*, and *Lhywarch ap Trahaern* (another *Welſh* Lord) with all their Men marched to meet the King's Son, making the whole Country flie before them: And *Gerard*, Steward of *Pembroke*, was likewiſe upon the march with all his Men (conſiſting chiefly of *Flemmings*) to meet the above ſaid *Robert*, who hearing *Owen* was gone out with a ſmall party of about a Hundred Men to ſcoure a Wood, where certain *Welſhmen* retreated with their Cattel, and thinking it a fit opportunity to be revenged on him for his former injuries,

Gerard

Gerard and his Party perſued him to the Wood; which *Owen* was made acquainted with, and tho' they were the greater number, yet for all that he would not flie, ſince he took them to be the King's friends; but ſo ſoon as the *Flemmings* drew nigh, and began to ſhoot at his men, they would fain have perſwaded *Owen* to retire, which yet he ſcorning to do, becauſe they were but *Flemmings*, turned upon his Enemies; but he paid dear for his raſhneſs, for upon the firſt onſet *Owen* was ſhot to the heart and ſlain; whereupon his Men fled, and brought word of it to *Lhywarch ap Trahearn* and his Followers, who being jealous of the King's Men that they could not truſt them, tho' they were alſo in the King's ſervice, returned to their own Country, and ſo there was for the preſent an end of theſe *Welſh* Commotions. Nor do we hear any more of this *Griffyth ap Rees* for ſeveral years after; the *Welſh* being (I ſuppoſe) employed the year following in Civil Broils among themſelves, wherein many being ſlain, their *Engliſh* Neighbours thereby enjoyed the greater quiet; but theſe actions being too ſmall to be particularly taken notice of, I refer the Reader that deſires farther ſatisfaction to *Caradoc*'s Chronicle publiſhed by Doctor *Powel*.

Anno Dom. MCXVI. *Owen ap Rytherech* treacherouſly ſlain by *Gerard* Steward of *Pembroke*.

[3.] Let us now look back to the Eccleſiaſtical Affairs of this year; at a Common * Council of the Biſhops, Abbots, and Chief Men of the whole Kingdom lately held at *Salisbury* (as you have already heard) the old Controverſie between *Ralph* Archbiſhop of *Canterbury*, and *Thurſtan* Archbiſhop Elect of *York*, concerning Superiority, was again renew'd; for the latter being admoniſhed by the former to make his Profeſſion of Obedience to the See of *Canterbury*, He anſwered he would willingly receive his Conſecration, but could by no means make the Profeſſion his Predeceſſor had done. *Ralph* not having patience to hear what was, or might be ſaid on this Subject, the Diſcourſe broke off abruptly, and the difference remain'd ſtill undetermined; yet *Thurſtan* preſently ſent to *Rome* to try to obtain a Diſpenſation for not making his Profeſſion, but could not then prevail with the Pope to grant it. In the mean time the King taking notice of the obſtinacy of *Thurſtan*, and that he preſumed too much upon his favour, declared, that unleſs he would make ſuch a Profeſſion as his Predeceſſors had done, and own the Superiority of the Church of *Canterbury*, he ſhould never be Conſecrated, nor enjoy the Archbiſhoprick of *York*; wherefore in a great heat he renounced it, aſſuring the King and the Archbiſhop of *Canterbury* that he would never ſo long as he lived pretend to claim any Title to it; yet for all this he ſoon changed his mind, and followed the King into *Normandy*, hoping to re-obtain his Biſhoprick without the Profeſſion required; but without any ſucceſs.

[3.] *Eadm. p.* 117. A Council held at *Saliſbury*, where the old difference between the Archbiſhops *Canterbury* and *York* is again revived.

* *Eadmerus* places this Council under the former Year, but I rather follow *Florence* of *Worceſter*, and *R. Hoveden*, who with more probability place it under this.

During [4.] this Controverſie Abbot *Anſelm* (the [5.] ſame that had formerly brought over the Pall to the Archbiſhop of *Canterbury*) came into *Normandy* with the Pope's Letters to be his Legate in *England*; which, ſo ſoon as it was known here, all the Biſhops, Abbots and Lay-Nobility, much admired at, and being Summoned to *London* by the Queen to Treat in a Common Council about this and other matters, it was reſolved by all there preſent, that the Archbiſhop of *Canterbury* (whom this buſineſs chiefly concern'd) ſhould go to the

[4.] *Ibid.* P. 118.
[5.] *Idem.* P. 11.

Anno Dom. MCXVI. King, and acquaint him with the antient Customs and Liberties of the Kingdom; and that if the Legate still persisted in these Innovations, the Archbishop should go to *Rome* and procure the Pope to take them off. So the Archbishop in compliance with their desires went over, the King being then at *Roüen*, where he found the Legate waiting for leave to come into *England*: but the King not suffering any prejudice to be done to the antient Customs of this Nation, kept him in *Normandy*, and would not permit him to go any further.

The Resolution of the Council concerning the Pope's Legate.

Anno Dom. MCXVII. The [1.] King spent all this Year in those Parts by reason of a Confederacy which was now set on foot against him between the King of *France*, and the Earls of *Flanders* and *Anjou*, who all conspired to dispossess him of *Normandy*, and settle *William*, Son to Duke *Robert* therein: And it was carried on so far, that many of the Great Men of that Country quitted their Allegiance, and took part with them; but King *Henry* was so well assisted by the Earl of *Bretaigne*, and Earl *Theobald* his Nephew, that tho' the King of *France*, and Earl of *Flanders* Invaded *Normandy* with a very powerful Army, yet hearing of the approach of King *Henry* with the joynt Forces of *England*, *Normandy* and *Bretaigne*, they stayed only one Night, and so march'd off next day upon the news, without striking a stroke.

[1.] C. S. H. H. A new Confederacy of the King of *France* and other Princes against King *Henry*.

I find our Chronicles and Histories so very Barren of matter this Year, that they do not tell us what was done further, either in *England* or *Normandy*; and therefore they are forced to fill it up with Prodigies and strange things done in foreign parts.

Only the *Saxon* Chronicle informs us in general, that notwithstanding the King's late good success against the King of *France*, not only *England* but *Normandy* was grievously oppressed by heavy Taxes, and the quartering of such an Army, as the necessity of his Affairs now forced him to keep on foot.

England and *Normandy* grievously oppressed with Taxes, and Quartering of Soldiers.

This Year affords nothing considerable in Ecclesiastical matters in *England*, more than that King *Henry* [2.] founded a rich Abbey for Black Chanons at the Town of *Cirencester* in *Glocestershire*, which was Dedicated to St. *Mary* and St. *James*, but is now ruined, so that nothing but the Church is left; and that remains at this day, and is the Parish-Church of that antient Town.

[2.] *Vid. Monast. Ang. Tom. 2. p. 89.*

Also as to the Ecclesiastical Affairs of foreign parts this Year produced little, [3.] only *Ralph* Archbishop of *Canterbury*, who having the Year before undertook his Journey to the Pope concerning Abbot *Anselm*'s Legantine Power, was much hindered in his way by a dangerous Indisposition; and tho' at last he with much ado got to *Rome*, yet durst he go no further, because there was War at that time between the Emperour and the Pope; the former having driven his *Holiness* as far as *Beneventum*; so that the great distance and danger of the Journey being considered, the Pope would not willingly permit the Archbishop to undertake it; therefore all that he could do, was to send Messengers to him to know his pleasure, yet could obtain nothing more from him but a Bull of Confirmation of all those antient Privileges of the See of *Canterbury* which his Predecessors had ever enjoyed, (yet without specifying what they were) which so soon as the Archbishop had received, he presently returned back to the King, who was still in *Normandy*.

[3.] *Eadm.* p. 119, 120. The Archbishop of *Canterbury* goes to *Rome*.

About

About the ſame time [4.] the Clergy of the Church of *York* by their Deputies, made ſuch earneſt application to the Pope for the reſtitution of their Archbiſhop *Thurſtan*, without making any Profeſſion to the See of *Canterbury*, that at laſt they obtained his reſtitution by the Pope's Bull, wherein there is a Clauſe, that it was not his intention to prejudice either of thoſe Churches, yet reſerved the farther hearing of all differences between them to his own deciſion.

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[4.] *Idem.* P. 121. *Thurſtan* Archbiſhop of *York* is reſtor'd by the Pope without making any Profeſſion of Obedience to him of *Canterbury*.

This Year [5.] the War between the Kings of *France* and *England* raged more violently than in the laſt, it being renewed by *Almeric de Montfort*, (Siſter's Son to *William* Earl of *Eureux*) who now again demanded that Earldom of King *Henry*, but he refuſing to grant it him, he took up Arms againſt the King, and excited almoſt all *France* to do the like; whereupon the Governour of *Eureux*, *William Pointel*, delivered the City to him, and the Biſhop with his Clerks and Retinue were forced to depart thence. There joyned alſo with him *Robert de Gournay*, *Stephen* Earl of *Albemarle*, and many others, who rebelled againſt *Henry*, and endeavoured to eſtabliſh *William*, Son of Duke *Robert* in his Father's Dutchy. To theſe alſo came in *Baldwin* Earl of *Flanders*, who entered that part of *Normandy* called *Tellau*, and burnt I know not how many Towns, the King and his *Normans* being Spectators; he fortified *Bures*, and becauſe he ſuſpected moſt of the *Normans*, he put a great Gariſon of Stipendiary *Britains* and *Engliſh* into it; when Earl *Baldwin* coming before it, and provoking the Gariſon to fight, was there dangerouſly wounded, and returning home ſometime after died without iſſue. Theſe Rebells received likewiſe aſſiſtance from the King of *France*, and Duke of *Anjou*; ſo on both ſides they Plundered the Country, took and burnt ſeveral Caſtles and Towns.

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[5.] O. V. P. 843. *Almeric de Montfort* takes Arms againſt King *Henry* upon being denied the Earldom of *Eureux*.

Many other *Norman* Lords Rebell with Intention to ſet up *William* Son to Duke *Robert*.

On the [1.] fifth of *October*, there was a Council Summoned at *Roüen*, where King *Henry* conſulted concerning the Peace of the Country with *Ralph* Archbiſhop of *Canterbury*, and the other Barons he had there aſſembled; where likewiſe *Geoffrey* Archbiſhop of *Roüen* Treated about the State of the Church, with his four Suffragan Biſhops, *Richard* of *Bayeux*, *John* of *Liſieux*, *Turgis* of *Auranches*, and *Roger* of *Conſtance*, with many Abbots. *Serlo* Biſhop of *Seez* was not at this Council, being excuſed by reaſon of his great Age and Infirmities; and *Audin* Biſhop of *Eureux* excuſed himſelf as being employed againſt the Common Enemies of the Country.

[1.] *Idem. P.* 846. A great Council held at *Roüen*.

The [2.] War ſtill continued to rage in *Normandy*, and every day almoſt brought the King News of ſome conſiderable *Norman* Nobleman, or *Caſtellan's* revolting from him, amongſt whom *Euſtace de Breteüil*, an Illegitimate Son of *William* Earl of that place, was one, who had Married *Juliane* one of King *Henry's* Natural Daughters. He demanded great things of his Father-in-Law, and becauſe the King would not grant them, he Fortified four Caſtles againſt him; yet ſome of theſe repenting of what they had done, came and ſubmitted themſelves, and made their Peace with the King. The firſt was *Robert* Son of *Aſcelin Goell*, whoſe Example many followed; then the King ſent to *Almeric*, offer'd him his Earldom of *Eureux*, and invited him to accept of his favour, but he refuſed it; However the Noblemen of *England*, who were of *Norman* Extraction, and faithfully adhered to the King, were *Richard* Earl of *Cheſter*, *Ralph de Conches*, *William de Warenne*,

[2.] *Idem. P.* 848. The War ſtill continues in *Normandy*, where many Great Men revolt from the King.

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and the Sons of *Robert* Earl of *Mellent*, *Waleran* and *Robert*, with divers others too many to be here recited.

[3.] W. M. *p.* 164. H. H. Queen *Matilda* dies.

Let us now ſee what was done in the mean time in *England* [3.] where the King received a very great loſs by the death of his Queen *Matilda*, who Deceaſed this Year at *Weſtminſter* on the Thirtieth of *April*, and was Buried in the Abbey-Church thereof; tho' *Thomas Rudborn* in his *Hiſtoria Major* relates, that ſhe was buried in the Cathedral at *Wincheſter*; However Monuments were ſet up in her Memory in other Churches alſo.

Her Character.

She was a Princeſs endued with all the good Qualities requiſite to a private Perſon, as well as a great Queen, being humble, charitable, and devout, neither tranſported with proſperity, nor caſt down by Adverſity, as *Henry Huntington* in the Epitaph he gives of her in Verſe deſcribes her to be; her only fault (in *William* of *Malmesbury*'s opinion) was her being too bountiful to Strangers, eſpecially Monks, who could ſing skilfully the Church-Service, by which as well as other needleſs Liberalities, ſhe often ran in debt, and by her exacting Officers, wrack'd and oppreſs'd her poor Tenants to pay it.

[4.] *Eadm. Ibid.* The Death of the Earl of *Mellent*.

About the ſame time alſo [4.] died *Robert* Earl of *Mellent*, the King's Great Counceſlor and Favourite, an Enemy to the *Engliſh*; by this Nobleman's inſtigations (as it is ſuppoſed) King *Henry* would never beſtow any Eccleſiaſtical Preferment on an *Engliſh* Man. I have nothing elſe to remark concerning *Engliſh* Affairs, but that the Kingdom continued to be ſtill cruelly oppreſs'd by great Taxes to carry on the War abroad.

[5.] *Id. Ib.* The Deceaſe of Pope *Paſchal*.

As for Church-Affairs, there happened nothing worth taking notice of but [5.] the death of Pope *Paſchal* the Second, to whom ſucceeded *John* of *Cajeta*, a Monk of Mount *Caſſine* in *Italy*, by the name of *Gelaſius*; yet he ſat but one year, and is reckoned by ſome as an pope.

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All this Year *Normandy* was haraſſed with War, [1.] which ſtill continued as fierce as ever, between the two King's, *Lewis* and *Henry*, from whom ſeveral of his Great Men ſtill continued to revolt and go over to his Enemies, which proved a great mortification to him; but as misfortunes ſeldom come alone, ſo alſo the King about this time met with divers other ill ſucceſſes: for [2.] *Engeram de Chaumont* taking with him a ſmall Body of reſolute Men took the ſtrong Caſtle of *Andely Sur Seine* by ſurprize, by which means he reduced all the Country from the River of *Epte* to the Town of *Pont St. Pierre*; upon the ſaid River *Seine*, to the Obedience of the King of *France*; and not long after, when King *Henry* together with *Theobald* Earl of *Boloigne* marched to relieve the Caſtle of *Alanſon* in *Maine*, the King being met with in his way thither by the Earl of *Anjou*, received ſuch a defeat, as he was obliged to retreat, and ſo the Caſtle was forced to Surrender.

[1.] C. S. *C. S. Cont. Flor.* The War ſtill continues in *Normandy*.

[2.] *Suger. in vita Lud. Groſſi. p.* 308. The Caſtle of *Andely ſur Seine* taken.

The King is defeated by the Earl of *Anjou*.

Not long afeer this the King's Fortune began to change for the better; for [3.] *Baldwin* Earl of *Flanders*, the King's bitter Enemy, invaded *Normandy*, and Beſieged the Caſtle of *Ou*, which tho' he took, yet receiving there a ſlight Wound in the Head, it ſo inflamed through his own Intemperance, that he not long after deceaſed, being ſucceeded by his Nephew *Charles*, Son to the King of *Denmark*, who ſoon made Peace with King *Henry*.

[3.] *Idem ib.* *Baldwin* Earl of *Flanders* dies of a ſlight wound.

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But that which moſt weakened the *French* King's Intereſt, was, that *Fulk* Earl of *Anjou* being allured by the great and advantageous offers that King *Henry* made him, began now to hearken to a Treaty of Peace, which was at that time ſet on Foot, and not long after perfected to the King's great ſatisfaction; a Marriage being concluded between *William* the King's only Son, and the Earl's younger Daughter.

The Earl of *Anjou* makes Peace with King *Henry*.

In order to which [4.] *Ordericus Vitalis* informs us, that in *May* following the young Prince came over from *England* into *Normandy*, whereupon his Father ſent Ambaſſadors to the Earl of *Anjou* to conclude the Peace already propoſed, inviting him kindly to his Court, and he coming thither a little after, a firm Peace and League was made between them; and in the Month of *June* the Prince was Married at *Liſieux* to the Lady above mentioned, and then the King by the Earl's Mediation received into favour *William Talvace*, the Son of *Robert de Beleſme*, and reſtored to him all his Father's Eſtate in *Normandy*, tho' not in *England*.

[4.] O. V. P. 851. Prince *William* arrives in *Normandy*, and is Married to the Earl of *Anjou*'s Daughter.

This Affair being over, [5.] King *Henry* marched up and down *Normandy* to revenge himſelf on his Enemies, taking and burning their Caſtles and Towns; he then alſo Beſieged *Eureux*, and after he had taken and burnt it down with the Cathedral, he reduced all that remained in thoſe parts under his Dominion.

[5.] *Idem. Ib.* K. *Hen.* reduces many Towns and Caſtles in *Normandy*.

While both Fire and Sword thus raged in the Bowels of *Normandy*, [1.] the King of *France* Invaded it on that ſide toward *France*, and came as far as *Andely* upon the River *Seine*, ſaying, he wiſhed he could meet the King of *England* in the open Field; which he hearing of, ſoon gratified his deſire, and marching up towards him, came into the Plain of *Brenville* near the Mountain *Guarelive* with Five Hundred Horſe, amongſt whom were the King's two Natural Sons, *Robert* and *Richard*, (expert Soldiers for their years) and three Earls, *Henry d'Ou*, *William de Warren*, and *Walter Giffard*, with many others of like Note.

[1.] *Id. Ib.* The King of *France* Invades that Province.

Then [2.] King *Lewis* ſeeing the War was now likely to come to a deciſion, drew out Four hundred Horſe, commanded by *William*, Duke *Robert*'s Son, who was to make the firſt Onſet, after which both Armies joyned Battel, wherein the *French* were routed, and many perſons of Quality both *Normans* and *French* taken Priſoners. This is *Ordericus*'s account of this Battel; but what *Henry* of *Huntington* relates ſeems much more ſatisfactory, and which being the laſt great action of this King's life, I ſhall here give you more at large.

[2.] *Id. Ib.* The King of *France*'s Army commanded by *William*, Son to Duke *Robert*, is routed.

The [3.] King of *France* had appointed *William* Son to Duke *Robert* his Lieutenant-General, ordering him to advance before with a conſiderable Detachment, whilſt he himſelf in Perſon with the main Body of his Army brought up the Reer. King *Henry* had divided his Forces into three parts, placing his chief Nobility in the Avant-Guard, he himſelf lead the ſecond Diviſion, in which were the Troops of the Houſhold; whilſt in the third, he placed his baſe Sons, being all on foot, with the chief power of the *Engliſh* Infantry. The Battel being begun, the Avant-Guard of the *French* preſently broke, and diſperſed that of the *Norman* Nobility; who falling foul upon that part in which King *Henry* himſelf was, that was alſo ſoon broken; but tho' the King's Forces thus fell foul upon each other, yet they ſoon rallied, and it was ſharply fought on both ſides, for when their Spears were

[3.] H. H. P. 218, 381. A more particular Account of this Fight from *Henry* of *Huntington*.

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were broken they fought it out with their Swords; then *William Criſpin*, a *Norman* Baron, aſſaulting the King ſtruck him twice upon the Head, and his Helmet, tho' too ſtrong to be pierced, yet was ſo beaten into his Head, that blood followed; but the King ſo well handled his Adverſary, that both Horſe and Man came down to the Ground, and he was there taken Priſoner at the King's feet: then the main Body of Foot in which the King's Sons were, and which had not yet ſtruck a ſtroke, advanced ſo furiouſly with their Pikes, that the *French* not daring to venture the Charge, turned their backs and fled. The King having thus gained the day, remained ſtill in the Field, till ſuch time as ſeveral *French* Noblemen being taken Priſoners, were preſented to him; whereupon he returned to *Roüen*, and here ſolemnly gave God thanks for his Victory; but yet it was a good while e're the King could recover his late bruiſe in the Head.

[4.] O. V. P. 884. How it came to paſs that there were no more *Milites*, and that ſo few were killed.

But tho' [4.] *Ordericus* tells us there were but Nine hundred *Milites*, or Knights, in this Battel, it is to be underſtood that on both ſides theſe *Milites* there ſignifie Military Tenants or Feudataries, being all Men of Quality, and of theſe only three were killed, the reſt were ſo well armed, that they could not run any great hazard in that Age, when the moſt dangerous Weapons were Swords, with Bows and Arrows. King *Lewis* his Standard was here taken, and King *Henry* bought it of him that took it for Twenty Marks, which he kept as a token of the Victory. His Horſe alſo was taken, but that was ſent back next day, with his whole Furniture; and Prince *William* ſent likewiſe his Couſin *William* (the Son of Duke *Robert*) his Horſe which he had loſt, with many other Preſents; ſo full of Honour and Courteſie were Princes to each other (tho' Enemies) in thoſe Times.

King *Lewis*'s Horſe and Standard taken.

[5.] *Idem.* P. 886. The King of *France* raiſes a great Army in *France* upon an *Anathema* being pronounced againſt all that ſhould refuſe to attend the King, who again invades *Normandy* afreſh.

When [5.] King *Lewis* returned to *Paris*, by the advice of *Almeric de Montfort* (who was not at this fight) he reſolved to ſend to all the Biſhops and Pariſh Prieſts of the Kingdom, that they ſhould iſſue out their *Anathema*'s againſt all their Pariſhioners who were fit for War, if they failed to attend the King whenſoever he ſhould order them to march againſt the *Normans*. Whereupon there aſſembled a great Army from divers parts of *France*, which being joyned to the Forces the King had ready before, they marched into the very heart of *Normandy*, committing great Ravages as they paſſed along. With this Army the King laid Siege to *Breteville*, or *Breteüil*, which is in the Center of that Durchy; the Governour whereof was *Ralph de Guader*, a Lord of *Bretaigne*, who valiantly Sallied out and fought with them, commanding alſo the Gates of the Caſtle to be ſet open, but none durſt enter, ſuch was the courage of thoſe that defended it; but at three of the Gates there was ſo ſharp and obſtinate a Conflict, that many fell on both ſides.

King *Lewis* is repulſed at *Breteul.*

King *Henry*, ſo ſoon as he heard the *French* were returned into *Normandy*, ſent his Son *Richard* with a Supply of Two hundred Knights or Horſemen to *Ralph de Guader*, which coming to the knowledge of the Enemy, the Courage of the Aſſailants began to fail them, and the brave Governour going from Gate to Gate, encouraged his Soldiers, often changing his Armour, that he might not be known.

[1.] *Id. Ib.* The *French* return upon King *Henry*'s approach.

Then [1.] the King follow'd his Son's and thoſe he had ſent before, with a numerous Army, and reſolved to fight the main Body of the *French*, but they deſpairing to take the Town, were forced to return into

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into *France*, carrying back nothing (beſides the Goods they had Plundered) but Ignominy and Blows.

William de Chaumount, Son-in-Law to the King of *France*, being extremely concerned at this bad Succeſs, in his return home with his Soldiers aſſaulted the Caſtle of *Tilyers*, where *Gilbert* the *Caſtelan* ſuddenly Sallying out upon them, took *William* Priſoner, with divers others, and put the reſt to flight; upon which many of the *Norman Barons*, who had before revolted, now again ſubmitted themſelves to the King.

But as to Eccleſiaſtical Affairs: [2.] In the midſt of *October* following, Pope *Gelaſius* came to *Rheimes*, having before Summon'd a General Council of all the Archbiſhops and Biſhops of the *Weſtern* Church, to which alſo went ſeveral *Engliſh* Biſhops, as you will ſee further by and by.

[2.] O. V. P. 858. Pope *Gelaſius* Summons a Council at *Rheimes*.

At this [3.] Council the King of *France* with his *Barons* appear'd, and made great complaints againſt King *Henry*, for that being his Vaſſal he had made War againſt him, and committed great ſpoils up- "on his Subjects: That he had againſt his conſent ſeized upon "*Normandy*, being a Fief of his Kingdom: That he had againſt all "Law and Right taken, and ſtill detain'd Priſoner Duke *Robert*, who "was his Liege-Lord, and Elder Brother. And then (the better to raiſe their compaſſion) he preſented to them the young Prince *William* "his Baniſhed Son: And farther complain'd that the King had alſo "incited Earl *Theobald* a Vaſſal of *France* to rebell againſt him, and "make War upon his Kingdom. Then all the *French* Biſhops there preſent, juſtified what their King had ſaid; but when *Geoffrey* Archbiſhop of *Roüen*, with all the *Norman* Biſhops and Abbots roſe up to make King *Henry*'s Defence, they could not be heard; ſo the Council broke up on the ſudden in ſome confuſion.

[3.] *Idem Ib.* At which the King of *France* with his Biſhops and Barons appear'd, and make great Complaints againſt King *Henry*.

The Council breaks up in ſome confuſion.

Not long after [4.] the Pope came into *Normandy*, and met King *Henry* at *Giſors* to mediate a Peace; where his *Holineſs* told him, that by the Law of *God*, *every man ought to enjoy his own Right*, *and that it was his deſire*, *and the requeſt of the whole Council*, *that he ſhould ſet* Robert *his Brother at Liberty*, *and reſtore him and his Son* William *to their Dukedom*. To this the King anſwered, "That he did not take "the Dutchy from his Brother, but only ſecured his Father's Inhe- "ritance, which was by him ſquander'd away on diſſolute fellows: "That himſelf had been called into *Normandy* by the Biſhops to pre- "vent the deſolation of the Church; and that what he did was not "out of choice, but by the great Perſwaſions and Invitations of the "*Norman* Clergy and People, to preſerve that Country from utter "ruin. With this Anſwer (which was much to the ſame effect, as the *Norman* Biſhops would have given in the Council to the King of *France*) the Pope was well ſatisfied, and approved of what King *Henry* had done, and farther ſaid, *He had heard enough of the Duke and his Son*.

[4.] *Idem Ib.* The Pope comes into *Normandy* to meet King *Henry*, whom he perſwades to Surrender that Dutchy.

The King's Defence of Himſelf to the Pope.

But [5.] *William* of *Malmesbury* adds, that at this Interview the King was ſo liberal of his Preſents to the Pope and his Cardinals, that they ever after held him for a moſt Eloquent Orator, and all his actions to be very juſtifiable: So that leaving theſe unfortunate Princes to ſhift for themſelves, the Pope made it his buſineſs to ſtrike up a Peace between the two Kings, but it not being concluded till the following year, I ſhall defer the further mention of it till then. Yet

[5.] P. 160. The King is looked upon by the Pope as an Eloquent Orator.

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Yet I cannot here omit a ſtory related by the ſame [1.] Author to have happened at this meeting, which tho' of no great moment, yet ſhews us at what a height Learning was then in *England*, (*viz.*) that two Youths, Sons to the late Earl of *Mellent*, diſputing Syllogiſtically with ſome of the Cardinals, they ſo gravelled them, that they were forced to confeſs, there was more learning in theſe *Weſtern* parts than they had before believed.

[1.] *Idem Ib.* A Diſputation between the Earl of *Mellent*'s Sons and ſome Cardinals.

And now I ſhall conclude this Year with a Relation of ſome Eccleſiaſtical Affairs.

[2.] *Eadm. Lib. 5. P.* 123. The death of Pope *Gelaſius*. *Calixtus* ſucceeds him; which cauſes a Schiſm at *Rome*.

Pope [2.] *Gelaſius* above mentioned (who had ſucceeded *Paſchal*) held the Chair but a ſhort time, for he died this year, at the Abbey of *Cluny*, whereupon the Cardinals, who had followed the late Pope into *France*, choſe *Guido* Archbiſhop of *Vienne* in his ſtead, who changed his name to *Calixtus*, whilſt the Emperour and his party ſtill acknowledged *Burden* Biſhop of *Brachara* in *Spain* (whom he had before ſet up as Lawful Pope by the name of *Gregory*) which Schiſm ſo confounded Men's minds in *England*, that ſome were for the one, and ſome for the other, whilſt divers maintain'd that neither of them were Lawfully Elected.

The Pope retires into *France*, and holds the Council of *Rheimes*.

[2.] *Idem.* P. 124.

But this Year this Pope being forced by the Emperour to reſide in *France*, he held the Council at *Rheimes*, (as hath been already related) where was a great appearance of Archbiſhops, Biſhops, Abbots, and Princes of divers Kingdoms and Provinces, with a numerous multitude of Clerks and Plebeians. [3.] To this Council the King ſent the *Norman* Biſhops and Abbots, and all the *Engliſh* Biſhops that were then with him in *Normandy*; viz. *William* Biſhop of *Exeter*, *Ralph* Biſhop of *Durham*, *Bernard* of *St. Davids*, and *Urban* of *Landaff*; but the Archbiſhop of *Canterbury* being Indiſpoſed, and hindered by other buſineſs, could not go thither.

[4.] O. V. P. 858. The King forbids the *Engliſh* Biſhops to make any Appeals at this Council.

But tho' the King gave the Biſhops leave to attend this Council, [4.] yet he forbad them making any Appeals thither; declaring the liberty he gave them in theſe words, *Go, ſalute the Pope in my name, and only hear his Apoſtolical Precepts, but bring none of his new Inventions into my Kingdom.* Which ſhews this King to have been, though an Obedient, yet no Bigotted Son of the Church of *Rome*.

[5.] *Eadm. p.* 125. *Thurſtan* Archbiſhop Elect of *York* is Conſecrated by the Pope.

About the ſame time alſo [5.] Archbiſhop *Thurſtan* asked leave of the King to go to the General Council, yet could he not obtain it, until he had given his Faith, that he would procure nothing from the Pope prejudicial to the See of *Canterbury*, or receive Epiſcopal Conſecration from him. But when he came thither, being forgetful of his promiſe, by Bribing the *Roman* Courtiers, he obtained his deſire, and was Conſecrated Archbiſhop by the Pope himſelf, notwithſtanding the King by a ſpecial Meſſenger had before given him notice of the difference between the Archbiſhops *Ralph* and *Thurſtan*, and on that account joyn'd with the former in a requeſt to his *Holineſs* not to Conſecrate him, nor to command nor ſuffer any other to do it; for if he did, the King would not admit that Archbiſhop to come into any part of his Dominions, nor would he alter his Reſolution tho' he were *Excommunicated* for it.

Notwithſtanding K. *Henry*'s deſires to the contrary.

[1.] *Idem Ib.*

Our [1.] Author being himſelf a Monk of *Canterbury*, may be pardon'd if he is ſomewhat partial in this Relation, and when he gives us the reaſon why the Pope now Conſecrated Archbiſhop *Thurſtan*, *viz.*

viz. that when the King had by his Envoy moved his *Holineſs* not to Conſecrate him, nor permit any other, except the Archbiſhop of *Canterbury* to perform it: The Pope's Anſwer was, *Let not the King your Maſter believe, that I will act otherwiſe in this Affair, than as right reaſon requires, for I am not ſo carried away by my own will, as that I ſhould any ways depreſs the juſt Dignity of the See of* Canterbury. On which fair Anſwer the Envoy too much relyed, for the day before the Council met, he found the Pope reſolved to Conſecrate him, and that the Archbiſhop Elect was now ready to receive his *Holineſs*'s Benediction (*i.e.* Conſecration at his hands) but then *John* Archdeacon of *Canterbury* (on behalf of that Archbiſhop) again challenged the Conſecration of the Archbiſhop of *York* to belong to his Maſter; to this the Pope replied, *We will do no Injuſtice to the Church of* Canterbury, *yet (ſaving its Dignity) ſhall perform what we have reſolved.* And ſo preſently proceeded to the Conſecration. *Anno Dom.* MCXIX.

To which [2.] *Thomas Stubbs* in his Chronicle of the Church of *York* adds, that Archbiſhop *Thurſtan* being Summoned to this Council by the Pope, he alſo ſent Letters to King *Henry*, commanding him to give him leave to go, which he at laſt (though unwillingly) conſented to; whereupon *Thurſtan* went to the Pope and found him at *Tours*, and ſtaying with him for almoſt half a year, he ſo well made his Intereſt, that at the Council at *Rheims* he obtain'd Conſecration at his hands, many Biſhops aſſiſting at it; which was the eaſier obtain'd, becauſe *Ralph* Archbiſhop of *Canterbury* did not appear there in Perſon, neither ſent any excuſe; only when he heard it, he wrote an Epiſtle to the Pope, complaining of the Injury his See had received by his *Holineſs*'s late Conſecration of *Thurſtan*, with which the Pope not being ſatisfied, anſwered the Archbiſhop's Letter, which you may ſee at large at the end of *Stubb*'s Chronicle, but the Pope's anſwer I do not find there; only this much is certain, that neither this Pope, nor any other, ever thought fit again to renew their Predeceſſor Pope *Alexander*'s Injunctions, for the Archbiſhop of *York*'s making the Profeſſion of Canonical Obedience to the See of *Canterbury*. But we ſhall now return to *Eadmerus*'s Relation of what followed after this Conſecration.

[2.] *Decem Scriptores.* Coll. 1715.

[3.] *Idem.* Coll. 1735.

But when the [4.] King had certain notice of what the Pope had done, he was ſo highly diſpleaſed that he forbad the Archbiſhop of *York* from coming into any of his Dominions; yet not long after King *Henry* and the Pope meeting again at *Giſors*, to conſer about this and other matters, the Pope then conſented, that the King ſhould enjoy all the Rights and Cuſtoms his Father had uſed in *England* and *Normandy*; and particularly that no Perſon at any time ſhould be ſent as his Legate into *England*, unleſs the King himſelf had ſome ſpecial cauſe or complaint, that could not be decided by the Archbiſhop of *Canterbury*, and the other Biſhops of the Kingdom, and ſhould deſire the Pope to ſend a Legate on purpoſe; but this Agreement was not long obſerved by his Succeſſors.

[4.] *Idem Ib.* The King is highly diſpleaſed with what the Pope had done.

The Pope grants the King the Privilege not to receive any Legate from *Rome* unleſs he deſired one.

Then [5.] the Pope deſired the King to be Friends with Archbiſhop *Thurſtan* for his ſake, and to reſtore him to the Archbiſhoprick to which he was conſecrated. But the King anſwered, He had engaged his Faith not to do it ſo long as he lived. The Pope replyed, *If he would do what he required, he would abſolve him from that Engagement.* The

[5.] *Idem Ib.* Yet the King ſtill continues to refuſe the reſtoration of A. B. *Thurſtan.*

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King ſaid, He would conſider of it, and acquaint him with his Reſolution. Thus they parted, and the King by his Envoy ſent him this Anſwer, *That whereas his Holineſs ſaid, that as he was* Pope, *and could* abſolve *him from the Oath he had made; if contrary thereunto he would receive* Thurſtan *for Archbiſhop of* York, *it ſeemed not agreeable to the juſtice and Honour of a King to conſent to ſuch an* Abſolution.

And declines the Pope's Abſolution from his Oath.

Whence you may obſerve, that the trick of the Pope's abſolving Princes from their Oaths, was not then ſo eaſily ſwallow'd by our King's, as it was afterwards, as you will find by ſome of his Succeſſors.

[1.] *Idem Ib.* P. 126. Archbiſhop *Thurſtan* refuſed to come and receive his Archbiſhoprick upon the Terms the King required.

But becauſe the Pope ſo earneſtly deſired that *Thurſtan* might be admitted to his Archbiſhoprick, the King at laſt yielded it ſhould be ſo, provided he would come to *Canterbury*, and profeſs due Obedience and Subjection in writing to that See, as divers of his Predeceſſors had done before him; but if he refuſed it, the King ſolemnly profeſſed he ſhould not be Archbiſhop of *York*, ſo long as he was King of *England*: *And this* (ſaid the King) *I have promiſed and pledged my Faith to make good.* Then the Archbiſhop of *Canterbury* having for this time carried his Point, returned into *England*, and came to his See about the beginning of *January*; but Archbiſhop *Thurſtan* ſtill followed the Pope: ſo the King kept to his reſolution, and would neither admit him for Archbiſhop of *York*, nor ſuffer him to come into his Dominions, and *Thurſtan* was as ſtout as he, and refuſed to return upon thoſe Terms.

[2.] *Idem.* P. 131, 132. The King of *Scots* deſires that *Eadmerus* ſhould be Elected Biſhop of St. *Andrews* which is done accordingly.

Soon [2.] after the Archbiſhop of *Canterbury*'s return into *England*, *Alexander* King of *Scotland* ſent him a Letter, deſiring him to ſend *Eadmerus* (then a Monk of *Canterbury*, and the Author of the Hiſtory from whence we borrow this Relation) that he might be Ordained Biſhop of St. *Andrews*; whereupon the Archbiſhop of *Canterbury* ſent him thither, and on the Feaſt of St. *Peter* and *Paul* he was Elected to that See by the *Clergy* and *Laiety* of that Kingdom, the King himſelf giving his conſent, and he was then alſo inveſted (or put in poſſeſſion) of that Biſhoprick tho' without receiving the Croſier or Ring from the King's hand, or doing him Homage; but when he was to be Conſecrated, he would receive his Conſecration from none but the Archbiſhop of *Canterbury*, as Primate of all *Scotland*; and nothing leſs would ſatisfie him than his going thither on purpoſe for it: but the King perceiving that he was of the like rigid temper with his Maſter *Anſelm*, (whoſe perpetual Companion and Director he had been in his Exile) was very deſirous to be rid of him, and make him weary of that Place, which was brought about by the ſubtle contrivance of ſome of the *Scotiſh* Biſhops, as you may there ſee at large, and ſo *Eadmerus* being only Biſhop Elect returned again to *Canterbury* to his Convent: yet afterwards repenting of what he had done, he wrote a very ſubmiſſive Letter to K. *Alexander*, wherein he ſeems willing to have ted ſomething of his former ſtiffneſs, if he might have been received as Biſhop; but the King was ſo imbitter'd againſt him, that he would never again admit him, tho' the Archbiſhop of *Canterbury* wrote alſo in his behalf.

The King and he differ, and upon what Points.

[3.] *Idem.* Pag. 138, 139, 140. *Eadmerus* returns to *Canterbury* without Conſecration: yet after would have ſubmitted to the *Scotiſh* King, but he would not receive him.

I have thought fit to inſert this, tho' principally relating to a private perſon, in honour to his memory, to whom we have been ſo much beholden in this preſent work for his exact account of the Eccleſiaſti-

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cal and Civil Affairs in the Reign of this King, as well as that of his Father and Brother. *Anno Dom.* MCXIX.

The Reader may alſo obſerve the manner of the Election of the Biſhop of St. *Andrews* in that Age to have been by the Biſhops and Nobility, and that the King of *Scotland* was then too jealous of the Rights and Priviledges of that Kingdom, to admit of any Primacy or Juriſdiction of the See of *Canterbury* over that of St. *Andrews*, tho' it was not then advanced to be an Archiepiſcopal See; for [4.] the Archbiſhop of *York* alſo claimed the Primacy over that part of *Scotland*, tho' the King would not allow neither of that demand.

[4.] *Idem.* P. 132.

The Pope (as you have heard) having inclin'd the minds of the Kings of *England* and *France* to a Peace, they both met on a ſtated day at *Giſors* to Treat of it, where it was ſoon concluded, both Parties being equally weary of War. The Articles of this Peace were but few, (*viz.*) That all Caſtles and ſtrong Holds taken in this War ſhould be mutually reſtored, and the Priſoners on both ſides ſet at liberty without Ranſome; but becauſe King *Henry* thought it a diminution of his Royal Dignity to do Homage in Perſon to the King of *France* for the Dutchy of *Normandy*, he made *William* his Son to do it, who then received the Inveſtiture of that Dutchy from the hands of that King; and not long after all the chief Men of *Normandy* did Homage and took an Oath of Fealty to Prince *William* (being now about ſeventeen years old) as Duke of that Province. *Anno Dom.* MCXX.

[5.] O. V. P. 866. The Kings of *England* and *France* conclude a Peace, and on what Terms.

Here we may obſerve an Errour in [1.] Dr. *Brady*'s Hiſtory, which, from a ſingle paſſage in *Malmesbury* miſunderſtood, makes this Prince to have done Homage to the King of *France* ſix years before; but this could not be, for that Prince was not at that time twelve years of Age, and therefore too young to ſwear Fealty. But if the Doctor had been pleaſed to read but a line further in this Author, he would have found that this Homage was made at the ſame time when this young Prince maried the Daughter of the Earl of *Anjou*; which yet too is an Errour in *Malmesbury*, for the Kings of *England* and *France* being then at War, the latter would not have received his Homage at that time, tho' it had been offer'd, and therefore it could not be performed until this year.

[1.] P. 246. A miſtake in Dr. *Brady*'s aſſigning the Time of this Homage.

The War being now ended, and all things quiet in *Normandy*, the King reſolved to return into *England*, from whence he had been abſent near five years; wherefore he commanded a numerous Fleet to be got ready, and ordered a great many of the Military Men that had ſerved him faithfully in the late War to attend him into *England*, to be rewarded according to their reſpective Merits. And ſo ſoon as the Fleet was ready in the Port of *Barbfleet* (now *Barfleur*) the King with a vaſt Retinue ſet ſail on the Twenty ſixth of *November* in the Evening, and Landed in *England* the next Morning. [3.] But his Son Prince *William*, with *Richard* his Baſe Brother, *Richard* Earl of *Cheſter*, and ſeveral others of the young Nobility, choſe rather to go over by themſelves in a new Ship appointed for that purpoſe, which proved very unfortunate to them; for the Captain and the Seamen being got drunk would needs ſet Sail in the Night, and ſo ran the Ship upon a Rock, not far from the Shore, where they were all loſt: Yet Prince *William* might have been ſaved, had it not been for his too great affection for his Natural Siſter the Counteſs of *Perche*; for he with

[2.] O. V. P. 867. The King reſolving to return into *England* orders a numerous Fleet for his Tranſportation.

[3.] W. M. P. 93. *a.* The King arrives ſafe in *England*, but Prince *William* with his Baſe Brother and Siſter, are caſt away.

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with ſome others being got into the Long-Boat, and hearing his Siſter cry out to him to have pity on her, and take her in, he commanded the Boat to be rowed back, and no ſooner were they come up to the Ship, but ſo many leaped out into the Boat in hopes to ſave their own lives, that it ſunk down to rights with all that were in it, and many of their Bodies were never found afterwards; ſo that in the Ship and Boat above an hundred and forty Perſons were drown'd, moſt of whom were young Noblemen and other Perſons of Quality, who choſe to come over in this Veſſel to wait upon the Prince; and there only eſcaped one Man (a Butcher) who ſaved his life by climbing up to the Main-maſt, and being taken up by a Veſſel that paſſed that way, gave a full Relation of all this Tragical Story.

This is looked upon by many of our Hiſtorians as a juſt Judgment of God upon theſe young Noblemen in this Ship, ſeveral of them being polluted with the horrid Sin of *Sodomy*; which I take notice of by the way, that if the Readers obſerve ſuch Sins to reign in their own times, tho' they may be very ſorry for it, yet they may not think Mankind grown much worſe than it was ſix hundred years ago.

[4.] R. H. How the King received the News of the loſs of his Children.

The King being ſafe arrived in *England*, [4.] did not receive the ill News of the loſs of his Children till the third day after, but believed they had Landed in ſome other Port; and tho' at the firſt hearing of it he fainted away, yet after a while recovering himſelf, he very well diſſembled his Grief, and bore this misfortune with wonderful patience.

[5.] Col. 1013.

But the loſs of this young Prince was not very unhappy for the *Engliſh* Nation, if that be true which [5.] *Bromton*'s Chronicle relates from *William* of *Malmesbury*, (tho' we cannot find it in his Hiſtory) that he had ſuch an averſion to the *Engliſh*, that he threatned, *If ever he came to be King, he would make them draw the Plough like Oxen.*

[1.] O. V. P. 871. The King beſtows the Widows and Daughters of thoſe who were drown'd among his Courtiers.

All the advantage that the King gain'd by this ſad and fatal accident was, [1.] that having the Perſons, Honours and Eſtates of the Heirs of moſt of the Great Men caſt away now in his power, he diſtributed them very prudently; for he Married their Widows, Daughters and Siſters to his Courtiers and Military Officers, and beſtowed on them their Patrimonies, by which means he very much eſtabliſhed his Intereſt in *England*.

[2.] *Vid. Mon. Ang.* Vol. I. p. 182. The Priory of *Chiche* Founded.

Nothing was done in Eccleſiaſtical matters worth the noting, except that this year [2.] *Richard Belmeis* Biſhop of *London* Founded a Rich Priory for *Black Chanons Regular*, at *Chiche* in *Eſſex*, to the Honour of St. *Oſithe*.

Anno Dom. MCXXI.

[3.] C. S. *Eadm.* Lib. 6. P. 136. The King by the advice of his Great Council reſolves to Marry the Daughter of the D. of *Lovain*.

King *Henry* [3.] now kept his *Chriſtmaſs* at *Bramton*, and preſently after, by the advice of a Council of the Biſhops and Chief Men of the Kingdom aſſembled at *London*, at the Feaſt of *Epiphany*, he reſolved to Marry *Adeliza* the Beautiful Daughter of *Geoffrey* Duke of *Lovain*, in hopes of having Iſſue Male, but he was deceived in his expectation, for ſhe never proved with Child by him: This Mariage was Conſummated at *Windſor* preſently after *Candlemaſs*, and ſhe was Crowned Queen by *Ralph* Archbiſhop of *Canterbury* the day following.

[4.] Dr. P's Chro. P. 184. The *Welſh* Invade *Cheſhire*.

But tho' all things were now quiet in *England*, [4.] yet the *Welſhmen* would not be long at reſt, for *Griffyn* Prince of *North-Wales*, being encouraged by the death of *Richard* Earl of *Cheſter*, (one of them who lately periſhed

perished with the young Prince) sent his Son into *Cheshire*, where they burnt two Castles, killed I know not how many Men, and made great Spoils: whereupon the King raising a Potent Army marched into *Wales*, but when he came as far as *Snowdon*, the Prince of *North-Wales* submitted himself, and by giving large Presents, with a Thousand Head of Cattel and Hostages, appeas'd the King's displeasure; and so the Army return'd home without any considerable damage on either side.

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Whereupon the King enters *Wales*, and Prince *Griffyn* submits, and makes his Peace.

But I cannot omit here taking notice of an Accident that chiefly procured this Peace: [5.] King *Henry* going with a small Body through a narrow Lane between two Mountains, whilst the main Body of his Army marched a further and plainer way about, the *Welshmen* who kept this narrow way where the King was to pass, having the Advantage the Ground, fell furiously upon his Men, killed some, and wounded divers more, and King *Henry* Himself was hit upon the Breast with an Arrow, but tho it was repell'd by his Breast-Plate, yet he was therewith so discouraged, that he immediately sent to the Enemy for a Parley, which at last ended in a Peace.

[5.] W. M. Pag. 89*b*. An Accident the chief cause of this Peace.

As for Ecclesiastical Affairs, there happened little considerable [1.], only *Thurstan* Archbishop of *York* having the year before obtain'd a Bull from the Pope to King *Henry* and *Ralph* Archbishop of *Canterbury*, wherein he threatned within one Month to put the whole Kingdom under an *Interdict*, and to *Excommunicate* the King himself, unless the Archbishop of *York* were restored to his See without any Exaction of Obedience from him. This matter came to be Treated of in a Council or Convention of some of the Great Men of the Kingdom who went to receive the new Queen at *Dover*, where after a full discussion of the Priviledges of the Church of *Canterbury*, tho' it was very well understood (says my Author) how little the Pope's late Decrees suited with God's Honour, yet lest the punishment threaten'd in the Pope's Letter, might affect the King or the Archbishop of *Canterbury*, *Thurstan* was at last permitted to return into *England*, and to reside at *York*, on this condition, That he should not Celebrate *Mass* out of his own Dioceſs, until he had made satisfaction to the See of *Canterbury*, which this Archbishop would never perform; so that by his constancy in this Affair, back'd by the Pope's Bull, he freed his Church from that Subjection to the See of *Canterbury*, which had been impos'd upon it by Archbishop *Lanfranc* during the times of the three last Bishops.

[1.] *Eadm. Lib. 6. P. 136.* *Thurstan* Archbishop of *York* is by the Pope's threats restored to his See.

Pope [2.] *Calixtus* by the help of an Army having taken his Anti-Pope *Gregory*, and thrust him into a Monastery, being now secure of the Papacy, sent his Legates over all *Europe* with notice of his success, and gave to one *Peter*, a Monk of the Order of *Clugny* (of a Noble *Roman* Family) a Legantine Power over *France*, *Britain*, *Ireland* and the *Orcades*; whereupon King *Henry* sent the Bishop of St. *David's* to conduct him into *England*; but when he arrived, the King told him, That the Authority of his Legateship could not be confirm'd without the consent of the Bishops, Abbots and Chief Men in a General Assembly of the whole Kingdom: and further, That he could not part with the Antient Customs of *England*, granted by the Pope, of which one of the chiefest was, That *England* was free, and not subject to any Legantine Power. With which Information, and some rich Presents

[2.] *Idem.* The Pope having seis'd the Anti-pope, sent his Legate into *England*.

Who is not admitted to act, but is presently sent back.

Anno Dom. MCXXI. ſents he departed, not offering to Execute his Commiſſion in this Kingdom.

As for Foreign Affairs I find little conſiderable, only that [3.] *Fulk* Earl of *Anjou* being now return'd from *Jeruſalem*, ſent to the King to demand his Daughter the Widow of the late Prince *William*, and ſhe was ſent over to him accordingly.

[3.] C. S. The Widow of the late Prince *William* is ſent over to her Father.

Anno Dom. MCXXII. King *Henry* now kept his *Chriſtmaſs* at *Norwich*, the reſt of the year produced little worth noting, [4.] only the King taking his Progreſs after *Michaelmaſs* into the *North* parts of *England*, went from *York* as far as the Antient City of *Caerliſle*, (called in Latin *Luguballia*) and liking its Situation, ordered a Wall with Towers to be built about it, Fortifying it with a Caſtle, and from thence he returned to *York*; and after hearing and deciding ſeveral Differences between the Citizens and the People of the Adjacent Country, he return'd back again into the *Southern* Parts.

[4.] *Idem.* S. D.

Nor was there any great change in Eccleſiaſtical Affairs this year, only [5] *Ralph* Archbiſhop of *Canterbury* died about the end of *October*; he was a Prelate of great affability and good nature, yet cenſured as a Man not grave enough in his Converſation (being more given to Jeſting than became a Perſon of his high Character) yet for all this he knew very well how to inſiſt upon the Priviledges of his See, of which our Author [1.] gives this remarkable Inſtance (tho' it happened the year before) that when he was about to Crown the new Queen, whilſt he ſtood before the Altar ready to begin *Maſs*, he ſaw the King ſitting on his Throne, with his Crown on his Head, and knowing he had not put it on, and that no other ought to have done it whilſt he was near the place, he went immediately to him, and asked him, Who it was had put the Crown upon his Head? At which the King being a little ſtartled, anſwered, That it being a matter of no great concern, he had not minded it. Then reply'd the Archbiſhop, Who ever put it on, he had no right to do it, and as long as it continues thus upon your Head, I ſhall not perform the preſent Ceremony. Then replied the King, If (as you ſay) it was not rightly put on, do what you think good, I ſhall not at all contradict you. Upon which the Archbiſhop took the Crown off (he himſelf untying the Stays wherewith it was faſtened under his Chin) which thoſe that ſtood by beholding, they deſired him to deſiſt, and to place the Crown again upon the King's Head, which he at laſt conſented to; and ſo having ſung *Maſs* he performed the Ceremony of the Queen's Coronation. I have given you this Relation, that the Reader may obſerve in what Subjection the Kings of *England* were in thoſe days to the Archbiſhop of *Canterbury*, who could thus preſume to take the Crown from off the King's Head, only becauſe he had put it on without his leave and aſſiſtance.

[5.] *Eadm.* p. 140. The death of *Ralph* A.B. of *Canterbury*, and his Character.

[1.] *Idem.* p. 205.

How this Archbiſhop took the Crown off the King's Head and put it on again.

Anno Dom. MCXXIII. [2.] This Year the King kept his *Chriſtmaſs* at *Dunſtable*, whither came to him Ambaſſadours from the Earl of *Anjou*, demanding the repayment of his Daughter's Portion, becauſe Prince *William* her Husband deceaſed before the Mariage was Conſummated; but the Earl not receiving the ſatisfaction he expected, not long after, to be revenged on the King, Married her Elder Siſter to *William*, Son to Duke *Robert*, on whom he alſo beſtowed the Earldom of *Mans*, promiſing him his aſſiſtance to obtain his Father's Inheritance.

[2.] C. S. S. D. The Earl of *Anj.* demands reſtitution of his Daughter's Portion without effect.

Then

Anno Dom. MCXXIII.

Then [3.] King *Henry* went to *Woodſtock*, where he had newly built a Palace, and incloſed a Park (the firſt of that kind in *England*) in which as he rode between *Roger* Biſhop of *Salisbury*, and *Robert Bloet* Biſhop of *Lincoln*, the latter ſunk down from his Horſe in a Swoon, but the King alighting took him up in his Arms, and made him to be carried home, where he ſhortly after died. He was a Prelate of a looſe life, and of no very good Character for any thing.

[3.] *Idem Ib.* The ſudden death of *Robert* Biſhop of *Lincoln*.

The King to prevent the Attempts of his Enemies, immediately diſpatched his Baſe Son *Robert*, and *Ranulph* Earl of *Cheſter* into *Normandy* with great Forces to ſecure all places of Strength, till he himſelf could be there; [4.] after which He went to *Portſmouth*, and ſtayed there till *Whitſunday* was over, waiting for a Wind to carry him into *Normandy*, to prevent the ill deſigns of his Nephew *William* who had now underhand brought divers of the [5.] King's greateſt Friends over to his Party; for ſome Months after *Walleran* Earl of *Mellent*, with *Robert* his Brother, Earl of *Leiceſter*, who had been both bred up in the King's Court, and uſed like his own Children, rebelled againſt him, (but the reaſon is not told us, tho' perhaps it was) in hopes to better their condition by ſetting up *William* Son to Duke *Robert*; with theſe joyned *Almeric de Montfort* Earl of *Eureux*, and *William de Romare*, with ſeveral *Norman* Barons, who all conſpired to drive the King out of that Dutchy.

[4.] *Idem.* C. S.

[5.] *Idem Ib.* O. V. P. 875. The Earls of *Mellent* and *Leiceſter* Rebell againſt the King.

But [1.] ſo ſoon as he arrived at *Roüen*, he muſter'd his Army, and took and burnt a Town of the Earl of *Mellent*'s called *Bryon*, all except the Caſtle, which was too ſtrong to be taken; from thence they marched to another Town of his called *Pontodomer*, which he alſo burnt with all the Country for twenty Miles round; but the King was not able at firſt to take the Caſtle of that place, it being very well Fortified, yet after he had Beſieged it for about ſeven Weeks, he took it by the means of a high Tower of Wood, which he built before it. Some other of the Caſtles which Earl *Walleran* and *Hugh de Montfort* and other Barons had Fortified againſt him, he likewiſe took; others he was forced to leave untaken, becauſe of the frequent Invaſions made by his Nephew *William*, who chiefly relyed upon the Aſſiſtance of *Fulk* Earl of *Anjou* his Father-in-Law; but the King much more feared the Treachery of his own Subjects, than the Invaſion of Strangers; by reaſon of which Foreign diſturbances, *England* was this year cruelly oppreſſed with Taxes, which were now impoſed upon all ſorts of People, for the carrying on the King's Wars abroad.

[1.] S.D. Col. 249. The King takes ſeveral Towns and Caſtles in *Normandy* from the Rebells.

The only conſiderable Eccleſiaſtical Affair that happen'd this year, was, [2.] that the King before his going beyond Sea, Summoned a Great Council of his Nobility at *Glouceſter* on *Candlemaſs*-day, where appeared all the Biſhops, Abbots and Barons of *England*, at which he commanded them to chuſe whom they pleaſed for Archbiſhop of *Canterbury*, promiſing that he would confirm their Election; whereupon the Biſhops conſulting together reſolved among themſelves, that they would never more have a Monk to be Archbiſhop, (I ſuppoſe for ſome Inconveniencies they had obſerved to have follow'd it) but the Prior and Monks of *Canterbury* did all they could to oppoſe their Election of an Archbiſhop, tho' to no purpoſe, for the Biſhop of *Salisbury* (who Governed at that time all *England* under the King) was too hard for them; ſo four of the Secular Clergy being propoſed, the Choice

[2.] C. S. A great Conteſt between the Biſhops and the Monks of *Canterbury* about the Choice of a New Archbiſhop.

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William Carboil a Regular Chanon is choſen Archbiſhop, notwithſtanding the oppoſition of the Monks.

Choice fell upon a certain Chanon Regular, called *William Carboil*, Prior of St. *Oſithes* at *Chiche*, (a late built Abbey) then the King confirmed the ſaid Election (as he had promiſed) and all the Biſhops of *England* acknowledged him for their Archbiſhop, but moſt of the Earls and Barons with the Monks rejected him: Upon this *Henry* the Pope's Legate (who was lately come over about the *Peter-pence*) interpoſed, and ſaid, That tho' it was unjuſt, for One who was no Monk to be ſet over thoſe that were, yet ſince the King by reaſon of the great Power the Biſhop of *Salisbury* had with him, would not alter the Choice, it was better for them to comply. Then *Thurſtan* Archbiſhop of *York* offer'd to Conſecrate him, but the Archbiſhop would not conſent to it, unleſs he would own him for Primate of all *England*, which the other refuſing, the Archbiſhop was Conſecrated by the Biſhop of *London*, and five other Biſhops at *Canterbury*.

[3.] *Idem Ib.*

Not [3.] long after which the new Archbiſhop went to *Rome* to obtain his Pall, being accompanied by *Bernard* Biſhop of St. *David's*, and ſeveral Abbots. About the ſame time alſo *Thurſtan* Archbiſhop of *York* arrived there to maintain his Cauſe againſt the Archbiſhop of *Canterbury*, who now renewed the Old Claim of Canonical Obedience; but the Pope at firſt refuſed to give Audience to the new Elected Archbiſhop, becauſe he had been choſen againſt the conſent of the Monks; tho' ſhortly after That prevail'd there which commonly does elſewhere, *viz.* good ſtore of Gold and Silver: So the Pope being pacified, beſtowed upon him the Pall: than he took an Oath of Subjection to the Pope upon the Heads of St. *Peter* and St. *Paul*, and ſo he return'd home with his *Holineſs*'s Benediction, tho' without prevailing in the main buſineſs he went about, *(viz.)* the Superiority over the Archbiſhop of *York*, which was not diſpatched; for the Bulls or Priviledges of former Popes being now demanded to be produced, by which the Archbiſhops of *Canterbury* claim'd it, thoſe that came with him could only ſay that they had been burnt in the great fire that had lately conſumed their Church; ſo they produced only Tranſcripts of them, which not being looked upon as Authentick, and the Archbiſhop of *York* producing certain Original Bulls of Priviledge granted to his See, which were better accepted; ſo the Cauſe being like to go for him, the Archbiſhop of *Canterbury* went away without ſtaying to receive the Pope's final Determination.

Anno Dom. MCXXIV. C. S. H. H. [4.]

All this Year [4.] King *Henry* ſpent in *Normandy*, by reaſon of the great Quarrels which were then on foot between him and the King of *France*, and the Earl of *Anjou*, as alſo thoſe Earls and Barons who had lately revolted from him, againſt whom he had this year extraordinary good ſucceſs, which happen'd thus:

On the Twenty fifth of *March Walleran* Earl of *Mellent* had occaſion to go from his Caſtle of *Belmount* to another called *Watteville*, being accompanied by *Almeric*, the King of *France*'s Steward, the Earl of *Eureux*, *Hugh Fitz-Gervaſe*, and *Hugh de Montfort*, with many other Noblemen and Knights; of which *William de Tankerville* King *Henry*'s Chamberlain having notice, and getting together all the Forces he could out of Adjacent Caſtles, he marched forth and engaging with them drew them into an Ambuſh, whereby their whole Forces were routed, and all the ſaid Earls together with *Hugh de Montfort*, and many other *Norman* Barons, with above Eighty Knights

Knights were taken Priſoners; and being all brought to the King, he committed the Earl of *Mellent* Priſoner to the Caſtle of *Roüen*, but afterwards he was brought over into *England*, (as you will find the next year but one:) Then the King went and took in all the Caſtles and Strong Places which either the ſaid Earl or his Conſederates had held out againſt him; but ſome of them who had eſcaped came in, and obtained their Pardons of the King. *Anno Dom.* MCXXIV

[5.] But if we look into *England* we find nothing here but troubles and complaints, for about the beginning of *December*, the King's Juſtitiary *Ralph Baſſet*, and many Barons held a Council at a place called *Hundehoge* in *Leiceſterſhire*, (but where it was I know not) and there they cauſed above Forty four Thieves to be hanged, beſides ſix others, who loſt their Eyes and Privy Members; tho', as ſome Perſons of credit reported, many innocent Perſons ſuffered amongſt them; which is not unlikely, if what our Author relates be true, that the poor people were now againſt all right miſerably oppreſs'd, being firſt robbed of their Eſtates, and afterwards of their Lives; for thoſe that had any thing to loſe, were deprived of it by great Taxes, and thoſe that had not, were ready to die with hunger; there being this year a very great Famine in *England*, partly from the unſeaſonableneſs of the Weather, which produced a ſcarcity of all ſorts of Grain, and partly by reaſon of the bad Money which was now become ſo common, that a Man who had a Pound of it, could not therewith buy twelve Penniworth of Commodities. [5.] C. S.

[1.] As for Foreign Affairs, *Alexander* King of *Scots*, after Eighteen year's Reign in great Domeſtick Troubles, died this year, being ſucceeded by his Brother *David*, Earl of *Northampton*, who held that Kingdom in as great quiet as the other had met with diſturbance. [1.] C. S. C. M.

[2.] In Eccleſiaſtical Affairs there happen'd nothing conſiderable, only that Pope *Calixtus* the *II.* deceaſing about the beginning of the Year, he was ſucceeded by *Honorius* the Second, who ſate in the Popedom but a ſhort time. [2.] Chron. *Thom. Wikes.*

[3.] King *Henry* continuing ſtill in *Normandy*, and the corruption of Coin increaſing in *England*, the King ſent over ſtrict Commands, that the Penalty of the Law ſhould be ſeverely inflicted upon all that were found Guilty thereof; whereupon *Roger* Biſhop of *Salisbury* (then the King's Juſtitiary) commanded all that were Convicted of that Crime (who were a great many) to be brought to *Wincheſter* at *Chriſtmaſs*, where every one of them had their Right-hand and Teſticles cut off; which Puniſhment did for the future more deter Men from committing that Crime, than the fear of death it ſelf would have done. *Anno Dom.* MCXXV. [3.] C. S.

[4.] But the ſame year produced a very remarkable Accident in Eccleſiaſtical Affairs, for Pope *Honorius* now ſent over *John de Creme* Presbyter *Cardinal*, as his Legate *de Latere* into *England*; who, coming to *Normandy*, and there obtaining the King's leave to paſs over hither, not long after his arrival held a General Synod at *London*, where he ſeverely enveighed againſt the Mariage of Prieſts, ſaying, *That it was an horrid Sin for a Prieſt to riſe from the ſide of an Harlot, and then to make the Body of Chriſt*; yet the next Night after (having ſaid *Maſs* that very day) he himſelf was taken in Bed with a *Whore*. *Henry* of *Huntington*, who was himſelf a Secular Prieſt, and the Son of a Prieſt, [4.] H. H.

Anno Dom. MCXXV.

and living at this very time, (after having made an Apology for being ſo bold with the Fathers of the Church) is the firſt Author that gives us this Story at large; and concludes, *That the thing was too notorious to be denied, neither ought to be concealed.* In which he is alſo followed by *Roger Hoveden*, *Matt. Paris*, and *Ranulph Higden*; and the two laſt were Monks themſelves; ſo this Hypocritical Cardinal was forced to return with much more ſhame, than he came hither with honour, tho' he had before by his Legantine Power (with the conſent of the Synod) made divers Canons for the Reformation of the Clergy, (of which this concerning Prieſt's Mariages was one) but they being moſt of them the ſame with thoſe that had been before Ordained in Archbiſhop *Auſelm*'s time, need not be repeated; only I ſhall remark that * *Gervaſe* of *Canterbury* adds, concerning this Legate's Extraordinary Power here, that it was a thing never heard of ſince the firſt coming of *Auguſtine*, till this preſent *William*, that the Archbiſhops of *Canterbury*, who were look'd upon as *Patriarchs*, ſhould be made ſubject to the Authority of a Legate from *Rome*.

* *Act. Pontif. Cant.* Col. 1663.

Anno Dom. MCXXVI

King *Henry* ſpent the greateſt part of this year in *Normandy*, but what he did there all the Summer our [5] Hiſtorians do not tell us, only that about *Michaelmaſs* he returned into *England*, bringing over along with him the Empreſs *Mathilda* his Daughter, whom, being now become a Widow by the late death of the Emperour *Henry* the *Fifth* her Husband (who deceaſed in the flower of his Age) the King was reſolved to Marry to ſome Foreign Prince, the better to ſtrengthen his Intereſt abroad.

[5.] C. S. H. H. The King returns into *England*, and brings over his Daughter the Empreſs along with him.

The King alſo brought over with him Priſoners, *Waleran* Earl of *Mellent*, and *Hugh* Earl of *Montfort*, the former of whom he committed to *Walling ford* Caſtle, and the latter to that of *Windſor*. Then *Almeric de Montfort* with divers others of the King's Enemies finding it in vain any longer to oppoſe him, made their Peace, and thereupon were reſtored to their Eſtates.

[1.] *Idem Ib.* *David* King of *Scots* Viſits the King. Duke *Robert* is committed to the Cuſtody of Earl *Robert*, the King's Son.

[1.] Almoſt ſo ſoon as the King return'd, *David* King of *Scots* came to make him a Viſit, whom the King received very Honourably, and ſpent all this year in *England*; and by his advice, together with that of the Empreſs, he took his Brother Duke *Robert* out of the Cuſtody of *Roger* Biſhop of *Salisbury*, and committed him to Earl *Robert* his Baſe Son, who kept him cloſe Priſoner firſt in the Caſtle of *Briſtol*, and afterwards in that of *Caerdiff*, till his death; which is all I can find conſiderable that was done this year.

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[2.] C. S. W. M. The King makes all the Biſhops, Earls and Barons of *England* ſwear to the Succeſſion of the Empreſs *Mathilda*. * *Saxon* Chr. *Thanes.*

The [2.] King now kept his *Chriſtmaſs* at *Windſor*, where, beſides *David* King of *Scots*, there appeared all the Chief Men of both Clergy and Laiety in *England*; but fearing he ſhould have no Iſſue by his new Queen, and being deſirous to ſecure the Crown in his own Line, he cauſed all the Archbiſhops, Biſhops, Abbots, Earls, and * *Barons* to ſwear, That if he ſhould die without Iſſue Male, they would receive his Daughter *Maud* the Empreſs for their Queen: the firſt that ſwore to the Succeſſion was *William* Archbiſhop of *Canterbury*, next were the Biſhops, and then the Abbots; the firſt of the Lay-men was *David* King of *Scots*, and then *Stephen* Earl of *Mortaign* and *Boloign*, King *Henry*'s Nephew by his Siſter *Adela*; then *Robert* Duke of *Glouceſter*, between whom and *Stephen* there was great Emulation, who ſhould ſwear firſt; the former claiming the Precedence as being the

A Diſpute between *Robert* and Earl *Stephen* who ſhould firſt take the Oath.

King's

King's Son, the other as his Nephew lawfully begotten all the Clergy and Nobility being thus bound by Oath, the Council was diſſolved. *Anno Dom.* MCXXVII.

Then [3.] the King paſt his *Lent* and *Eaſter* at *Woodſtock*, where he received the ill News of the death of *Charles* Earl of *Flanders*, who was murthered by ſome of his Nobles, as he was at his Devotions in the great Church of *Bruges*; and (which was worſe) that *Lewis* King of *France* had conferred that Earldom upon *William* Son to *Robert* Duke of *Normandy*, in right of his Grand-mother *Maud* Queen of *England*; and that in conſideration thereof he had reſtored to the *French* King all thoſe Territories which he had formerly beſtowed upon him, *(viz.) Pontois*, *Chaumont* and *Mante*, and all the Country now called *Veuxin Francois*; and beſides what elſe the King had given him with *Jane* half-Siſter to his Queen in Mariage; At which News [4.] the King was ſo much diſturbed, that he thereupon Summon'd a Council at *Weſtminſter* towards the end of *May*, to conſider what was beſt to be done in this Affair; and *William* Archbiſhop of *Canterbury* held a Synod of the Clergy at the ſame place.

[3.] H. H. *Charles* Earl of *Flanders* murther'd in the Church at *Bruges*.

[4.] H. H. The King thereupon Summons a Great Council.

After the [5] King had kept his *Whitſontide* at *Wincheſter*, he ſent his Daughter into *Normandy*, attended by *Robert* Earl of *Glouceſter*, in order to be Married to *Fulk* Son to the Earl of *Anjou*, where ſhe was not long after Betrothed to him by the Archbiſhop of *Roüen*, and in *Auguſt* following the King went over himſelf to be preſent at the Conſummation of the Mariage; which being done without the advice and conſent of the Biſhops and Nobility, (none being privy to it but *Robert* Earl of *Glouceſter*, *Brian* Son to *Alan* Earl of *Richmond*, and the Biſhop of *Liſieux*) cauſed great diſcontent as well among the *Engliſh* as *Norman* Nobility, and gave juſt occaſion for ſome to Prognoſticate, that after the King's death they would fall off from the Oath they had ſworn to her; but the King did it Politickly, to ſecure his Intereſt with the Earl of *Anjou*, againſt his Nephew *William* now made Earl of *Flanders*.

[5.] C. S. W. M. *P. 995. b.* The King ſends over his Daughter to be Married to *Fulk* Son to the Earl of *Anjou*.

Which cauſes great Diſcontent among the Nobility.

In Eccleſiaſtical [1.] Affairs this was the moſt conſiderable, that *William* Archbiſhop of *Canterbury*, as Legate to the Pope, Summon'd a General Synod of all the Biſhops, Abbots and Religious Perſons throughout *England*, beſides a great multitude of inferior Clergy and Laymen * of all ſorts, who met at *London*, ſo that there was a very full Aſſembly; *Thurſtan* Archbiſhop of *York* was to have been there, but excuſed himſelf for ſome reaſons he gave in his Letters; and *Randulph* Biſhop of *Durham* was taken Sick by the way. This Council was held on the Thirteenth of *May*, wherein, by the Common conſent of the Biſhops, there were divers Canons made, the Principal of which were theſe:

[1.] C. F. W. M. A General Synod held at *London*.

* *Tam divitum quam mediotrium.*

1. That no Eccleſiaſtical Benefices or Dignities ſhould be Bought or Sold.

2. That none ſhould be made a Dean or Arch-deacon, unleſs he were a Presbyter.

From whence it appears, that before this Decree it was uſual for Lay-men to enjoy thoſe Dignities. There were alſo divers other Canons made in this Council, but ſince they are only to enforce thoſe of former Synods concerning the Celebacy of the Clergy, or ſome other Duties enjoyn'd them, or elſe about the Habits of Abbeſſes and Nuns, I will

Anno Dom. MCXXVII. will paſs them by, only I cannot omit taking notice that it was now Ordain'd, That no Perſon whatſoever ſhould give or receive Tythes without the conſent of the Biſhop of the Dioceſs.

Now before this Canon it was uſual for Lay-Patrons to annex their Tythes to what Churches they pleaſed, tho' out of their own Pariſhes, which was forbid by this Decree, without the conſent of their Dioceſans.

The King confirms its Decrees.

This Council having ſate three days, was diſſolved, after its Decrees had been confirm'd by the King's Aſſent.

Anno Dom. MCXXVIII. King [2.] *Henry* continued all this year in *Normandy* to watch the motions of Earl *William* his Nephew, whom the King of *France* ſupported to the utmoſt of his Power; wherefore to be even with him, King *Henry* marched with a great Army into *France*, and that King not having Forces ſufficient ready to aſſiſt him, he ſtayed at a place called *Eſparne* for the ſpace of eight days with no more diſturbance, than if he had been in his own Kingdom, and then returned into *Normandy*; ſo that at laſt the *French* King was compell'd not to ſend any more Succours unto Earl *William*.

[2.] H. H. R. H. King *Henry* Invades *France*, and Quarters in it without any moleſtation.

This Prince [3.] now growing inſupportably cruel and harſh to his new Subjects, they ſet up *Theodoric* Landgrave of *Alſacia* againſt him, (who alſo pretended a Title to that Earldom) to whom many Towns revolted, and amongſt them *Aloſt* (now *Ælſt* in *Flanders*) which *William* Beſieged, and having routed the Forces of the *Landgrave*, who came to relieve it, and that the Caſtle of that Place was juſt ready to be Surrendered to him, he was with a Lance wounded under the Ball of the Thumb near the Wriſt, which, preſently turning to a *Gangrene*, [4.] killed him within five days at the Abbey of St. *Bertin*, near St. *Omers*: He was a Man of Great Courage, but too Parſimonious for a Prince; ſo that to avoid his Father's Vice, Prodigality, he ſeems to have run into the contrary Extreme; he is therefore in the *Belgick* Hiſtories, Sirnamed *Miſer*; in him expired all the Legitimate Iſſue of Duke *Robert*; but he had two Baſe Sons, *Richard* who was long ſince killed Hunting in *New Foreſt*, and *William* who was afterwards ſlain in the *Holy Land*.

[3.] *Idem Ib.* *William* Earl of *Flanders* uſes his Subjects very harſhly, who thereupon revolt to the *Landgrave*.

The Earl dies of a ſlight Wound in his Wriſt.

[4.] C. S.

Upon the death of this Prince the K. of *France* deſiſts from troubling King *Henry*.

This Prince being ſuddenly taken off in the very flower of his Age, it ſo far diſappointed the King of *France*'s deſigns, that he left off farther troubling the King, by whom we find nothing more done this year, only that he continued ſtill in *Normandy*, for which I rather follow the authority of the *Saxon* Chronicle, and *Henry* of *Huntington*, than that of *William* of *Malmesbury*, who is not often ſo exact in point of time.

Anno Dom. MCXXIX. The [5.] King thus continuing in *Normandy*, ſent over for the Earls *Waleran* and *Hugh* above mentioned, who were kept cloſe Priſoners in *England*, and ſome time after having taken Pledges of them for their future quiet Behaviour, he permitted the latter to return into *France*, and to *Waleran* the King was ſhortly afterwards throughly reconciled, and for the ſake of his Father, the late Earl of *Mellent*, not only reſtored him to all his Lands (except one Caſtle) but alſo to his Favour; which ſhews that the King was not ſo implacable but that he could forgive injuries; This Nobleman having been one of the chieſeſt of thoſe who had rebelled againſt him ſome years before.

[5.] C. S.

The King ſends for the Earls *Waleran* and *Hugh*, and gives them their Liberty, and is alſo reconciled to the former.

And

Anno Dom. MCXXIX.

And now [1.] the King having ſetled his Affairs in *Normandy* much to his own ſatisfaction, returned into *England* about Harveſt, where I find little or no alteration in Civil Affairs; and therefore [2.] *William* of *Malmesbury* having ſcarce any thing elſe to write, is fain to give us a ſtrange Relation, how long Hair came again to be left off in *England*, which notwithſtanding the ſtrict Prohibitions formerly made, was now come in faſhion again; And becauſe it ſhews us, that there is nothing new that has not been in uſe heretofore, I ſhall here give you the Story of in Brief. A certain Knight who was very proud of his fine long Head of Hair, dream'd one Night, that ſomething had ſtrangled him with it, with which Dream he awaking very much diſturbed, had the next day his Hair cut ſhort, in which Mode he was preſently followed by moſt of the Nobility and Gentry of *England*; yet notwithſtanding about a year after the ſame exceſs ſo far prevailed, that all who looked upon themſelves as *Well* * *Bred Gentlemen*, did now vie with the Women in the length of their Hair, † which when it fail'd, they helped it out with borrowed Locks or Borders; ſo that it ſeems even the King's own Faſhion of ſhort Hair did not long continue.

[1.] *Id. Ib.* The King returns into *England*.

[2.] *P. 99. b.* A Relation how long Hair came to grow out of Faſhion.

* *Curiales.*

† *Ubi crines deficiunt involucra quædam innodabant.*

But tho' this [3.] year affords little of Civil, yet it gives us ſomewhat of Eccleſiaſtical Affairs; for the King not long after his return gave order to *William* Archbiſhop of *Canterbury* to Summon a General Synod of all the Biſhops, Abbots, Priors, Deans, Arch-Deacons, and other Clergy-men, to be aſſembled at *Michaelmaſs* to Treat about Religious Matters; and being met at *Weſtminſter*, it was there decreed, That all Arch-Deacons and Prieſts ſhould quit their Wives before St. *Andrew*'s day, or elſe be abſolutely deprived of their Offices and Livings; but through the too great eaſineſs of the Archbiſhop of *Canterbury* and other Biſhops this Conſtitution came to nothing; for the Execution of this Law being left wholly to the King, he taking Money of moſt of thoſe Arch-Deacons and Prieſts permitted them to go home again, and keep their Wives as they did before.

[3.] C. S. H. H. Another General Synod Summon'd where Prieſts are forbid to keep their Wives.

But it comes to nothing, and the reaſon of it.

As for other Eccleſiaſtical Matters of leſs moment, [4.] this year *Robert D'oyley*, the Second of that Name, a Baron of *Norman* Extraction, built a Rich and ſtately Monaſtery at *Oſeney* near *Oxford*, for Chanons of the Order of St. *Auguſtine*; this Church is now quite ruin'd, but upon the Deſolation of Abbeys it was intended by King *Henry* the *Eighth* for the Cathedral of the new Biſhoprisk of *Oxon* he then Founded, but it was afterwards removed to *Chriſt-Church*, then Dedicated to St. *Frideſwide*.

[4.] *Vid. Annal. de Oſeney in Bib. Coton. & M. A. T. 2. p. 136.* *Oſney* Abbey Founded.

Alſo about this Time (tho' I cannot find the exact year) [5.] *William Warelwaſt* Biſhop of *Exeter* having cauſed the antient Colledge, conſiſting of a Dean and four Prebendaries at *Plimpton* in *Devonſhire*, to be diſſolved for their looſe Lives, he (to make the Church amends) not long after Founded at the ſame Place, and richly endow'd a Priory of Chanons of St. *Auguſtine*'s Order.

[5.] *Vid. M. A. T. 2. P. 6.* As alſo a rich Priory at *Plimpton*.

As for Foreign Affairs this year, *Lewis* Sirnamed the *Groſs*, King of *France*, cauſed his Son *Philip* to be Crowned King, and to reign with himſelf; for now growing in years, and being alſo very unweildy by reaſon of his great Corpulency, he was reſolved by degrees to diſcharge himſelf of the Burthen of Government, and place it in his Son's hands.

[1.] O. V. The King of *France* cauſes his Son *Philip* to be Crown'd King.

This

Anno Dom. MCXXX.

This year produced little worth the noting in Civil Affairs, only King *Henry* kept his *Chriſtmaß* at *Worceſter*, and his *Eaſter* at *Woodſtock*; where *Geoffrey de Clynton* a Baron was accuſed of Treaſon. Then the King went over into *Normandy* about *Michaelmaſs*, and there ſtayed till that time Twelve-month, and in the mean while all things remain'd quiet at home, for we do not read of any Wars or Diſturbances that then happened, or any thing conſiderable in Civil or Eccleſiaſtical Matters in *England*.

[2.] C. S. H. H. The King goes over again into *Normandy*.

Therefore we ſhall now take ſome notice of Affairs abroad. [3.] This year at *Rome* began a greater Schiſm than ever had been yet known, for Pope *Honorius* lying at the point of death, before the breath was quite out of his Body, one Faction of the Cardinals choſe *Geoffrey* Cardinal-Deacon of St. *Angelo*, whom they called *Innocent* II. and preſently after the Pope's Interment, another party of them choſe *Peter* a *Presbyter* Cardinal, which was done by the means of his Brothers, who were the Richeſt and moſt Powerful Noblemen in all *Rome*: theſe having Elected and Conſecrated him, called him *Anacletus*, who thereupon preſently drove *Innocent* out of *Italy* into *France*, where he was owned for Pope by the Kings of *France* and *England*, whilſt the other was ſupported by the *Romans*, and alſo by the King of *Sicily*; ſo that [5.] as *William* of *Malmesbury* (who lived at that time) tells the Story, it was a very difficult matter for the Laiety to diſcern which of theſe two was rightly Elected.

[3.] W. M. p. 99. *b*. A great Schiſm at *Rome*, by reaſon of two Popes being choſen at once.

Pope *Innocent* owned in *France* and *England*.

This year in *June* the King return'd into *England*, bringing over with him the Empreſs his Daughter, who was lately parted from her Husband by reaſon of ſome private Quarrels that had happened between them. Not long after her return a great Council of all the Clergy and Nobility was held at *Northampton*, where they all renewed the Oath of Fealty which they had already taken to her, and then by their advice, ſhe was ſent back to her Husband, who now deſired her Company, and being joyfully received by him, ſhe within leſs than two years bore him a Son called *Henry*, who was afterwards King of *England*, as you will find in due time.

[4.] *Id. Ib.*

Anno Dom. MCXXXI.

[5.] W. M. p. 100. *a*. C. F. W. The King returns again into *England* with his Daughter, being then parted from her Husband, but ſhe is ſoon ſent back to him.

Nothing elſe happened this year conſiderable abroad, only [1.] *Philip* the young King of *France*, who had been Crowned by his Father, (as you have already heard) riding out through the Suburbs of *Paris*, was killed by a fall from his Horſe, by occaſion of a Hog that ran between his Legs, which cauſing him to ſtumble, he flung the young Prince, and ſo bruiſed him with his Heels that he died that night. Not long after which the King his Father, to comfort himſelf for ſo great a loſs, cauſed his Second Son of the ſame name with himſelf, to be Anointed and Crown'd at *Reims* by the hands of Pope *Innocent* the Second, who then held a Council there againſt *Peter Leon* the Anti-pope.

[1.] W. M. p. 100. *Suger. in vita Lud.* p. 318. *Philip* the young King of *France* killed by the fall off his Horſe.

Anno Dom. MCXXXII.

The King kept his *Chriſtmaß* at *Dunſtable*, after which was a great Council held at *London*, where divers matters were Treated on, but not of any moment; yet before I proceed further, I cannot omit taking notice of a great miſtake of *William* of *Malmesbury*, and the Continuator of *Florence* of *Worceſter*, in ſuppoſing King *Henry* to have gone this year into *Normandy*, and as a confirmation of it, they tell us of a great Eclipſe of the Sun which then happened; and this indeed ſhews us the Error of their Account, for it falling out upon the third

[2.] H. H. A Great Council held at *London*. A Chronological miſtake in *William* of *Malmesbury*, and *Florence's* Continuator.

third of *Auguſt*, could not (as may appear by an *Aſtronomical* Calculation) have happen'd this year on that day, and therefore we muſt place it under the next. *Anno Dom.* MCXXXII.

But it is certain that this very year [3.] the greateſt part of the City of *London* was again burnt, ſo that a Man may admire not ſo much how often it hath been burnt, being (till of late) almoſt all of Wood, but how ſoon it was again rebuilt, which may make the laſt great Fire in our Times as well as the ſpeedy rebuilding of this City the leſs wonderful. [3.] C. F. M. P. The greateſt part of *London* Burnt.

Nothing happened obſervable in Eccleſiaſtical Affairs, only the [4.] King Founded a Church and Epiſcopal See at *Caerliſle*, to which he layed the Countries of *Cumberland*, *Weſtmorland*, and part of *Northumberland*, and appointed *Athulf* his Confeſſor, then Abbot of St. *Oſwald*'s Abbey, the firſt Biſhop thereof. [4.] *Vid. Monaſt. Angl.* Vol. 2. The Church and See of *Caerliſle* Founded.

Alſo this year [5.] *Thurſtan* Archbiſhop of *York* Founded a Rich Abbey for the *Ciſtertian* Order in *Yorkſhire*, and Dedicated it to the *Bleſſed Virgin*. The Place was at firſt a meer Deſart, and was upon the Foundation of the Monaſtery called *Fountains* from divers Springs or Fountains there ariſing. [5.] *Idem.* T. 1. P. 733. The Abbey of *Fountains* Founded.

King [1.] *Henry* being now much indiſpoſed, kept his *Chriſtmaſs* at *Windſor*, but ſometime after recovered his Health. I cannot omit here taking notice of what [2.] *Rad. de Diceto* mentions under this year, tho' I find it in no other Author, and therefore ſomewhat doubt the truth of it, but it is that K. *Henry* hearing in March of the Birth of his Grandſon *Henry*, Son to his Daughter the Empreſs, he was ſo well pleas'd with it, that Summoning together the Chief Men of his Kingdom, he appointed his ſaid Daughter and her Heirs to be his Succeſſors and obliged them all to take an Oath to obſerve this Ordinance; which if it were ſo, the People of *England* were twice ſworn to the Succeſſion; but I ſhall ſubmit the belief of this to the Reader's Diſcretion. *Anno Dom.* MCXXXIII. [1.] H. H. [2.] Abbr. Chron. The King makes all the Chief of the Kingdom again ſwear to the Succeſſion of his Daughter and her Heirs.

But this is more certain [3.] that the King having paſſed his *Eaſter* in his New Palace at *Oxford*, and having ſome time after beſtowed the Biſhoprick of *Ely* upon *Nigel*, Nephew to *Roger* Biſhop of *Salisbury*, and that of *Durham* on *Geoffrey* his Chancellor, about the end of Summer he reſolved to paſs over into *Normandy*, and [4.] in the beginning of *Auguſt* went on Ship-board, on which very day, being the third of *Auguſt* (or the fourth of the *Nones*) as moſt of our Authors place it) there happened ſo great an Eclipſe of the Sun, that *William* of *Malmesbury* (tho' he be miſtaken in the day in placing it on the firſt of the *Nones*; yet could not be ſo in the Obſervation he made of it, when he tells us he ſaw the Stars that appeared about, or near the * Sun, which muſt needs be very terrible to thoſe who were not wont to obſerve ſuch unuſual Events; and the next day but one early in the Morning, happened ſo great an Earth-quake (which began with a horrid noiſe under Ground, that (as our Author relates) the Houſe in which he then was ſeemed to be thrice liſted up, and as often ſink down again into its place. I thought theſe things worth the obſerving, ſince the former of them is rarely ſeen to ſo high a Degree, and the latter ſo ſeldom happens, if at all, in *England*. [3.] C. S. The King beſtows ſevaral Biſhopricks, and then goes for *Normandy*. [4.] W. M. p. 100. *b.* A ſtrange Eclipſe happens whilſt he is on Ship-board. * *Circa Solem.* Which is follow'd by a great Earth-quake.

Yet the King was not to be diſcouraged by theſe ſeeming Prodigies from paſſing into *Normandy*, from whence he never again return'd, tho'

Anno Dom. MCXXXIII. tho' he often intended it, but was ſtill hinder'd by ſome croſs Accident or other; after the King's arrival there, for above three years following, we find little worth the noting to have happened either in *England* or *Normandy*, nor any War to detain him there, (eſpecially ſince he often reſolved to return) and we ſhould be much to ſeek for the cauſes of his long ſtay, did not *Henry* of *Huntington* aſſure us, that he was ſtill kept againſt his will by divers unnatural Quarrels, which happened between him and his Son-in-Law, the Earl of *Anjou*, which were chiefly raiſed by the unquiet humour and Intrigues of his Wife, the King's Daughter.

The reaſon of the King's long ſtay in *Normandy*.

Anno Dom. MCXXXIV. The next year produced nothing remarkable in *England*, except the Death of Duke *Robert*, the King's Elder Brother, (Sirnamed *Curt-hoſe*, from the ſhort Boots or Hoſe he uſed to wear) who deceaſed in the Caſtle of *Caerdiff* in *Glamorganſhire*, and was Buried at *Glouceſter*, having lived Twenty ſix years a Priſoner. I ſhall not mention the loſs of his Eyes by the means of a Red hot Baſon, ſuppoſed to have been drawn over them, upon his endeavouring to eſcape, when he was at firſt committed to a freer Cuſtody, becauſe I do not find it in any Author before the Manuſcript Annals of *Richard of the Devizes*, from whom perhaps *Roger* of *Wendover*, and out of him *Matt. Paris* Tranſcribed this Story: nor is it likely that *Ordericus Vitalis* would have omitted ſo remarkable and aggravating a Circumſtance, out of the Speech which he relates the King of *France* made againſt King *Henry*, in the Council of *Reims*, or that *Henry Huntington* in his Treatiſe *de Contemptu Mundi*, (lately Publiſhed by Mr. *Wharton* at the End of his Second Volume of *Anglia Sacra*) tho' he mentions ſeveral Cruelties of this King, would ſay no more of this, than that he kept his Brother cloſe Priſoner as long as he lived; and therefore I only look upon it as a malicious Lye, raiſed by the Monks of after-times, to move compaſſion towards this unfortunate Prince; and out of hatred to King *Henry*'s memory, who had dealt hardly with him, and had alſo ſhewn himſelf no great Bigot to their Church: and indeed it ſeems as improbable, as that of the ſame Author of this Prince's now dying with diſcontent, becauſe the King his Brother had ſent him a Scarlet Robe, whoſe Capuce or Hood being too little for himſelf had been torn in the putting on, which being again ſewed up, the Duke tho' blind perceiv'd it by his feeling, which made him fall into ſo great a Melancholy, that he ſtarved himſelf to death, for being made to wear his Brother's caſt Clothes. A likely Story! as if the King was ſo frugal as to defraud his Servants of his Clothes, and ſhould think it worth while to ſend his Brother a torn Coat out of *Normandy* into *England*, to ſave the Charges of buying him a new one here.

[5.] M. P. The Death of *Robert* Duke of *Normandy*, The Story of his Eyes being put out, an untruth.

A Character of this Prince. But leaving ſuch trifling Stories, let us come to ſomething more uſeful, and give a Character of this Prince, who was but of a middle ſtature, yet certainly of great courage, which was one of his beſt Qualities, and for which (as our Hiſtorian relates) he was to have been made King of *Jeruſalem*, as you have already heard; yet had he alſo great faults, for he was very unkind and unjuſt to his Brother *Henry*, before he was King, defrauding him of the Money which his Father had left him, and not permitting him to enjoy ſo much as thoſe Territories which he himſelf had Mortgaged to him: He was alſo very inconſtant, and eaſily altered from Love to Hatred, not being able to

diſtinguiſh

diſtinguiſh Flatterers from Friends, ſo that he beſtowed great part of his Lands and Revenues upon Baſe and unworthy Fellows, and had almoſt made away all the Demeſnes of his Dukedom; therefore it is no wonder if he were forſaken by moſt of the Nobility of his own Country, being neither feared by his Enemies, nor beloved by his Friends; ſo that if King *Henry* had not interpoſed, that Dutchy would have been a prey to any that would have ſeiz'd it. I have no more to ſay concerning this unfortunate Prince but that by his Dutcheſs *Sybilla*, Daughter to the Earl of *Converſana* in *Italy*, he had one Son called *William*, of whom we have already treated ſufficiently. *Anno Dom.* MCXXXIV.

This year alſo whilſt [1.] King *Henry* ſtayed in *Normandy*, his Daughter the Empreſs was brought to Bed of a Son, whereupon the King made the Archbiſhop of *Roüen*, with the Earls and Barons of *Normandy* to ſwear Allegiance to his Daughter *Mathilda*, and her Son *Henry*, for ſo was the young Prince called, after the name of his Grandfather. [1.] *Idem Ib.* The Empreſs *Mathilda* deliver'd of a Son.

This was the laſt year of this King's Reign, and he being ſtill in *Normandy*, all things remain'd quiet in *England*. [2.] But the *Welſhmen* made a freſh Invaſion on the *Engliſh* Territories, for this Summer *Cadwallader* and *Owen Guyneth* the Sons of *Griffyth ap Conan* Prince of *North-Wales*, (being young Princes of great courage) reſolved to expell the *Normans* and *Flemings* out of their Country, and entering *Cardigan*, they deſtroyed and burnt the whole Country, taking many Caſtles belonging to *Norman* Noblemen, ſome of which they razed to the Ground, and ſo return'd home Victoriouſly; after which, towards the end of this year, they made another Invaſion with Six thouſand Foot, and Two thouſand Horſe, well armed, and *Griffyth ap Rees* Prince of *South-Wales*, and *Howel ap Meredyth* Lord of *Brecknock*, and his Sons, with other *Welſh* Noblemen, came in to them and ſubdued that whole Country to *Aberteivi*, driving out the Foreigners, and placing the old Inhabitants in their rooms. Againſt theſe *Stephen* Conſtable of *Aberteivi*, *Robert Fitz-Martyn*, with the Sons of *Gerald*, and *William Fitz-John* advanced with all the Forces of the *Normans*, *Flemings* and *Engliſhmen* that were then in *Wales*, or the Marches thereabouts: But after a cruel and bloody Fight near the Caſtle of *Aberteivi*, the latter were put to flight, and the *Welſhmen* perſued them ſo cloſe, that beſides Three thouſand ſlain upon the ſpot, a great many more were drown'd in the River *Tewy*, or elſe taken Priſoners; after which Victory the Princes *Owen* and *Cadwalladar* return'd home with a very rich Booty in Horſes, Armour, and other things. *Anno Dom.* MCXXXV. [2.] Dr. *Powel's* Chron. The *Welſh* Princes Invade the *Engliſh* Territories. The *Engliſh* driven out of great part of *Wales*.

I find nothing worth noting that happen'd this year in *England*, but only from an Antient * Manuſcript-Chronicle of the City of *London*, I ſhall add what is omitted in our Printed Hiſtorians, that a Fire beginning near the *Bridge* was ſo violent, that it not only conſumed St. *Paul's* Church, but burnt as far as that of St. *Clement Danes*; how much it extended in breadth our Author does not tell us; but it is certain, that as to its Length it much exceeded that horrid Conflagration in the year 1666. * *Lib. de Antiquis Legibus.* [3.] O. V. P. 900. H. H.

But to return to the Affairs of *Wales*, from whence we have a little digreſs'd.

[3.] The King having now received the ill News of the late Inſurrections of the *Welſh*, he thrice endeavoured with a ſelect number of Bow- King *Henry* reſolves to return into *England*, but is diverted by ſeveral Diſputes with his Son-in-Law the Earl of *Anjou*.

Anno Dom. MCXXXV.

men and other Soldiers to come for *England*, but was ſtill diverted by his Son-in-Law, *Geoffrey* Duke of *Anjou*, who coveted the great Treaſures of his Father-in-Law, and demanded *Normandy* in preſent; affirming, That it was part of the agreement he had made with him, when he Maried his Daughter; he alſo deſpiſed the King's Admonitions and Advice, and ſo far provoked him, that he had thoughts of taking his Daughter from him, and carrying her into *England*, for the Duke had then ſhut up *Roſcelin*, Viſcount of *Beaumont* in the City of *Mans*, tho' he was Son-in-Law to King *Henry*.

[4.] *Idem.*

[4.] Wherefore he ſpent all the reſt of this Summer in quieting ſeveral petty diſturbances in *Normandy*, that were raiſed by thoſe of that Prince's Faction, (needleſs to be here recited) which when he had done, he came about the end of *November* to a Place called the Caſtle of *Lyons*, near *Roüen*: But not long after his arrival, [5.] going a Hunting in the adjacent Foreſt, and coming home with a good Stomach, he took a Surfeit of *Lampreys*, which tho' he always loved, yet never agreed with him.

The King takes a Surfeit of *Lampreys*, and falls Sick.

[5.] H. H. O. V. p. 901. W. M. *p.* 100. *b.*

The next day he fell very Sick, and when he found himſelf to grow worſe and worſe, he ſent for *Hugh* Archbiſhop of *Roüen* to come to him; being alſo attended by his Natural Son *Robert* Earl of *Glouceſter*, *William* Earl of *Warren*, and divers other Noblemen and Great Commanders, who asking him concerning his Succeſſor, He made anſwer, That he left all his Territories (as well on that as this ſide the Sea) to his Daughter, by a lawful and perpetual Succeſſion, tho' without making any mention of her Husband, having been lately ſo highly diſoblig'd by divers Affronts he had received from him.

His Laſt Will and Teſtament.

Before he died, he commanded his Debts, and all Servants Wages to be paid. All Forfeitures and Mulcts to be forgiven; All Exiles reſtored to their Country; And that all whoſe Eſtates had been unjuſtly ſeized, ſhould peaceably enjoy them again. [1.] He alſo directed his Son *Robert*, who had the Cuſtody of his Treaſure at *Falais*, that he ſhould diſtribute Sixty Thouſand Pounds amongſt his Servants, and Stipendiary Knights and Horſemen.

[1.] O. V. *Ibid.*

[2.] W. M. *Ibid.* The King Deceaſes.

[2.] The King having thus made his Will, and done all things that were neceſſary for a Chriſtian Prince, Deceaſed on the firſt of *December* at Midnight, (the ſeventh day of his Sickneſs:) immediately after, his Body was removed to *Roüen*, whither many of the Nobility carried it on their Shoulders by turns, and there being Imbowel'd, and the Entrails Buried in the Church of St. *Mary du Pres*, it lay for ſome time till it could be thence conveyed to *Caën*, to remain there till the Seaſon would permit it to be Tranſported and Buried in *England*, as He himſelf had appointed it.

I cannot here omit ſome remarkable Circumſtances related by *Gervaſe* of *Canterbury*, concerning the manner of Imbalming this King's Body, which ſeem very Barbarous; for he relates that they cut great Gaſhes in his fleſh with Knives, and then Powdering it well with Salt, they wraped it up in divers Tann'd Ox-hides, to avoid the intolerable ſtench of it, which was ſo infectious, that a Man who was hired to open his Head (which was done with no better a Tool than a Hatchet) died preſently after; ſo that our Author wittily obſerves, that this was the laſt Man of many that this Prince deſtroyed.

The rude manner of preſerving this King's Body, and the ſtrange Infection that proceeded from it.

It

It may not now be amiſs to give you from [3.] *William* of *Malmesbury* a ſhort view of this Prince's Reign, and in what poſture Affairs than ſtood in relation to Foreign Princes. In the beginning of his Reign, he was on ill Terms with *Robert* Earl of *Flanders*, upon the account of a Pention of three hundred Marks *per Annum*, which had been paid by King *William* and his Son of the ſame name, to this Prince's Father and Grand-father, in conſideration of the Aſſiſtance which the latter of theſe had given towards the Conqueſt of *England*; but the preſent Earl being return'd from *Jeruſalem*, imperiouſly demanded that Penſion as a Due; However the King wiſely return'd this Anſwer, *That it was not uſual for the Kings of* England *to pay Tribute to the Earls of* Flanders; *yet if he would leave it to him, he would beſtow it on him as a Friend and Kinſman when opportunity ſerved; but not if he exacted it as* his *Due.* With which Anſwer the Earl was forced to be content, and lived in Amity with the King ever after; but Earl *Baldwin* his Son, when he would not obſerve the ſame meaſures, but endeavoured to put *William* Son to Duke *Robert* in Poſſeſſion of *Normandy*, he there received a Wound, whereof he not long after died: And as for his Succeſſor *Charles* of *Denmark*, the King and he lived in very good Correſpondence.

[3.] p. 99, 100. A ſhort view of this King's Reign; and in what terms he was with his Neighboring Princes; and particularly with the E. of *Flanders*.

If we conſider [4.] the State of *France* during his time, we ſhall find King *Philip* (being much addicted to his Pleaſures) to have given King *Henry* very little or no diſturbance; but his Son *Lewis* (Sirnamed the *Groſs*) carried himſelf more variouſly, and expreſs'd a more uncertain Conduct, acting at firſt like a Friend, but afterwards as an inveterate Enemy on the account of *Theobald* Earl of *Blois* the King's Nephew, whom he maintain'd againſt King *Lewis*, which ended in a cruel and violent War, in which King *Henry* at laſt got the better, as has been already related.

[4.] *Id. Ib.* How the *French* Kings carried themſelves towards him.

But to come nearer home, [5.] as for the *Welſh* Princes King *Henry* had commonly much better Succeſs in his Expeditions againſt them than his Brother *William*; and in the laſt he made, concluded an honourable Peace with the Prince of *North Wales*.

[5.] *Idem.* P. 89. *b.* His Succeſs againſt the *Welſh*.

As for [1.] *Murchade* King of *Ireland*, and ſome of his Succeſſors of leſs note, they were wholly devoted to King *Henry*'s Service; and when *Murchade* did for ſome time carry himſelf unkind toward the *Engliſh*, he was ſoon brought to terms only by the King's forbidding their Trading thither; for indeed (ſays my Author) what could *Ireland* do without the Commodities of *England*? Since the People living lazily, and without Foreign Trade, muſt without the help of this Kingdom be in want of many Neceſſaries.

[1.] *Idem.* P. 91. *a.* The great Reſpect that was ſhew'd him by *Murchade* K. of *Ireland*.

This was the ſtate of *Ireland* in thoſe times, as well as for many ages after.

And farther to ſhew what great [2.] reſpect and honour Foreign Princes had for King *Henry*, our Author relates, that *Paul* Earl of the *Orchades*, (who held thoſe Iſlands as a Feudatory to the King of *Norway*) ſo much Courted King *Henry*'s Friendſhip, that he ſent him ſeveral Preſents of Exotick Animals, which the King put into his Park at *Woodſtock*, where he kept ſuch Creatures.

[2.] *Idem Ib.* The great Honour that was paid him by other Foreign Princes.

Alſo *Siward* King of *Norway* in his Paſſage to the *Holy Land* paſſed his Winter in *England*, and ſhewed the King very great reſpect. And (which is very remarkable,) though he were ſometimes obliged

to be abſent out of *England* for three or four years together, by reaſon of his Wars in *Normandy*, yet the King of *Scots* being his Relation and Confederate, *England* did not feel any Foreign Invaſion, or Domeſtick Rebellion or Inſurrection during his whole Reign, except ſome petty Incurſions made by the *Welſh*, which were not much to be valued: by which long Peace not only during his own but alſo in his Father's and Brother's Reigns, it made *England* become a place of refuge to the diſtreſs'd and afflicted of Foreign Nations, who made it their Sanctuary. Theſe were the Felicities of this King's times; and as for his Misfortunes, they need not be repeated, ſince you may obſerve them from the Hiſtory of his Reign; nor had I related theſe paſſages, but that they are not noted by our Author under any particular years, and are ſuch things as he did not think fit to place in the Body of the Hiſtory, but only as an Epilogue to it.

A Character of King *Henry* the Firſt.

Having now concluded the Life and Reign of this great Prince, I muſt not leave him without giving you his Character from *William* of *Malmesbury* and Others who lived in his time: He was in the firſt place a Prince of vaſt Natural Parts and Eloquence, and had alſo a great deal of Courage, yet ſuch as might conſiſt with Prudence; being cautious to undertake, but firm and reſolute in going through the moſt dangerous Enterprizes, whereby he avoided unneceſſary Wars: He was a ſevere Revenger if very much provoked, and conſtant as well in his Hatred as Friendſhip: As he humbled his Enemies to the loweſt degree, ſo he advanced his Friends and Favourites even to Envy; witneſs *Roger* Biſhop of *Salisbury*, whom from an ordinary Pariſh-Prieſt, or Curate, at a Town in *Normandy*, he firſt made his *Chancellor*, than a Biſhop, and laſt of all his Chief Juſtice over *England*, as well whilſt he was preſent as abſent: He was alſo a rigid Exacter of Juſtice, ſeverely puniſhing Thieves, and Counterfeiters of Money, whom he diligently ſought out, and never pardon'd when diſcover'd; and it was one of the Glories of his Reign, that he commanded all Counterfeit Money, and all that was broken or defaced, tho' of good Silver, (yet which would not be received in Payment) to be melted down: He alſo corrected the falſe Ell or meaſure uſed by Tradeſmen, ordaining the length of his own Arm as a Standard over all *England*. Nor was He neglectful of other matters, appointing his Courtiers, where ever he ſtayed, how much they ſhould take from the Country-People *Gratis*, and what Prices they were to pay for all Proviſions, puniſhing Tranſgreſſors with grievous Mulcts, nay ſometimes with loſs of Life. In the beginning of his Reign, that he might deter the guilty by the terror of Examples, he was more prone to detruncation of Members; but afterwards to Pecuniary Mulcts to increaſe his Revenues; which ſevere Juſtice made him both feared by the Nobles, and beloved by the Common People: So that in all his Reign, there was but one Conſpiracy againſt his Life, and that was by one of his Bed-Chamber, who was alſo the Keeper of his Privy-Purſe, and he being Convicted and Executed, deterr'd others for the future from the like Treaſons. But that which is yet more ſtrange, tho' He paſſed the greateſt part of his Reign in *Normandy*, there was never but one Rebellion raiſed againſt him here, and that in the beginning of his Reign, which was ſoon quelled.

As

As for his Perſon he was of a middle Stature, his Hair Black and thick toward his Forehead, his Eyes clear and ſweet, Broad Cheſted and pretty full of Fleſh: As to his Humour, he was Affable, and when free from Buſineſs, he was of a very pleaſant Converſation; ſo that certainly he was one of the braveſt Kings that ever Reigned in *England*, whither one conſiders him in War or Peace: But not being without faults, he is noted to have been much addicted to Women, and by them he had ſeveral Natural Children, of whom I ſhall give you an account by and by; tho' moſt of them were begotten before he was Married to his Queen: He was alſo too ſevere in his Puniſhments (eſpecially towards thoſe that killed his Deer) which he made worſe than Death it ſelf, by putting out of Eyes and Amputation of Members; yet he Executed no Nobleman for Treaſon againſt him, tho' he impriſon'd divers during life, and alſo put out the Eyes of *Robert* Earl of *Mortaign* his Kinſman for having rebelled againſt him; but as for doing the like to his Brother *Robert*, I have ſaid enough of that already; and if the ſame Authors that tell us of the blinding the former Earl, had alſo known that he had done as much to his own Brother, we need not doubt but we ſhould have heard enough of it; but as for his keeping him in perpetual Priſon, it was no more than what reaſon of State and ſelf-preſervation prompted him to, after he had deprived him of his Dukedom.

A Deſcription of his Perſon.

But that for which he is moſt blamed, is, the ſeverity of his Taxes, which ruined many Families, and his too great Partiality towards the *Normans*, and unkindneſs to his Native *Engliſh* Subjects; preferring the former only for their Country, and deſpiſing and neglecting the latter, meerly becauſe they were *Engliſhmen*.

To the firſt of theſe Charges it may be offer'd in his excuſe, that it muſt be conſidered, he was almoſt perpetually in War, either with the King of *France*, or ſome other Foreign Princes, and it required great Sums of Money to make a conſtant Defenſive War againſt ſuch powerful Neighbours; and perhaps it was likewiſe made much worſe, by the Knavery and corruption of his Inferior Officers.

As for his preferring Strangers before Natural *Engliſhmen*, tho' it muſt be confeſſed, he had done better if he had been leſs partial, yet we muſt alſo remember, that tho' he was himſelf an *Engliſhman* by Birth, yet was he a *Norman* by Deſcent, Acquaintance and Education, and having from his Youth been converſant with few or none but *Normans*, it is no great wonder if thoſe near about him (as *Robert* Earl of *Mellent* in particular) would never adviſe him to advance *Engliſhmen* to any conſiderable Employments either Eccleſiaſtical or Civil, how well qualified ſoever they might be for them. And now having given you this King's Character, I ſhall alſo give you a ſhort account of his Children.

He had by his Queen *Matilda*, only one Son named *William*, who was drown'd as you have already heard, without Iſſue, and one Daughter, commonly called in old *French*, as well as old *Engliſh* * *Maud* Empreſs, becauſe ſhe was firſt Married to the Emperor *Henry* the Fifth; and then her Second Husband was *Geoffrey Plantagenet* Earl of *Anjou*, by whom ſhe had *Henry* the Second, afterwards King of *England*; and two other Sons *Geoffrey* and *William*, who both died without Iſſue.

* I have given her the *Latin* Name of *Matilda* becauſe this does not ſound ſo well.

He

He had alſo ſeveral Natural Sons, the chiefeſt of whom were theſe, *Robert* (created Earl of *Glouceſter* in the ninth year of his Father's Reign) by *Neſta*, Daughter of *Rees ap Theodor* Prince of *South-Wales*; *Richard* begotten of the Widdow of one *Anskil*, a Nobleman of *Oxfordſhire*, who was drown'd with Prince *William*; *Reginald* created Earl of *Cornwall* in the Fifth year of King *Stephen*, was begotten of *Sybil* Daughter of Sir *Robert Corbet* of *Alceſter* in *Glouceſterſhire*. He had beſides theſe three other Natural Sons, who either lived but a little while, or elſe did nothing remarkable, and therefore ſeem not worth the naming: He had alſo Four Natural Daughters, who were Married to ſeveral Earls, and other Noblemen of *France* and *Normandy*, but the moſt famous were *Maud*, Married to *Conan* Earl of *Bretaigne*; and *Elizabeth* Married to *Alexander* King of *Scots*. But if the Reader has a mind to know the Names of the reſt, I refer him to *William Gemeticenſis* for his further ſatisfaction.

Lib. 8. C. 29.

I have no more worth noting concerning this Prince's Reign, but to give ſome account of his Taxations, as alſo of the Laws made in his Reign; but to begin with the former.

The Taxes raiſed in this King's Reign, were as follow:

The Extraordinary Taxations of this King are not particularly noted, nor is it ſaid how they were impoſed; but in the Fourth year of his Reign, *Florence* of *Worceſter* relates it was not eaſie to declare what miſery *England* ſuffer'd by reaſon of the King's exceſſive Exactions; the ſame we find alſo in the *Saxon* Chronicle.

In the Sixth year of his Reign his Impoſitions were General and Cruel, according to *Eadmerus*'s report; and beſides other Rigorous Exactions from the Clergy, he ſet a particular Sum upon every Pariſh-Church, and forced the Incumbent to pay it; or, according to the Hiſtorian, to *redeem* the Church.

In the Eighth year of his Reign, he had for the Mariage of his Daughter *Matilda* to the Emperor *Henry* the *Fifth*, three Shillings of every Hyde of Land in *England*, which upon a juſt value at this day would be equal to Eight hundred twenty four thouſand, Eight hundred and fifty Pound, (according to Dr. *Brady*'s Computation.

In the Sixteenth year, by reaſon of the King's Neceſſities *England* was oppreſſed with frequent and various Payments and Exactions: But I find no *Scutage* paid unleſs it were comprehended under other Gelds and Exactions.

Beſides theſe his Taxes, it appears by the Laws attributed to this King, that he had a conſtant Annual Land-Tax, (which is there called *Danegeld*) of Twelve-pence upon every *Hyde* to be paid at certain times, a Forfeiture being ſet upon ſuch as did not duly pay it.

I ſhall now proceed to the Laws made or confirm'd in his time. I need not here repeat the *Great Charter* of Liberties which he granted at his Coronation to the Clergy, Nobility and People of *England*, having given it you at large in the beginning of his Reign; nor do I find any other Laws of his beſides that Collection which Mr. *Lambert* hath given us in his *Archaionomia*, and are alſo Printed at the end of Mr. *Wheelock*'s Edition of *Bede*; And ſince they contain a Digeſt or Body of the *Engliſh* Laws and manner of Proceedings in Criminal as well as Civil matters, I have here Tranſlated the moſt conſiderable of them, which concern either the King's Prerogative, or the Liberties of

of the Church, Nobility and People; or the manner of Tryal in Civil as well as Criminal Cauſes; and for the reſt I refer the curious Reader to the *Latin* Original, which he will find in the Authors laſt mentioned; but thoſe that may be moſt worth your Peruſal are theſe that follow, which have been extracted out of the *Red Book* of the *Exchequer* compared with Mr. *Selden*, and Mr. *Lambert*.

Paſſing therefore over the four Chapters which contain little conſiderable, except the manner of Tryal, and diſpatching of Civil Cauſes: As alſo the Fifth Chapter which gives Rules for Pleadings, and Judgments as well in Eccleſiaſtical as Civil Courts.

I proceed to the Sixth, which Treats of the Diviſion of the Kingdom of *England* into the Provices of *Britain* or *Wales*, into *Weſt Saxony*, and into the Provinces of the *Mercians* and *Danes*, according to which there is alſo declar'd a threefold Partition of the Law of *England*, there being formerly one Law in *Weſt Saxony*, another in *Mercia*, and a third called *Danelage*, in all which tho' they acknowledge one Supreme Empire in the Royal Majeſty, yet in many things they differ, as in other they agree.

The Seventh Chapter Treats of the General Pleas of Courts, when and how they ought to be made.

In which it is Ordained, That the General Pleas of Counties ought to be held in certain Places, and at certain Times, and not to be delayed or put off, unleſs the King's own urgent occaſions, or the common profit of the Kingdom may require it, where ought to be preſent the Biſhops, Earls, *Vice-domini*, (*i. e.* Judges under the Earls) *Vicarii*, (*i. e.* Sheriffs;) *Centenarii*, (*i. e.* Hundreders) Aldermen; *Præfecti*, (*i. e.* Magiſtrates) *Præpoſiti*, (*i. e.* Head-Borough *Barons*, *Vavaſors*, *Tungreves*, (*i. e.* Officers of Towns) and all other Owners of Lands ought to be preſent, to prevent the Impunity of evil Men, and the Subverſion of Juſtice: But the *Scyremotes* and *Burghmotes*, ought to be aſſembled in the Hundred, or *Wapentac* twelve times a year, with other Particulars, belonging to theſe Courts too long here to be recited.

The Eighth is, That all Freemen, as well Houſholders as their Followers or Dependants ſhall meet twice a year at the Hundred-Court, to ſee if their *Decenaries* or *Tythings* be full or not; or in what manner they increaſe, or decreaſe, and requires that there ſhould be over every nine Men a tenth, and over the whole Hundred one of the better ſort, called the *Alderman*, who ought to ſtudy to promote the Laws of God and Man.

In Mr. *Selden*'s Copy here follows this Clauſe: [Becauſe nothing ought to be taken, or exacted from any one, unleſs by Right, and by the Law of the Land, and by the Juſtice and Judgment of the Court, without deceit; as it is Ordained by the prudent conſideration of our good Predeceſſors, and the Nobles of the whole Kingdom, and approved of by the General Aſſembly of the * Servants of God, and of the holy † Elders and *Wiſe-men* of the whole Monarchy.]

* *i.e.* the Clergy.
† *i. e.* the Biſhops.

The other Copy proceeds: [For it is Ordained by the Provident Order for the Common Good, that every one who deſires to be counted worthy of the right of a Freeman, ſhall from the twelfth year of his Age be entered in ſome Hundred, Tything, or Franc-pledge; but Mercenaries, or Hirelings ſhall be obliged by a double Pledge; That

That every Lord only retain ſuch, who may be lyable to Juſtice, ſo that if they offend he may make them anſwer for it, or may himſelf render an account of them.]

The reſt concerning ſuch Strangers, who might viſit their Friends, yet were to be brought to Juſtice, if they offended, as alſo againſt receiving Strangers beyond three Nights without giving ſecurity for them, or receiving another Man's Servant without a Teſtimony of the Neighbours; I do ſlightly touch upon, becauſe already mentioned in the Laws of King *Edward*.

The Ninth Chapter is of the quality or nature of Cauſes, ſome of which are redeemable by Fine, and others not, which belong only to the Royal Prerogative, then follows a diviſion of Cauſes into ſimple or mixt; ſo that all Cauſes ought to have ſuitable methods of Proceſs, according to the different Times and Perſons, and that every Cauſe ſhould be determined in the *Hundred*, *County*, or * *Halimote*, or *Court* of thoſe Lords, that have *Socam Curiæ*, (*i. e.* Suit of Court.

* i.e. *Court-Baron.*

The reſt concerning the differences of Cauſes according to the different nature of offences, I omit, only the concluſion of this Law is remarkably, that no * *Weak*, or wicked Perſon ought to be a Judge, but ſome of the † Chief Men according to their ability; who ſhall not Judge a Man's Perſon but his Deeds, according to the Law of the Country.

* *Stultus.*

† *Optimates.*

The Tenth is concerning the King's Right, or Prerogative, which is thus expreſſed; Theſe are the Rights which the King of *England* alone hath above all Men in his own Kingdom, whilſt the good Inſtitution of Peace and Security is retain'd, (*viz.*) the Breach of the King's Peace, given either by his * Hand, or Writ, *Danegeld*, the Plea, or Proceſs concerning contempt of his Writs, or Precepts, as alſo concerning his Servants, whereſoever killed or injured; alſo Treachery and Treaſon, with all ſorts of Contempts, as ſpeaking evil of him, *Caſtellatio trium ſtannorum*, (which I know not how to Tranſlate) alſo the Pleas of *Outlawry* and Theft (then not puniſhable by death) Murther, falſifying of his Money, Burning [Houſes] *Ham Sacna* [*i.e.* Aſſault made on a Man in his own Houſe.] *Foreſtal*, [*i.e.* Lying in wait in the High-way.] *Fyredering*, [I ſuppoſe finding of Goods.] *Flemenefirm*, [perhaps the aiding of Out-law'd Perſons.] *Premeditate* Aſſault, Robbery, *Strethrech*, [that is, treſpaſs upon the King's High-way.] Seiſing on the King's Land, on Money, Treaſure-Trove, Shipwracks, *Maris Algarum*, (*i. e.* of Sea-weeds, or Plants.] Rapes, Treſpaſſes in Foreſts. Alſo the relief of his Barons; Whoſoever ſhall fight in the King's Houſe, or whoſoever *Hoſtia*, (*i. e.* in the King's Hoſt or Army.] Breaks the Peace, whoſoever ſhall omit to maintain *Burghote*, *Brighote*, and *Firdfard*, [*i.e.* the repairing of Caſtles and Bridges, and appearing at a Muſter.] Whoſoever keeps or maintains an Excommunicated or Out-law'd Perſon. Alſo *Burgbreche*, [*i.e.* he who violates the King's Pledge or Surety.] Whoſoever ſhall run away in a Land or Sea-fight, unjuſt Judgment, defect of Juſtice, and Wreſting of the King's Laws. All *Hereſtrets*, [perhaps the King's High-ways are here meant.] And all *Gwalſtows*, (*i. e.* Places of publick Execution,) are wholly the King's. Moreover the King in his *Soca* or *Court*, ought to be to all Men, * that are Summon'd to appear as well towards all Strangers,

* In thoſe Times our Kings gave Men Protection by giving their Hand before Witneſſes.

* *Omnibus Ordinatis.*

Strangers, as poor and abject perſons, inſtead of a Kinſman and Advocate, if they have no other.

Theſe are the Royal Pleas of the King, nor can belong to Sheriffs, Apparitors, or other Officers, unleſs they are Farm'd out by expreſs Grants.

The Eleventh is of the Pleas of the Church, belonging to the King, which ſince they relate only to what part of the Fines the King was to have together with the Biſhop for certain Eccleſiaſtical offences, ſuch as Man-ſlaughter in a Church, with-holding of Tythes, *Peter-pence*, and *Firſt-fruits*, Adulteries, Perjuries, falſe Teſtimonies, Killing of Men in Holy Orders, Working on Holy Days, Man-ſlaughters, Marriages of Widdows within Twelve Months after the death of their Husbands; Harbouring Out-lawed and Excommunicated Perſons, I but ſlightly mention, as being tedious, and alſo in great part already repeated among the Laws of King *Edward*.

The Twelfth declares what Pleas or Proceſs againſt any Man may be ſatisfied by paying of the *Were*, [That is, the ranſome of his Life, and what by payment of a *Wite*, that is, a bare Fine or Mulct.] Some of which cannot be ſatisfied at all by Money, ſuch as are *Houſe-breach*, and Burning of Houſes, notorious Theft. *Eberemorth*, [*i.e.* down-right Murther.] And *Lawfordſwic*, [*i.e.* betraying of the Lord.] And breach of the Peace, or of the Church, or that given by the King's hand. But theſe that follow may be ſatisfied by a Hundred Shillings, *(viz.)* *Grith-breach*, [*i.e.* Simple-breach of the Peace.] *Stret-breach*, Foreſtale, *Burg-breach*, *Hamſokne*, *Flemen-farme*; all theſe may be ſatisfied by a *Were:* theſe are the chief heads of this Law, the reſt I paſs by.

The Thirteenth is, what Pleas put Men in the King's * *mercy*; which are theſe, breach of his Peace, given by his Hand, Contempt of his Writs, and whatſoever tends to the contumely or contempt of his Perſon or Commands; as alſo concerning his Servants ſlain in any *City* or Caſtle, or any where elſe: Alſo Treachery and Treaſon, making of Caſtles without Licence, Outlawry, &c. thoſe that do thus are in the King's mercy, and forfeit their * *Free Land* if they have any. Then follow Thefts and Murthers if the Party come not in within ſeven days: Alſo * Counterfeiters of Money ſhall loſe their Hand, without any Redemption. Whoſoever ſhall give unjuſt Judgment ſhall pay an Hundred and twenty Shillings, and ſhall loſe the Office of a Judge, unleſs he redeem it of the King; alſo the concealment of Goods or * *Chattels* belonging to the King was to be counted as Theft; alſo Violence offer'd to a Virgin or Widdow, fighting in the King's Houſe: He that breaks the Peace in the King's Hoſt ſhall loſe his Life, or compound for it: Alſo he that fails to perform *Burghbote*, or *Brigbote*, or *Fridfare*, ſhall forfeit an Hundred Shillings, which he incurr'd, unleſs Eleven out of Twelve ſound for him. The reſt of the Forfeitures is againſt thoſe who keep or maintain Out-law'd or Excommunicated Perſons, and whoſoever ſhall forſake his Lord or fellow Souldier in a Land or Sea-fight, all whom ſhall loſe their Lives, and the Lord ſhall ſeize upon their Money and the Land which he gave them; but if they have *Bockland*, [*i.e.* Freeland] it ſhall fall to the King.

* *i.e.* To be Fined or Amerced.

* *Bocland.*

* *Falſarii.*

* *Captalia.*

The Fourteenth is concerning Reliefs; which begin with thoſe of an Earl, and thence deſcend to the King's Thanes, and then to that

of the middle Thane, which having been already repeated in the Laws of King *Cnute*, and being much the ſame with that in the former Volume, I ſhall not repeat, but refer the Reader to it.

The Fifteenth is concerning *Danegeld*, (*viz.*) Twelve-pence for every Hyde *per Annum*; this if it be not paid at the times appointed, ſhall be ſatisfied by a *Wite*.

The Sixteenth is concerning the Peace of the King's Court, which ought to be obſerved for the diſtance of four Miles, three Quarters in Length, and nine Acres and odd Feet, from the Gate of his Palace, where he reſides.

The Seventeenth is concerning Pleas of Foreſts, (*viz.*) thoſe concerning Encloſures made in the Foreſt, or of *Eſſarts* and cutting, or burning of Woods, alſo concerning Hunting, carrying of Bows and Arrows in Foreſts of the expeditation of Dogs (that is cutting out the Balls of their Feet that they ſhould not run) not appearance at the Foreſt-Courts, the letting in Cattle into Foreſts, ſlighting of Summons, the coming with Dogs, the finding the Skin or Carcaſs of a Deer.

The Eighteenth is *de Lada*, or the Purgation of Crimes. A *Frenchman* being appealed, may ſwear himſelf off by a Sixfold Purgation (*i.e.* by Six Witneſſes) but an *Engliſh* Freeman by a threefold *Lada*, (*i.e.* by *Ordeal* of a hot Iron weighing three Pounds.)

The Nineteenth declares that there are ſeveral things, the Judgment of which belongs to the King's Court, and not to the Sheriff or his Officers without particular Writ.

The Twentieth is concerning *Socna*, *Thol*, and *Theam*, of which the King has partly the Judgment of Cauſes in his own *Socna*, or Court, or elſe had granted it to others; which Juriſdiction is diſtinguiſh'd into what was under the Heads of Mannors, and of Hundreds and Burroughs, under the Sheriffs of Counties; and it declares that Archbiſhops, Biſhops, Earls, and all others of inferior Dignity, had within their own Mannors or Juriſdictions, *Sac*, [*i.e.* tryals of Pleas] concerning Tranſgreſſions within the Mannor and *Soc* (*i.e.* Suit of Court of the Tenants within the Mannor) and alſo *Thol*, (that is, liberty of Buying and Selling) and *Theam*, (that is, power over their own Villains) and *Infangtheof*, that is, the priviledge of Trying and Judging of a Thief taken within the Mannor or Royalty. What follows being tedious and obſcure, I ſhall not take upon me to Tranſlate, only it here appears, that all theſe great Priviledges and Royalties whatſoever were derived from the King, tho' afterwards they might deſcend by Succeſſion, or be alienated by Purchaſe or Exchange.

The One and twentieth is concerning ſeveral kinds of Cauſes, of whoſe Forfeitures the King has a ſhare, *viz.* in all Cauſes as well Eccleſiaſtical as Civil; as alſo in thoſe concerning the King's Servants, as Eccleſiaſticks and the Tenants of Barons, as over * poor and *inconſiderable* Men, whither the King has wholly or only in part the *Socna*, or Suit of Court; among which are Adultery and Homicide committed in the Church, Breach of the Peace, or of Holy Orders, or of Chriſtianity, or Legality, where it it puniſhable by the Secular Power.

* *Acefalos.*

The Two and twentieth is of *Grithbrech*, and *Ham Socna*. Which having nothing very material, I wholly paſs by.

The

The Three and twentieth is concerning Offences in Foreſts, for which a Man is puniſhable in the Court of his Lord, unleſs he be taken within the Foreſt.

The Twenty fourth is concerning *Fiſcal* Judges; the *Fiſcal* Judge, (who was I ſuppoſe the ſame with the chief Baron of the *Exchequer*) had the obſervance or over-ſight of Legal Juſtice over all the *Barons*, who had particular Franchiſes, and whatſoever was done againſt their Perſons: for no Man could claim a Forfeiture to himſelf, but only to his Lord: The reſt I omit, as not to the purpoſe, or elſe obſcure.

The Twenty fifth is concerning the Priviledges of the Noblemen of *England*: If there ariſe a Plea between the Tenants of any of the Barons, that have *Socna* (that is Suit of Court) let the Plea be handled in the Court of his own Lord, of common right; if it be between the Tenants of two Lords, having ſuch a *Socna*, let the party accuſed anſwer in the Court of his own Lord, as of common right.

The Six and twentieth is of the Plea of Theft: Which ſince it is obſcure and of no great moment, I paſs by.

The Seven and twentieth is of the Liberty of a *Vavaſour*, (or *meſne* Tenant.)

Alſo *Vavaſours* who have Free-land may hold Pleas, which belong to *Wite* or *Were*, over their own Tenants in their own Lordſhips, and ſo likewiſe over the Tenants of others, if they are there detain'd, or charg'd in the Fact.

The Eighth and twentieth is concerning giving right Judgment, where 'tis declared that in all Actions the Judgment of the Judges ought to be unbiaſſed; for poor Men are worſe oppreſſed by wicked Judges, than by the moſt cruel Enemies: the reſt containing the qualification of Witneſſes, and how they are to be Examined, ſince it contains nothing material, I omit.

The Twenty ninth is who ought to be the King's Judges.

The King's Judges, or the * *Barons* (*i.e.* Free-men) of the County, who have Free-lands in it, are thoſe by whom the Cauſes of particular Perſons ought to be tryed by an alternate Proſecution or Tryal; but *Villani* [*i.e.* meer Villagers or Country-men] or *Cocſeti* [or rather *Coſcetti* [*i.e.* next Cottagers] or *Perdigni*, [*i.e.* Vile and Indigent Perſons] are not to be numbered among the Judges of the Laws; whence it is that they neither can forfeit their own or their Lord's Money in the Hundred or County-Court. The reſt concerning their Appearance, and the Forms of Proceſs in thoſe Courts, I omit; only this is remarkable, that by this Law no *Namium*, or Diſtreſs, for any Cauſe ariſing in the Hundred-Court, was to be carried out of that Hundred.

* *Barones.*

The Thirtieth is of the Liberty of Noblemen or Gentlemen, in Pleas of Counties, [*i.e.* County-Courts] by which it is declar'd that if a Baron of a County have a Cauſe againſt the Sheriff, thoſe that held of the Baron were not to be tried in the County-Court unleſs for Theft.

The One and thirtieth is of Capital Pleas.

In Supreme and Capital Pleas, one Hundred or County-Court may be Judged of two, but one alone may not Judge two Counties; if between Judges there are divers Opinions, and ſome affirm it to be one way, and ſome another; let the Sentence of the better ſide prevail, and according to that which is moſt agreeable to Juſtice. All

Biſhops, Earls and other Magiſtrates ought to be preſent at the County-Court, who may there determine the Laws of God, and Secular Matters by due conſideration, where none ought to deny the Records of the King's Court; in other Caſes a Man might deny the matter by Men who were *Cogniſant* of it, and no body was to be found Guilty by a ſingle Teſtimony.

* *Advocet aut contradicat.* † *Ejuſdem Provinciæ.*

If any Man ſuſpects his Judges, he may appeal, or * deny the Fact: every Man is to be Judged by his Peers of the † *ſame County*; all Foreign Judgments were to be abrogated, whatſoever is done againſt Perſons abſent in any place or matter, or what is not done by proper Judges, ſhall be wholly void, and no Witneſſes were ro be received, againſt which any Objection lay. And it farther declares that in *Weſt Saxony* thoſe that were choſen for Witneſſes, and not named Judges, were Advocates; which is a plain diviſion of the Freeholders into Judges and Jury.

The Two and thirtieth is, That no Man may Judge his own Lord.

* *Judicium celebrare.*

No Man may preſume alone, or can be compell'd by any other to * give Judgment, nor ſhall any of the Chief Men ſuffer by the Judgment of the leſs; no Man may Judge his own Lord, or give Judgment upon him whoſe Liege he is: the reſt being obſcure, I paſs by.

The Thirty third is of handling a Plea.

If any Man in his own Court, or in any other place of Judging Cauſes, have a Plea to be diſpatched, let him call together his Equals and Neighbours, that he may give them ſuch a *Gratuitous* Juſtice, by an unforced Judgment, as cannot be gain-ſaid; for the defect of Juſtice, and the violent forſaking of right, are thoſe things which bring Cauſes into the King's Court, or the Juriſdiction of other Superior Lords; the reſt being obſcure and of no great moment, I let alone.

The Thirty fourth is of handling a Plea in a juſt Judgment: If any Man for anger, hatred, fear, love, or covetouſneſs, or for any reſpect to the King, ſhall Judge unjuſtly, or ordain that which is not Law, let him pay an hundred Shillings, and be deprived of all honour of being a Judge, unleſs he ſo redeem himſelf to the King, as that he ſhall be in his mercy: the reſt concerning the *Laſh-lites* or Mulcts appointed by *Danelage*, for this, or that Crime, and alſo for thoſe who ſhall Impeach, [*i.e.* queſtion or deny] a Judgment rightly given, I deſignedly omit.

The Thirty fifth is concerning *Overſeuneß* to the King, (that is, the contumacy or contempt of the King's Command) which offence is rated at ſeveral Sums, according to the quality of the Perſon, and greatneſs of the offence.

The Thirty ſixth is concerning thoſe who have not, or elſe may loſe their *Overſeuneß* [or right of Fines] which ſince it is obſcure, and not material, I alſo paſs by.

The Thirty ſeventh is concerning the unlawful cutting down of a Wood, which (omitting the reſt that goes before) is here called *Wudheth*, that is the cutting of Wood in the King's Park or Foreſt, which ſhall be ſatisfied by Twenty *Manſes*, (that is, about Fifty Shillings of our Money) unleſs an expreſs Prohibition ſhould require more; but out of a Foreſt or Park, it was but Five *Manſæ*.

The

The Thirty eighth is of *Scheld-wite*, of which ſince Sir *Henry Spelman* hath not given us any ſignification, I will not take upon me to determine what this offence was.

The Thirty ninth is concerning the Forfeiture for ſhedding of blood, which in ſome places was only incurr'd by them that were Actors in it, but in others by Acceſſories. It alſo relates to the breach of a Park, or Pound, here called *Pundbreach*, which if done in the King's Court, the Penalty was a full *Wite* or Mulct, if elſwhere, Five Marks; but lays it down as a general Rule, that in all Cauſes there ought to be conſider'd the difference of Place, Time, Perſon and Event.

The One and fortieth is, That every one ought to have his own *Overſeueneß*, or Forfeitures upon contempts.

The meaning of which is, That every Lord hath the full *Overſueneſs* or Forfeitures from his Tenants, according to the place of his Reſidence and manner of the Offence: the reſt chiefly relates to *Eſſoins*, the Particulars of which I need not here mention; only this is remarkable, that the Law ſtill continued, that every Lord ſhould keep ſuch Servants as may be lyable to Juſtice, and alſo his whole Family under his own Pledge, that if he were accuſed of any matter, he might anſwer it in his own Hundred, where he ſhould be compell'd to anſwer according to Law: If he alſo be accuſed and flie, let his Lord render to the King the *Were* of that Man; and if the Lord be accuſed that he fled with his conſent, he ſhall *Juſtifie* himſelf by the Oath of Five *Thanes*, and he himſelf muſt be the Sixth.

The Forty ſecond is concerning Summons.

And contains the Penalty of him, who ſhall omit or neglect to deliver the King's, or any other Lord's Summons to another, either on purpoſe, or through forgetfulneſs, *&c.*

The Forty third is that none being Impleaded by the King may firſt anſwer to another.

The meaning of which is, that no Body being impleaded by the King is compellable by Law to anſwer another, until he had firſt ſatisfied him who is the Chief Lord. The reſt being tedious and obſcure, I omit: The Sum of it being no more than that a Man ſhall firſt anſwer that Lord of whom he holds in chief, or under whom he reſides.

The Forty fourth is of the Pledges for their Lords; which provides, that Tenants ſhall not anſwer their Lords in any Suit till they have ſatisfied them what they have loſt by being Pledges for their Lords, unleſs it be in Caſes of Contumely towards them.

The Forty fifth contains many things concerning *Inculpations* or Caſes wherein Men may be excuſed from Appearance, and ſhews many Cauſes in which it is neceſſary to anſwer according to Law, upon a ſingle Summons, and where not, needleſs to be recited.

The Forty ſixth is of thoſe that are Impleaded by their Lords. If any Man ſhall be Impleaded by his Lord either by his own or another Man's ſuggeſtion, let him be Summon'd to appear at ſeven days notice, in the ſame County, to anſwer all ſorts of Pleas, *&c.* needleſs to be recited at large.

The Forty ſeventh is concerning Criminal or Capital Cauſes, as concerning Theft, Murther, and betraying a Man's Lord; as alſo Robbery and Outlawry, or *Houſe-breach*, and burning of Houſes, and falſifying Coyn as alſo that in all Criminal and Capital Cauſes, no Man

Man must look for Council, but being Impleaded must presently deny it without any seeking for Council, of whatever Nation or condition he is, *&c.*

From whence we may observe the Antiquity of that Law of denying Council in all Tryals of Life and Death.

The Forty eighth is, when Persons may make use of Council.

In all other Causes every Man may and ought to make use of Council; for if any one being Impleaded by the King's Justice, and shall go to Council, and does not plead in * discharge of the offence, he shall Pay twenty Marks. The rest I omit as needless to be inserted.

* *Ad Inculpationem.*

The Forty ninth, fiftieth, fifty first and fifty second, containing only divers rules concerning Pleadings and Summons to the hundred, and other Courts, and not appearing there; as also concerning Distresses, giving Security or Pledges to answer Justice, being only matters of Form, and now quite absolete, I pass by.

The Fifty third is concerning superseding or delaying to appear at the County-Court, and the Forfeitures due thereupon, as also concerning Pleas there brought.

The Fifty fourth is of the Dividend among Partners of a Sum of Money in Trade.

If several Men shall become Partners, so as that they have put their Money into a Common Stock, and they will depart from that Society, and Community, let them bring before Witness whatsoever they have in Common to be equally divided, that if need be, they may swear upon the *Holy Evangelists*, that they have no more; as for what is already acquired, they may divide it among them, according to right, and that * Arbitrements shall be as firm as Judgments themselves.

* *Justitia Amicitiæ.*

The Fifty fifth is concerning the Priviledge of a Lord over his † Tenant.

† *In hominem suum.*

It is lawful for every Lord to Summon his Tenant to do him right in his own Court, and if he be Resident at some remote Mannour of the same Honour, he shall answer there, if the Lord shall so Summon him.

The Fifty sixth is much to the same purpose, *viz.*

In what Court a Controversie shall be determined between any one and his Farmer, who is not his Leige-Man, especially in such things as belong to the Farm, all which shall be determined in the Court of that Lord of which the Land is holden; the like concerning Shepherds, Stewards and other Servants, either of the Lord or his Tenants.

The Fifty seventh is concerning the Complaints of Neighbours against each other.

And if they are made between those that are Equals, they may meet at the division of their Lands, and he who first complained shall first have right done him; or if it must go further, let them go to the Court of their own Lord, if they have one and the same, and that Jurisdiction be his, but if otherwise they may go to the Hundred-Court if there be need; the rest being tedious I pass over, as I do also

The Fifty eighth concerning a Vagrant, who was to be brought before the Justice or Judge of that place, *&c.*

The

The Fifty ninth and Sixtieth being concerning the Countermanding of Pleas once begun, how much time was to be given for it, and in what Caſes, and by whom it was to be done, ſince they are only matters of Form, and are now obſolete, I omit, as I do alſo

The Sixty firſt, concerning the Plea of any Lord againſt his Officer or Bayliff, and thoſe that are ſubject to him for the ſame reaſon, as being long, obſcure, and now out of uſe.

The Sixty ſecond is concerning the obſervation of the times for ſuperſeding the execution of Laws, *viz.* from the *Advent* of our Lord to the *Octaves* of *Epiphany*, and from *Septuageſima Sunday* till fifteen days after *Eaſter*, and on all *Holy-days*, and on the four Seaſons (or *Ember*-Weeks) and days of *Lent*, and other lawful Faſts on *Fridays*, and the Vigils of the Apoſtles: all theſe are no times of executing Laws, *i.e.* either of Swearing Fealty to the Lord, Agreements in Suits, Tryal by Battel, Hot-Iron, or Water, *&c.*

The Sixty third is concerning the Impleading by a Fiſcal Judge, that is, (I ſuppoſe) the Steward of a Mannor.

That is in what Cauſes the * Fiſcal Judge may Implead any one concerning *Socna* or Suit of Court, without any Accuſer, and how the accuſed may purge himſelf by the Oath of his Neighbours; all which ſince it is obſolete and not material, I omit. As I do alſo the Sixty fourth concerning in what places and in what caſes a Man may purge himſelf by his own Oath, and that of others; and when he muſt do it by a threefold *Ordeal*, (that is, by a Hot-Iron of three Pounds weight) from which according to the Law of *Weſt-Saxony* all *Thanes* and *Presbyters* were excepted: But all theſe being now out of date, I omit; only thoſe in Holy Orders were to purge themſelves by Oath of Five Prieſts beſides themſelves, *&c.*

* Suppoſed to be the Sheriff of the County, who then managed the King's Revenues ariſing there.

The Sixty ſixth is of letting a Thief eſcape.

If any ſhall let a Thief *go Gratis*, let him make ſatisfaction according to the Thief's *Were*, or let him deny it by a full Purgation, that he knew him to be ſo: and if any one did not follow the Hue and Cry, he was to pay a Fine to the King, unleſs he could clearly acquit himſelf.

The Sixty ſixth is concerning the Killing of a * *Miniſter* of the *Altar*.

* *i.e.* A Prieſt or Deacon.

If any ſhall Kill a *Miniſter* of the *Altar*, let him be Out-law'd from God and Man, unleſs he repent by a due ſatisfaction, and make agreement with his Kindred, or purge himſelf by his *Werelada* (that is, by thirty Compurgators) and that within thirty days, *&c.* if a *Miniſter* of the *Altar* ſhall kill another Man, or be accuſed for any enormous evil action, let him be deprived both of his Orders and Dignity, and let him go on Pilgrimage, as the Pope ſhall enjoyn him. But if he will purge himſelf, let him do it by a treble Purgation, and unleſs he perform this within thirty days, let him be Out-law'd, *&c.* If a Man ſhall abuſe one in Holy Orders either by Blows, Bonds or otherwiſe, let him make amends to him, according to right, and make ſatisfaction to the Biſhop according to the Dignity of his Function, and pay a full *Munbreach* (that is, a Fine for the Breach of the Peace) or he may deny it by a full Purgation: If any Man being condemned to die deſire to be profeſſed (*i.e.* a Monk) let it never be denied him; but if any one ſhall deny him, let him make ſatisfaction to the King with One hundred

hundred and twenty Shillings; or if he deny it, he ſhall purge himſelf by Oath with Six Witneſſes, that he did not do it, the reſt being tedious I omit. But this may be enough to ſatisfie the Reader of the great Priviledges that Church-men had in thoſe days above Lay-men, if they commited Homicide, as well in the Tryal, as manner of the Purgation.

The reſt of the Penalties for beating or impriſoning one in Holy Orders, I let alone, as not much to our purpoſe.

The Remainder of theſe Laws I paſs by,and ſhall only take notice of the time and manner then uſed of Purgation by *Ordeal*.If any one ſhall be lawfully accuſed by the Sheriff, or the King's Juſtice, of Theft, Burning, Robbery, or the like, and is to have a threefold *Lada* or Purgation, then ought he on a convenient day to have thirty Compurgators ready, whereof none ſhall be culpable in any matter, and with fifteen of thoſe whom the Juſtice ſhall chuſe, the party himſelf (being the Sixteenth) ſhall ſwear as the Judge ſhall direct. By the *Mercian* Law there were to be thirty five Compurgators, and by the *Dane* Law forty eight.

The Sixty ſeventh is concerning the *Lada* or Purgation of a Man not infamous,with other things not much to our purpoſe,which I omit.

The Sixty eighth is concerning the *Were*, or ſatisfaction for a Freeman ſlain,which I alſo paſs by,becauſe ſo often repeated;only ſhall take notice, that altho' every Prieſt, however born, was to be accounted of equal Dignity with a *Thane*, yet if he were killed, and ſatisfaction to be made for it, it was to be done only according to his Birth,that is, if he were born of a *Thane*, a *Thane's Were* ſhould be rendered for him, and ſo if he were deſcended of a Villain: the like *Were* was to be obſerved in Clergy-men as well as Laicks, that the Line of deſcent was ſtill to follow the Father, and not the Mother's ſide. The reſt concerning the *Weres* to be paid for Clerks according to their different Orders, and the ſeveral Penances that were to be perform'd for the killing of a Monk or Clerk, tho' by chance, or againſt a Man's will, or his own Father or Mother by the like accident, I ſhall let alone: As I do alſo the Sixty ninth and Seventieth, which are

Concerning the different *Weres*, *Wites* and *Manbotes* that were to be paid by the Law of *Weſt-Saxony*, to the Kindred, or Lord of the party ſlain, according to their different Qualities, becauſe repeated in former Laws, which were not then alter'd.

The Seventy firſt is concerning Homicide.

If any one by Poyſon, Charms, Looks, Actions, or any ſort of *Witchcraft*, ſhall commit Homicide, whither it were prepared or intended for that party, or any other, if it prove mortal it ſhall by no means be redeemed, but ſuch a one ſhall be delivered to the Friends of the Party ſlain, that he may be left to their mercy and judgment; but if the caſe would admit of mercy,it was to be left to the Judgment of the Biſhop, and if he were admitted to mercy, he was to anſwer for the *Were*, the *Wite*, and the *Manbote* of the dead perſon, and then was tofind Sureties for his own good Behaviour, *&c.*

From the Seventy ſecond,concerning the ſeveral kinds of Homicides; As likewiſe from the Seventy third,concerning the Puniſhment and Penances of a Biſhop, Presbyter, Monk, or any other in Holy Orders, as alſo of a Laick who ſhall kill another, I ſhall only obſerve that thoſe

thoſe Laws, tho' of an Eccleſiaſtick nature, were yet Ordained by the ſame Civil Authority as the reſt of this King's Laws.

The Seventy fourth is concerning the Purgation of thoſe who were ſlain unjuſtly, and without Judgment, whom their Kindred might purge or clear according to antient Law by a *Werelade*, (that is) by a full Purgation, according to the rate of the Eſtate to which he was born, needleſs here to be repeated.

The Seventy fifth is concerning Mens murthering of their Lords: If any one ſhall kill his Lord, if he be taken, he ſhall no ways redeem himſelf. The *Latin* Original being here either obſcure or tedious, I ſhall not undertake Literally to Tranſlate, it amounting to no more than this, that the Guilty party was to expiate his crime by cruel torments ending in death ſelf. The reſt concerning the puniſhment of a Lord or Maſter that ſhall kill his Servant, I omit, and paſs to what is moſt conſiderable in this Chapter, *viz.*

If a *Frenchman* who has no Kindred, ſhall be murthered privately, the King ſhall have as the price of his murther, Forty Marks of Silver from the *Hundred* where the Body is found, unleſs the Maleſactor be rendered to the King's Juſtice, or that ſome Body ſhall prove the party ſlain to be an *Engliſhman*, by the Judgment of the Hot-Iron, or elſe that it ſhall appear otherwiſe by other pregnant Circumſtances.

From whence the Reader may obſerve, that this Law concerning *Engleſcherie* was not made by King *William* the *Conquerour* (as ſome would have it) but was the ſame Law revived, which you will find among thoſe of King *Cnute*, concerning a *Dane* found murthered, and where the murtherer could not be found; which was now in King *William*'s Reign changed to a *Frenchman*, and ſuch a one who being unknown had no Friends to proſecute his Death: You will alſo find a Law to the ſame purpoſe among thoſe of the ſame King, tho' not ſo fully as is here expreſs'd.

The Seventy ſixth concerning the different *Weregilds*, that were to be paid according to Men's Eſtates or Qualities, I omit, leſt I ſhould prove too tedious; and ſo I do (for the ſame reaſon)

The Seventy ſeventh, concerning the ſatisfaction that was to be made for the Life of a Freeman, or Servant, which was always to be reckon'd according to the Quality of the Father, and not of the Mother.

The Seventy eighth is concerning the manner of Manumiſſion of a Servant or Slave; but ſince it is already ſet down in the Laws of King *William*, it is needleſs to be repeated here.

Only this is remarkable, that if any will make himſelf a Servant, he ſhall do it before Witneſſes in the *Halemote*, or Hundred-Court, that ſo the Party may not afterwards deny it, and that it may be diſtinctly known of all what condition Men are of, whither free or ſervile; becauſe many powerful Men, will (if they can) defend their Servants ſometimes as free, ſometimes as ſervile, according as it may be moſt for their advantage.

The Seventy ninth is concerning the Ranſome that was to be paid for one ſlain whoſe Father was alive: If any one ſhall ſlay his Godſon, whoſe Father is alive, he ſhall be doubly guilty, and the amends ſhall encreaſe according to his *Were*, and as his *Manbote* does in reſpect

ſpect to the Lord: But if he were the King's Godſon, ſatisfaction ſhall be made by his *Were* to the King, as well as to the Kindred, &c. But if any Man ſhall ſlay the King's Meſſenger, who carries his *Writ*, he ſhall be in his * Mercy: but if any one ſhall commit Homicide in the Church, that cannot be ſatisfied, for every Man may proſecute him, unleſs the King ſhall pleaſe to grant him his Life, and it muſt be on theſe conditions, that he make ſatisfaction to God, and afterwards pay the *Were* to his Kindred, and a *Manbote* to his Lord, and a *Wite* to him to whom it belongs, *viz.* the King. Which plainly ſets forth the three ſorts of Mulcts that were to be paid upon all Homicides, tho' without any malice prepenſe.

* *i.e.* How to be puniſh'd.

The Eightieth is concerning Homicide in the King's Court, Army, Town or Caſtle.

Whoſoever ſhall kill a Man in any of theſe, ſhall be in the King's Mercy, both for Eſtate and Members; if an aſſault be made upon any Man in the King's High-way, he ſhall make the King a hundred Shillings ſatisfaction: the reſt upon this Subject, as alſo the Penalties of *Stretebrech*, (*i.e.* Treſpaſſes by ſhutting up, or turning the King's High-way) I purpoſely omit.

The Eighty firſt is concerning keeping the Peace in Drinking, Giving, or Buying, all which being obſcure and not material, I paſs by; as I do alſo the Eighty ſecond, concerning thoſe who are ſworn Enemies, how and when they may aſſault each other, for the ſame reaſons.

By which Law it ſeems that Family-Quarrels and Feuds were ſtill permitted in ſome Caſes, as they were in the *Saxon* times.

The Eighty third is, That it is lawful for every one to defend himſelf againſt him that aſſails him in any place or buſineſs, except againſt his own Lord; who is to be born with, and not to be killed, &c.

But as for thoſe Caſes in which a Man may demand ſatisfaction of his Enemy, which are mentioned in this as well as the former Law, I paſs them by, as I do divers other things of no great moment.

The Eighty fourth is concerning Beating, by which Law he may in ſome Caſes be guilty who is beaten, as well as he that ſtrikes, ſo that neither the Malefactor may pride himſelf in his Impunity, nor the Perſon affronted ſhould grow inſolent by too great an amends; for where one will not, two can never fight.

The Eighty fifth is, That every one ought to free him, whom he has brought into danger.

Whoever ſhall bring another into any danger or inconvenience, ought to free him by defending him, or by making amends for him, or by participation of the danger; but all Men cannot aſſiſt others by their Interceſſion, yet what cannot be ſo done, is eaſie to be diſcovered either from the cauſe or the perſon, *For all Capital and Criminal matters are ſo abſolutely forbid both to Superiors and Inferiors*, as that not only the Author of the Crime himſelf is to be puniſhed, but whoever was conſcious of, or adviſing or conſenting to it, in any wiſe, by giving, receiving, or returning any thing, ſhall be ſubject to the like puniſhments: and no body can warrant another in any of theſe things; if a Servant ſhall commit Homicide with three other men, it ſhall be wholly imputed to thoſe that are free, and it ſhall

be

be the ſame where a Freemen commits Theft with Servants or Slaves.

The Eighty ſixth is that no Man ſhall revenge himſelf without Law.

It may be lawful for every Lord to complain to his Tenants and Friends, if any one do him injury, but not to take revenge without Law; nor ought it to be required of the Lord if his Servant ſhall offend without his aſſiſtance or command, eſpecially if he be gone from him, the reſt I omit.

The Eighty ſeventh is concerning the offence of lending of Arms.

Whoever ſhall lend his Arms to another to ſlay any one, ought to pay a ſhare of the *Weregild* for the party ſlain; he who ſhall lend his Sword ſhall give a third part; he who ſhall lend his Lance ſhall pay half; but he who ſhall lend his Horſe, ſhall pay the whole *Weregild.* Yet nevertheleſs it may be lawful for one to lend his Arms to another, if he do it without any ſuſpition, or intention of ill. The reſt containing ſeveral Caſes of the ſame nature being tedious, I omit, as I do alſo the *Weregilds* that were to be payed, where a Man was killed by a *Lothe*, (that is, by any Company above ſeven) as I alſo do theſe Cauſes which occur, where a man was kill'd by a Company under Seven.

The Eighty eighth is concerning *Chance-medley*, in what Caſes men may be killed by the Arms or Weapons of another without his intention: But becauſe it is long, and contains a great many particular Caſes, in ſome of which the Slayer was to pay the whole *Were* of the party ſlain, and in others not, I refer the Reader to the Law it ſelf.

The Eighty ninth is concerning one who kills any of his Kindred.

Which, ſince it only mentions how this offence was to be puniſh'd by the *Salick* Law, I likewiſe omit.

The Nintieth is concerning one who is killed by Chance, going about to part thoſe who are fighting.

He that thus ſlays him ſhall render his *Weregild*, altho' he did not begin the Quarrel; the reſt concerning *Chance-medleys*, whereby any man is killed by a Croſs-bow ſet to ſhoot wild Beaſts, or by falling into a Well, or Pit dug by another, and where the Perſons that layed the Weapon, or dug the Pit were to pay a *Weregild*, I deſignedly omit, referring the Reader to the Original, where he will find divers curious Caſes of this kind, ſome of which are Law at this day, and others not.

The Ninety firſt is concerning the Payment for Murther.

If any *Frenchman* or *Norman*, or other Foreigner ſhall be killed, and the Fact appear Murther, and the Murtherer be unknown, and ſhall flie, and be not rendered to the King's Juſtice within ſeven days, to undergo the Law, then Forty ſix Marks of Silver ſhall be paid for him, of which Forty belong to the King, and Six to the Kindred of the party ſlain.

Note, Theſe Forty ſix Marks (as appears by this Law) were to be raiſed out of the whole Hundred in caſe it were done in the open Fields, and the Alderman of the Hundred was to ſtand engaged for it, till it could be raiſed upon each Inhabitant: But if it were done in a private Houſe, Mannor or Encloſure, then thoſe Forty ſix Marks were to be raiſed by the Sale of the living and dead Stock found upon the Ground, as far as it would go.

The Ninety ſecond is much of the ſame Subject.

That if any one being wounded, go into another Hundred and ſhall there die, and it prove Murther, his *Weregild* ſhall be paid where he died: The reſt being intricate, and not very material, I omit; only it is there ſpecified, that antiently a Man was ſaid to be murthered where the Man-ſlayer was unknown, but now the Title is given, where ever or howſoever the party is found, altho' it may be known who did the Murther: nor ſhall any thing be paid for ſuch private Murther of an *Engliſhman*, but only of a *Frenchman*, and if there want evidence to prove him an *Engliſhman*, he ſhall be accounted a *Frenchman*: And altho' the Malefactor implores the King's Mercy, nevertheleſs the Fine for the Murther ſhall be paid, as we have already noted.

From whence you may obſerve the Partiality and Severity of this Law concerning *Engleſcherie*, which was not abrogated till the Fourteenth of King *Edward* the Third: if the Reader would ſee more concerning this Law, he may conſult *Bracton*, *Lib.* 3. *Tract.* 1. *pag.* 15.

The Ninety third is concerning the Amends that are to be made for all Wounds and Maims, in which Law are expreſſed the particular Payments that were to be paid for all Wounds, or Maimes whatſoever from Head to Foot, which are much to the ſame effect with thoſe in King *Alfred*'s Laws in the former Volume.

The Ninety fourth is concerning the Fines that are to be paid for Blows or Bruiſes without effuſion of Blood, which being not material I omit, as I do the reſt of this Law concerning Wounds, with which theſe Laws of King *Henry* conclude.

And I have been the more particular in the recital of theſe, becauſe the Reader may thereby ſee the chief Heads both of the Criminal Law and forms of pleading in thoſe times, as alſo to convince thoſe of the contrary who believe that the Laws of *England* were conſiderably changed by *William* the *Conquerour*, or his Sons, from what they had been under the *Engliſh Saxon* Kings: nor were they more ſevere to the *Engliſh* Natives, and more favourable to Strangers, after, than they were before that time.

This Body of Laws above mention'd, ſeem to be reduced into this Form by ſome Lawyer or Monk of that Time, as the Common Law then in uſe, for I do not find them to have been formally Enacted by any Great Council, nor yet Granted by any Charter: For as to this King's Charter of Liberties I have omitted it here, becauſe it is recited at large in the beginning of this Reign, and is alſo to be found in *Latin* in the *Appendix* N°. 2.

But before I leave this King's Reign, I cannot omit a remarkable Miſtake of Dr. *Brady*, who in his * Hiſtory Treating of this King's Taxations, and citing theſe Laws, ſays, *He had a conſtant Annual Land-Tax called* † Danegeld *of Twelve-pence upon every Hyde, to be paid at*

* *Pag.* 270.

† This was firſt given to repell the *Danes.*

at certain times, and a Forfeiture ſet upon ſuch as did not duly pay it.

But I muſt here differ from the *Doctor*; for this Tax was not conſtantly paid; but only upon Extraordinary occaſions of Foreign Invaſions, or Wars with *Scotland*, as appears by the Authority of the * *Black Book* in the *Exchequer*, though the *Doctor* contrary thereunto, will have it to have been conſtant and Annual, which the Laws of this King, which he cites in the Margent, will by no means warrant.

* Commonly called *Gervaſe of Tilbury.*

THE

THE General History OF ENGLAND BOTH Eccleſiaſtical and Civil.

VOL. II. Book IV.

King *STEPHEN.*

[1.] O. V. P. 573. The Honours which Earl *Stephen* had obtain'd by the favour of King *Henry*.

STEPHEN Earl [1.] of *Boloign*, Nephew to the late King *Henry* by *Adela* his Fourth Siſter, was the Third Son of *Stephen* Earl of *Blois*, and by the Favour of the King his Uncle, was advanced to be Earl of *Mortaign* in *Normandy*; beſides, he had many Lands and Honours beſtowed upon him in *England*, where his Intereſt was very conſiderable, not only on the Account of his own Perſonal merit, but alſo by his long acquaintance with the Biſhops and Nobility, all which he thought were encouragements enough for him to try for the Crown of *England*, before ever the Empreſs *Matilda*, or the Earl of *Anjou* her Husband could be aware of his deſign, [2.] who were at this time detain'd from going over, by reaſon of ſome urgent affairs at Home; Whereupon Earl *Stephen* a bold and popular Man, being highly beloved for the Gentleneſs of his Temper, and great Affability, laying hold on this opportunity, privately took a light Ship at *Witſands*, and ſoon Landing, made what ſpeed he could to *London*, where being joyfully received by the Citizens, who had a great value for him, he managed his Intereſt ſo well with thoſe Biſhops and Great Men who were then in *England*, that he procured a Great Council to be forthwith aſſembled, in which chiefly by the Intereſt of his Brother *Henry* Biſhop of *Wincheſter* (who brought over the Archbiſhop of *Canterbury*, as alſo the Biſhop of *Salisbury* to his Party) he got himſelf to be Elected on the Second of *December*, and Solemnly Crowned King at *Weſtminſter* on the Twenty ſixth of the ſame Month, Being St. *Stephen's*

Anno Dom. MCXXXV.

[2.] W. M. *Hiſt. Nov.* L. 1. P. 108. H. H.

Earl *Stephen* goes privately into *England*, and is there by the Favour of the Biſhops and Great Men choſen, and afterwards Crowned King at *Weſtminſter*.

Stephen's day, by *William* Archbiſhop of *Canterbury*, who, as he firſt of all took the Oath of Fidelity to the Empreſs, ſo he likewiſe was the firſt that ſwore to King *Stephen*, all the Biſhops, Earls and Barons there preſent following his Example, notwithſtanding their former Oaths to the Daughter of the late King, doing him Homage at the ſame time: yet (if [3.] *William* of *Malmesbury* may be credited) there were not very many of them preſent at his Coronation, there being beſides the Archbiſhop only the Biſhops of *Wincheſter* and *Salisbury*; no Abbots, and but a few of the Lay-Nobility; ſo that there was never ſeen a ſmaller appearance at ſuch a Solemnity.

Anno Dom. MCXXXVI. The Biſhops Earls and Barons ſwear Fidelity to him.

[3.] P. 101. *a.*

An [4.] Anonymous Author of this King's Life (who lived Co-temporary with him) makes his Election to proceed his Coronation ſome Weeks, and that in the mean while he ſuppreſſed ſeveral Lawleſs men, who took the opportunity of an *Interregnum*, to ſpoil and lay waſt the Country; after which the Archbiſhop of *Canterbury* being moved to Crown him King, made ſome Objections againſt his performing it, repenting (it ſeems) of what he had already done, becauſe the Empreſs, to whoſe Succeſſion the whole Kingdom had ſworn, was alive; But at laſt K. *Stephen*'s Agents over-perſwaded him, by ſeting forth that the former Oath of Fealty to the Empreſs was violently extorted from the Barons of *England* by King *Henry*, who was ſo ſenſible of this, that he repented of it, when he was at the point of death; and that the Archbiſhop ought not to refuſe to Crown a Perſon whom *London* the Head of the whole Nation had willingly received, and was beſides ſo well capacitated for the Crown by his own Perſonal merit, and by the Right of being ſo nearly Related to it; and who if he were once Crowned, being a Man Warlike and Valiant, would ſoon reform and ſettle the Kingdom at that time much diſturbed and out of order.

[4.] *Vid. Script. Norman.* p. 928 What he did between his Election and his Coronation.

Idem. P. 929. The Archbiſhop of *Canterbury* is hardly perſwaded to Crown him.

This, if true, as we have no reaſon to diſtruſt it, being written by an Author who lived in thoſe days, lets us ſee that all thoſe of King *Stephen*'s ſide, ſuppoſed they had ſtill a Right to make any Prince of the Blood Royal (whom they ſhould think moſt fitting) their King.

But this is certain, [5.] that before he was Crowned, he made large promiſes of reforming whatever was amiſs in his Uncle's Reign, his Brother the Biſhop of *Wincheſter* engaging his Faith on his behalf; beſides which, at his Coronation, he took a much ſtricter Oath than what had been formerly taken by his Predeceſſors, which chiefly conſiſted in theſe three Articles.

[5.] H. H. Earl *Stephen* makes large promiſes of his good Government, and takes a ſtricter Oath at his Coronation, than what his Predeceſſors had done.

"Firſt, That after the death of any Biſhop he would never keep a "Biſhoprick void for his own advantage, but preſently conſent to a "Canonical Election, and Inveſt the new Biſhop in it.

"Secondly, That he would not retain the Woods of any Clerk "or Layman in his hands, as King *Henry* had done, who every year "impleaded, or vexed them, if either they hunted in their own "Woods, or if for their own occaſions they ſtubbed them up, or diminiſhed them: for there had been (ſays our Author) ſuch a wicked ſort of Proceſs ſet on foot of late, that if the King's Officers ſaw any Rich Man's Wood that lay near the King's Foreſts, they would return it as waſted or cut up, whither it were ſo or not, that ſo they might make him fine ſoundly for it, tho' without any reaſon or Juſtice.

Thirdly,

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Thirdly, That he would for ever releaſe *Danegelt*, which his Predeceſſors were wont to raiſe upon Occaſion.

[1.] *Idem Ib.* Whatſoever the King ſwore to, he did not long obſerve.

[1.] There were alſo ſome other things which this King ſwore to obſerve, tho' theſe are the chief; yet whatſoever they were (*Will.* of [2.] *Malmesbury* relates) he kept few or none of them.

[2.] P. 101, 102. The Reaſons that induced the Biſhops, and Nobility to agree to his Election.

But ſince perhaps it may at firſt ſeem very ſtrange if not unaccountable to the Reader, that theſe Biſhops and Lay-Nobility, who agreed to this King's Election, ſhould ſo notoriouſly violate the Oaths they had before moſt ſolemnly made to the Empreſs *Matilda*, by placing another in the Throne; it will doubtleſs appear leſs wonderful, if you conſider, that the Perſon they had before ſworn to, was a Woman, and Married to a Foreign Prince, who was utterly a ſtranger to the Laws and Cuſtoms of this Kingdom; nor was ſhe her ſelf much better, having lived moſt of her time abroad; whereas *Stephen* was an Active and a Valiant Prince, very affable, and long converſant in *England*, and thereby well known to the Biſhops, Nobility and People; beſides, (if *Rad.* [3.] *de Diceto*, and * *Gervaſe* of *Cant.* may be credited) *Hugh Bigot*, the late King's Steward, coming now into *England*, depoſed upon Oath before the Archbiſhop of *Canterbury*, that King *Henry* lying upon his Death-bed, by reaſon of the late unkindneſs between him and the Empreſs his Daughter, diſinherited her, and appointed his Nephew *Stephen* Earl of *Boloign* his Heir; which Depoſition (whither true or falſe I ſhall not take upon me to determine) ſo wrought upon the too credulous Archbiſhop and the reſt of the Biſhops and Lords then preſent, that they All agreed to ſwear Fealty to him.

[3.] Col. 1340. * Pag. 13.

Yet that there were alſo other cogent Reaſons which mov'd them to act thus at this time, we find in the above cited [4.] Anonymous *Author*, that moſt of the Nobility did not only *find it neceſſary, immediately to Elect a Valiant and worthy King for the common benefit and peace of the Kingdom, but that they ſuppoſed it to be their* Right, *and* ſpecial priviledge, *that upon the Death of their King, they might provide another of the Royal blood to ſucceed him:* Though that which prevail'd with them moſt of all, was the large promiſes that Earl *Stephen* made to reform all thoſe Abuſes which had been practiſed in his Uncle's Life-time; beſides all which (as [5.] *William* of *Malmesbury* tells us) he had often heard *Roger* Biſhop of *Salisbury* (who was a chief promoter of this Election) declare, that he had never taken his Oath to the Empreſs, but on this condition, That the King ſhould not beſtow her again in Marriage out of the Kingdom, without his and the reſt of the Nobility's conſent; whereas none were made privy to her late match, but *Robert* Earl of *Glouceſter*, *Bryon Fitz-Count*, and the Biſhop of *Liſieux*; this our Author ſays, he relates, not that he believed what the Biſhop then ſaid, but only that he accommodated himſelf to the preſent times.

[4.] G. R. S. P. 928. The Relation of the Anonymous Author moſt probable concerning this matter.

[5.] P. 99. *b.*

However, whither he believed it or not, it is very reaſonable to ſuppoſe, that ſhe loſt very much of her Intereſt by being Married to a Foreigner out of the Kingdom, and that without its conſent; nor do I mention this, to excuſe the perjury of thoſe who agreed to this Election, which was made without any neceſſity; ſince Women, were never by any Law of this Kingdom excluded from the Crown: and as for Earl *Stephen*, he was as much a Foreigner by Birth, as the Earl of *Anjou*, and therefore it may be ſuppoſed, that it was the particular

Intereſt

Intereſt of the Biſhops, veiled under the ſpecious Title of the Good of the Church, rather than any conſideration of the publick Good, that now moved them to ſlight the Oath they had ſo ſolemnly taken; but to return again to our Hiſtory. *Anno Dom.* MCXXXVI.

The firſt thing [1.] the new King did after his coming to the Crown, was to perform the Obſequies of the late King, whoſe Corps he met at *Reading*, where it was ſolemnly Interr'd in the Abbey-Church, which King *Henry* had Founded; *William* Archbiſhop of *Canterbury*, and many of the Biſhops and Lay-Nobility attending his Funeral.

[1.] W. M. *Ib.* H. H. The Corps of the late King *Henry* is Buried at *Reading*.

Sometime [2.] before or after, this King *Stephen* ſeized upon the vaſt Treaſure his Uncle had amaſs'd together in the Caſtle of *Wincheſter*; which was ſoon delivered him by one *William*, King *Henry*'s Treaſurer, and amounted to more than 100000 Marks, an incredible Sum in thoſe days. [3.] From whence the King preſently went to *Oxford*, where he again by Oath confirmed thoſe Covenants, which he had already Sworn to God's Holy Church, and to the People at his Coronation, being the ſame with thoſe I have already recited. Thus King *Stephen*'s Entrance on the Throne proved very eaſy and peaceable; but as the diſcord between him and the Biſhops, and ſome of the Lay Nobility began to increaſe, ſo his Reign ſtill proved every year more unquiet and turbulent, and at laſt it ended in a cruel Civil War, which never ceaſed till a little before the Death of this Valiant, and but too Ambitious, Prince.

[2.] W. M. *Ib.* King *Stephen* Seizes on the Treaſures of late King his Uncle.

[3.] H. H. R. H. The new King goes to *Oxford*, and there by his Charter confirms thoſe Covenants he had before Sworn to.

Whilſt [4.] the King continued at *Oxford*, there came a Meſſenger to him with the News, that the King of *Scots* upon a pretence of coming peaceably to make a Viſit in his Journey to *Carliſle*, and from thence to *Newcaſtle*, had treacherouſly ſeized upon both thoſe ſtrong places; upon which Intelligence the King not at all concerned, only ſaid, *Very well, then what he has thus Treacherouſly taken, I will Manfully recover*; ſo making what ſpeed he could, he raiſed a great Army, and marched againſt the *Scots*; but upon the two Kings approaching near each other, a Treaty was propoſed, and they meeting together at *Durham*, on the 5*th* of *February*, a Peace was concluded upon theſe Conditions: That ſince King *David* would not take an Oath of Fealty himſelf to King *Stephen*, becauſe of that which he had formerly taken to the Empreſs his Neice, yet that he ſhould command *Henry* his Son to take the Oath, and do the King Homage for the Territories he held of him: Then the King of *Scots* alſo ſurrendred *Northumberland* and *Newcaſtle*, but *Stephen* gave him leave to retain *Carliſle* and *Doncaſter*, and farther granted to Prince *Henry* the Town and Honour of *Huntington*, as an Augmentation of his Dignity and Revenue.

[4.] H. H. *p.* 222. *a.* Newsbrought of the King of *Scots* Invading *England*, and how the King received it.

Upon the King's approach a Peace is concluded with the *Scottiſh* King. Jo. Hag. Col. 312. Ric. Hag. Col. 258. And upon what Conditions.

Then [5.] the King returning from the *North*, by the end of *Lent* kept his Court the *Eaſter* following at *Weſtminſter*, with greater ſplendour and magnificence than had been uſually ſeen in his Uncle's Reign; but in *Rogation* week it was generally reported that he was Dead, upon which Rumour *Hugh Bigot* ſeized the Caſtle of *Norwich*, and would reſtore it to none, unleſs to the King himſelf, who ſoon after recovering, went down thither on purpoſe to receive it.

[5.] *Idem.* The King upon his return from the *North* falls dangerouſly Ill.

Sometime [1.] after *Eaſter*, *Robert* Earl of *Glouceſter* came into *England*, whoſe Prudence King *Stephen* chiefly feared: The Earl whilſt he remained in *Normandy* had various thoughts what was beſt

[1.] W. M. *Ib.* *Robert* Earl of *Glouceſter* comes over into *England*, being before in ſuſpence whither he ſhould take the Oath to King *Stephen*.

Anno Dom. MCXXXVI.

to be done in ſo nice and difficult an Affair; for if he owned King *Stephen*, he ſhould act contrary to the Oath he had formerly taken to his Siſter; and if he ſtood out, he ſhould neither do her nor his Nephews any good, but rather a prejudice: King *Stephen* not being as yet to be oppoſed, all the Noblemen of *England* having ſworn Fealty and Recognized him, and he having alſo poſſeſſed himſelf of the late King's vaſt Treaſure in Money, beſides a great quantity of Gold and Silver plate; with all which he could raiſe what Mercenary Souldiers he pleaſed out of *Flanders* and *Bretaign*, not to mention thoſe he found ready to fight for him in *England*.

[2.] *Id. Ib.* The Earl does Homage, and Swears Fealty to him.

Theſe [2.] conſiderations made Earl *Robert* not only come preſently over into *England*, but alſo to do Homage, and ſwear Fidelity to the new King, yet under a certain condition, *viz. So long as he ſhould preſerve his Dignity entire, and obſerve the Covenants made with him.* For (it ſeems) he knowing already the King's fickle Diſpoſition, thought good to provide againſt the Inſtability of his Nature, and therefore the Earl for ſome time diſſembled the ſecrets of his heart; That is, in plain *Engliſh*, though our Author minces the matter for his Patron's Credit, to break his Oath, ſo ſoon as he had a fit opportunity for it, as you will find by the event.

[3.] *Id. Ib.* All the Biſhops renew their Oath to the new King, upod his.

Not [3.] long after the Earl's arrival, all the Biſhops again Swore Fealty to the King in a Council, or Synod, held at *Oxford*, on this Condition, *viz. ſo long as he preſerved the Liberty of the Church, and the Power of its Diſcipline*; and the King himſelf alſo Swore again to them, according to the Tenure of a Charter which he then gave them under his Seal, and which our Author has there given us in theſe Words.

[4.] *Id. Ib.* King *Stephen*'s Charter to the Clergy and Laiety of *England*.

" I *STEPHEN*, by [4.] the Grace of God, and by the Aſſent " of the Clergy and People, Elected King of *England*, and Con- " ſecrated by the Lord *William*, Archbiſhop of *Canterbury*, and Legate " of the Holy *Roman* Church, and being alſo confirmed by *Innocent* " Biſhop of the Holy *Roman* See, do hereby Grant, for the reſpect " and love of God, that Holy Church ſhall be free, and I do yield all " Reverence due to it. I promiſe to act nothing in the Church, or " in Eccleſiaſtical Affairs Simoniacally, nor will I permit it to be " done: I alſo Grant and Confirm the Right and Power of Eccleſi- " aſtical Perſons, and all Clerks, over their Eſtates, and that the " diſtributions of the goods of all Eccleſiaſticks ſhall be in the hands " of the Biſhops: I alſo Grant and Ordain, that the Dignities of " Churches confirmed by their Priviledges, and their Cuſtoms held " by antient Right, ſhall remain inviolable; as alſo that all Poſſeſſions " and Tenures of Churches, which they held the day that King " *William* my Grandfather was Alive and Dead, I Grant ſhall be free " and abſolute to them, without any recovery of thoſe that may " claim them; but if the Church ſhall hereafter challenge any of " thoſe things, that were poſſeſſed, or enjoyed before the King's " Death, and which it now may want, I reſerve that to my Indul- " gence and Liberality, either to be further diſcuſſed, or reſtored; " but whatſoever hath been beſtowed upon it, either ſince the " King's death by the Liberality and gift of Great Men, or by the " Oblation, Purchaſe, or any Exchange of Faithful Chriſtians, I

" Confirm,

" Confirm; and further Promiſe, That I will keep and preſerve " Peace and Juſtice in all things to the utmoſt of my power; the " Foreſts which King *William* my Grandfather, and * *Willliam* my " Uncle, have made and held, I reſerve to my ſelf, but all the reſt, " which King *Henry* hath ſuperadded, I reſtore and grant quit " and diſcharged, to the Churches and Kingdom; if any Biſhop, " Abbot, or other Eccleſiaſtical Perſon, ſhall reaſonably diſtribute his " Goods before his Death, or ſhall appoint them to be ſo diſtributed, I " Grant that it ſhall remain firm; but if he were prevented by Death, " diſtribution ſhall be made of them by the conſent of his Church for " the good of his Soul; whileſt Epiſcopal Sees ſhall remain vacant of " Paſtors, both they and all their Poſſeſſions ſhall be committed to " the power and keeping of Clerks, or other honeſt men of the " ſame Church, until a Paſtor can be Canonically Inſtituted: All " Exactions, † Miſcarriages, and Injuſtice wickedly introduced ei- " ther by Sheriffs, or any other, I totally Aboliſh; the Good and " Antient Laws, and juſt Cuſtoms in Murthers, Pleas and other " Cauſes, I will obſerve, and do hereby Command and Ordain to be " obſerved. *Given at* Oxford *in the Year of the Incarnation of our* " *Lord*, 1136, *and in the Firſt Year of my Reign.*

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* i. e. *William Rufus.*

† Meſcheningas.

In *Richard Hagulſtad*'s Chronicle follow alſo the Names of the Witneſſes, *viz. William*, Archbiſhop of *Canterbury*, and all the reſt of the Biſhops of *England*, together with the Chief Earls and Barons, whoſe names are needleſs to be here repeated. And [5.] *William* of *Malmesbury* here tells us, that it would be tedious to ſet down their Names, not only becauſe the Witneſſes were many, but alſo becauſe the King ſo violated almoſt all things that he had there granted, as if he had done it on purpoſe to ſhew the Kingdom, that he had Sworn only to break his Oath. But this Author, though a great Enemy to King *Stephen*, (as may appear by his inſtancing in many particulars, in which he tranſgreſſed his Oath to the Biſhops and Clergy) yet ingenuouſly confeſſes, That thoſe things were not to be ſo much imputed to himſelf, as to his Evil Counſellors, who gave him to underſtand, That *he never need want Money, ſo long as the Monaſteries abounded with ſuch great Riches.*

[5.] *Ib.* King *Stephen* afterwards broke all the Articles of this Charter, and on what Inducements.

I ſhall only obſerve from this Charter, that this King being ſenſible of his want of any other Title, places his whole Right to the Crown in his *Election* by the Clergy and People, his Coronation by the Archbiſhop of *Canterbury*, and the Confirmation of the Pope; and indeed he was the firſt King of *England*, who ever craved the aid of the Pope's Bull to give ſtrength to his Title.

The Reader may likewiſe here obſerve, how many Articles of this Charter concerned the Priviledges of Eccleſiaſticks, and for how few of them the Laiety were at all the better; by which you will find, not only who had the greateſt hand in making this, as well as the former Charter, but alſo in ſetting up and putting down Princes, as often as they pleas'd in thoſe times; yet notwithſtanding all thoſe fair Conceſſions, many of the Noblemen of *England*, of *Norman* Extraction, ſoon after repenting of the Oath they had taken, perfidiouſly Rebelled againſt him.

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[1.] G.R.S. *p.* 933. Divers Noblemen Rebel againſt the King, and *Robert de Bathenton* firſt of all Fortifies his Caſtle againſt him.

For [1.] about this time *Robert de Bathenton*, a debauch'd *Norman* Baron, having Revolted, Fortified his Caſtle of the ſame Name, and being Summoned to the King's Court, he at firſt made a ſhew as if he had repented of his raſhneſs, and that he would deliver it up; upon this the King ſent to receive it from his hands; but inſtead of that, he deceived the Meſſengers, and making them drunk by the way, ſlipt from them betimes in the Morning, and getting back to his Caſtle, new Fortified it; whereupon the King Marched againſt it with his Army, and Beſieged it. And now *Robert* finding himſelf unable to hold out, endeavoured to make his eſcape over the Wall, but being taken by the Centinels, he was by the King's Orders there Hanged up in ſight of thoſe within the Caſtle; who, for fear of undergoing the like fate, immediately ſurrender'd it.

[2.] *Id. p.* 934. Earl *Baldwin de Redvers*, alſo Rebels, and Fortifies *Exeter* Caſtle, which is taken.

But [2.] he who gave the King one of the firſt and greateſt Diſturbances, was *Baldwin de Redvers*, Earl of *Devonſhire*, and Lord of the Iſle of *Wight*, who had now Fortified and Victualled his Caſtle of *Exeter* againſt him, to the great Terror and Oppreſſion of the Citizens, who ſending to the King for Aid he ſpeedily Marched to their Relief, and ſitting down before the Caſtle, it was after Three Months Siege ſurrender'd to him for want of Victuals, or rather (as our Author relates) for want of Water, the Well in the Caſtle being ſtrangely dried up on the ſudden, ſo that the Beſieged were forced to deliver it upon this condition, that they might go away with their Baggage whither they pleaſed.

[3.] *Id. p.* 935. *Id.* H. H. Earl *Baldwin* flies into the Iſle of *Wight*, and being there Subdu'd, is forced to leave the Kingdom.

But [3.] as for Earl *Baldwin* himſelf (being not then in the Caſtle, but ſomewhere in the Country adjacent) he retired into the Iſle of *Wight*, with deſign to keep it againſt the King; but he purſued him ſo cloſe, that he Beſieged him in his Caſtle there, and quickly driving him from thence, not only took that Iſland from him, but alſo all his other Lands and Eſtate, and expelled him the Kingdom; who preſently thereupon went over to the Duke of *Anjou*, and was by him kindly received. But as for all other Offenders, in this, as well as in the former Rebellion, they were by the Advice of ſome treacherous Counſellors then about the King, not only pardoned, but alſo left to enjoy their Eſtates; which too great Lenity, not long after gave freſh encouragement to the ſame Perſons, as well as many others, to raiſe freſh Rebellions.

[4.] *Id. Ib.* The firſt breach of the King's Oath in the renewing the Pleas of Foreſts.

The [4.] King puff'd up with this Succeſs, went to Hunt at *Brompton* near *Huntington*, and held freſh Pleas concerning the Woods of his Noblemen, that is, concerning their Hunting in them; and ſo firſt broke that Oath he had lately made to God and the People, which Action very much Alienated their Affections from him.

[5.] Dr. *P's Chron.* The *Welſh* take Arms, and Invade the Borders.

Nor [5.] did any thing elſe conſiderable happen this year, but an Inſurrection of the *Welſh*, who taking the advantage of an unſettled Government, under the Conduct of *Cadwallader*, and *Owen Gwyneth*, Sons of *Griffith ap Conan*, Prince of *North-Wales*, Muſtered up the Forces of their whole Country, and Marched againſt the *Normans* and *Flemmings* of *Cardigan*, deſtroying and burning the whole Country, with the Caſtle of *Walter Eſpec* (or rather *de Bec* as it is in the Manuſcript *Welſh* Chronicle in the Exchequer) as alſo the Caſtle of *Aberiſtwyth*, which was very ſtrong and well Mann'd; where came alſo to their Aſſiſtance *Howel ap Meredyth*, and *Rees ap Madoc*

of

of *Brecknock*, and the Princes above mention'd. Towards the end of the ſame year they returned again into the *Engliſh* Borders with Six thouſand Foot, and Two thouſand Horſe well Armed, and were again joyn'd by the two *Welſh* Lords laſt mention'd, who with many others ſubdued the whole Country to *Aberteivi*, placing again the old *Britiſh* Inhabitants therein, and driving out the Foreigners; which Actions the *Norman* Noblemen in thoſe parts not being able longer to endure, there joyn'd againſt the *Welſhmen* Stephen, *Conſtable* of *Aberteivi* Caſtle, *Robert Fitz-Martyn*, and the Sons of *Gerald*, and *William Fitz-John* with all the power of the *Normans*, *Flemings* and *Engliſh*, that were in *Wales*, or the Marches thereabouts: there was a cruel and Bloody Fight near *Cardigan*, but at laſt the *Engliſh* and *Normans* were forced to quit the Field, above three thouſand of them being ſlain on the ſpot, with two of the King's Barons, *Robert Fitz-Roger*, and *Pain Fitz-John*, beſides a great number drowned by the fall of a Bridge over the River *Tend*, and all the reſt were taken and carried away Priſoners. After this great Victory, the Princes *Owen* and *Cadwallader* over-ran the whole *Engliſh* Territories, and return'd home with a great deal of rich Booty: nor do we find that this part of the Country was ever again recovered to the *Engliſh* Dominion all this King's Reign.

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And gaining ſeveral Advantages over the *Engliſh* and *Normans*, drove them out of great part of *South-Wales*.

We [1.] ſhall now look back upon the Affairs of *Normandy*, where almoſt ſo ſoon as King *Stephen* was gone over into *England*, the *Norman* Barons being not privy to his deſigns, ſent for *Theobald* Earl of *Boloign*, his Elder Brother, to come immediately into *Normandy*, who meeting them at a place called *Newburgh*, they at firſt offered to receive him for their Duke; but before matters could be concluded between him and them, they received an Account by a certain Monk, who came to them as an Envoy from King *Stephen*, that the *Engliſh* had received him: and made him King: whereupon the *Norman* Barons preſently changed their minds, for having Eſtates in both Countries, they were reſolved to have but one Prince; at which the Earl was very angry, that he, being the Elder Brother, ſhould not only be defeated of the Kingdom of *England*, but alſo of this Dutchy, and therefore left *Normandy* to ſhift for it ſelf, and returned into *France*, whither his own Affairs then called him.

[1.] O. V. p. 902. What was done in the mean while in *Normandy*.

Theobald Earl of *Boloign* endeavours to obtain that Dutchy.

Whilſt [2.] the Country remain'd in this unſettled condition, *Geoffrey* Earl of *Anjou*, as ſoon as he heard of the death of his Father-in-law King *Henry*, ſent away the Empreſs his Wife into *Normandy* in the beginning of *December* the laſt year, where ſhe was joyfully received by one *Guiganalyas*, a Man of mean Birth, but of great Power, who looked upon her as his Lawful Lady and Miſtreſs, and having had the command in thoſe Parts in the late Reign, quickly reduced *Argentune*, *Damfront*, and ſeveral other ſtrong Places to her Obedience.

[2.] *Id.* P. 903. The Earl of *Anjou* ſends the Empreſs his Wife into *Normandy*, where ſhe is received by ſome of the Nobility.

Then [3.] the Earl her Husband following her not long after, together with *Talvace* Earl of *Pontieu*, and a Great Army of *Anjovins*, was received into *Seez*, and other Places, but whilſt they ſpoiled the Country, and robbed the Churches, the *Normans* riſing upon them on the ſudden, put them to the rout, and killed Seven hundred of them; then Earl *Geoffrey*, receiving Intelligence that the Nobility of *Anjou* had rebelled againſt him, was forced to return home, where being detain'd by Domeſtick Tumults he went not then into *Normandy*; but whither he left the Empreſs his Wife there behind him, or not, I do

[3.] *Id. Ib.* The Earl her Husband follows her with a great Army, but is diverted by a Domeſtick Inſurrection.

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I do not find, only they kept the Places they were already poſſeſt of.

[4.] O.V. p. 905. The Earl of *Anjou* again Invades *Normandy*, but being Wounded is forced to return home.

[4.] *Normandy* continued undiſturbed all the reſt of this Winter, and the Summer following from any Foreign Invaſion; but in *September* the Earl of *Anjou* return'd into that Province with a great Army, being alſo accompanied by *William* Earl of *Poictou*, and other *French* Noblemen, who then took divers Caſtles and Towns, as *Monſtral*, *Liſieux*, and other Places; but ſometime after Earl *Geoffrey* being Wounded in the Foot at the Siege of a ſmall Caſtle, and receiving alſo a Deſeat from thoſe Noblemen that took King *Stephen*'s part, the Earl was forced to return home to be Cured of that Hurt: the reſt of the year paſſed in Burning of Towns, and divers Skirmiſhes between *Roger de Conchis* a *Norman* Baron, who acted for Earl *Geoffrey*, and *Gualleran* Earl of *Mellent*, who ſuſtain'd the King's party in that Country, in which Bickerings ſometimes the one, and ſometimes the other had the better.

[5.] W.M. H.H.

[5.] Alſo our *Engliſh* Hiſtorians relate what the *Norman* omit, *viz.* that Earl *Baldwin de Redvers* upon his expulſion out of *England* on the account of his late Rebellion, went over to the Earl of *Anjou*, and highly ſtirr'd him up to this laſt Invaſion of *Normandy*, for which alſo he wanted not the Entreaties of his Wife the Empreſs; but as for what * *William* of *Walſingham* relates, that *Robert* Earl of *Glouceſter* then Surrendered to him the County of *Falaiſe*, that could not be, for that Earl was now in *England*, and went not into *Normandy* till the next year, as you will find anon.

* *Typodigma Neuſtriæ.*

King *Stephen* being all this while detain'd in *England* by the *Scotiſh* Invaſion, as well as Domeſtick Inſurrections, it was no wonder if *Normandy* in the mean time ſuffer'd very much, not only by a Foreign Invaſion, but by home-bred diſſentions.

[1.] G.R.S. p. 929. *William* A.B. of *Canterbury* dies, and his Character.

[1.] As for Eccleſiaſtical affairs nothing happened here, only *William* Archbiſhop of *Canterbury* dying about the end of *December*, that See continued Vacant above two years: this Archbiſhop was a Prelate of great outward ſtrictneſs of Life, but very covetous, having hoarded up vaſt Sums of Money, and dying without any Will, the King ſeized it all to his own uſe, as was the Cuſtom of thoſe Times, tho' indeed it was contrary to the King's late Charter.

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King *Stephen* goes into *Normandy* with divers of the Nobility.

[2.] W.M. *Ib.* P. 101. *b.* *Robert* Earl of *Glouceſter* being like to be Surprized, comes no more to Court.

King *Stephen* being highly concern'd for the Succeſs of his Enemies in *Normandy*, had long reſolved to go over thither as ſoon as he could, that he might reduce it under his Dominion by force; and to that end [2.] paſſed over thither in *March*, a little before *Eaſter*, *Alexander* Biſhop of *Lincoln*, and many others of the Nobility accompanying him; then Earl *Robert* having privately ſounded ſome of their minds, whom he knew to be moſt tenacious of the former Oath they had taken to the Empreſs, and having reſolved on what he afterwards put in Execution, went to Sea on *Eaſter*-day, and Landed in *Normandy*; where, by the contrivance of *William de Ipre*, the King endeavoured to ſeize Earl *Robert* by a Wile; but he having notice of the deſign from one that was privy to it, eſcaped, and came not again to Court (tho' often invited.) For ſeveral days after, the King was very much concerned that his deſign had miſs'd of its effect, and he thought to put off, or at leaſt to extenuate the fault, by confeſſing it, making Oath according to a form preſcribed by the

Earl

Earl, that he would never for the future, conſent to any ſuch wicked contrivance: howevet the King would not beſtow his Friendſhip upon one whoſe Power he always ſuſpected; and therefore tho' he ſtill treated him civilly to his face, yet behind his back he uſed very ſharp expreſſions againſt him, and * fleeced him of his Poſſeſſions as much as he could, whilſt Earl *Robert* alſo eluding one artifice with another, diſſembled his mind, ſuffering the King peaceably to return into *England*, tho' whilſt he remained in *Normandy* he did not neglect his own advantage. *Anno Dom.* MCXXXVII.

* *Vellicaret.*

This is *William* of *Malmesbury*'s account of Earl *Robert*'s Tranſactions with the New King, which whither it be not too much in his Patron's favour we will not determine at this diſtance of time, yet we may obſerve from all the Earl's crafty proceedings, that all along neither he himſelf, nor the reſt of his party ever took an Oath of Allegiance to King *Stephen*, but with a reſolution to break it, ſo ſoon as they had an opportunity. Such brittle things are Oaths, when either Intereſts or pretence of Conſcience, ſhall prompt Men of different Principles, to take, and then break them as ſoon as they are able: But notwithſtanding all the cunning contrivance of this Politick Earl (who as yet thought fit to continue Neuter), King *Stephen* carried on the War ſo ſucceſsfully in *Normandy*, that he fruſtrated the deſigns of his Enemies, and took ſeveral Caſtles, and had the better of them where ever he came.

Some Obſervations upon this Earl's crafty Proceedings.

But ſince our *Engliſh* Hiſtorians have left but a ſhort and Summary account of this year's Tranſactions in *Normandy*, we will from [3.] *Ordericus Vitalis* gives you a fuller Relation of what then happened. About the end of *March* King *Stephen* arrived there, at which the People, who were then very much oppreſſed, were extremely pleaſed; yet not long after ſome of the Noblemen of that Province preſumed to rebell againſt him, to ſubdue whom he was fain to hire ſome *Flemiſh* and *French* Mercenaries, by whoſe Aſſiſtance he put his Affairs into ſo good a poſture, that in *May* he had a Conference with *Lewis* King of *France*, which ended ſo much to the King's Advantage, that he received the Inveſtiture of the Dutchy of *Normandy* from the *French* King's hands, and made a League with him upon the ſame Terms as King *Henry* had done before.

[3.] P. 909. A Fuller Account of this Year's Tranſactions in *Normandy*.

King *Stephen* is Inveſted in that Dutchy by the King of *France*.

After [4.] this King *Stephen* being now more ſecure marched againſt the Lord of *Rabelle* (a *Norman* Nobleman who was then in Arms) and not only took ſeveral Towns from him, but alſo reduced ſeveral Caſtles to his own Obedience.

[4.] *Id. Ib.* After which he reduces ſeveral Rebells.

Not [5.] long after the Earl of *Anjou* being now recovered of his late hurt, again Invaded *Normandy* with four hundred Knights (that is, Feudatary Tenants) who with their Followers made a conſiderable Body of Horſe, beſides Foot; with which Army the Earl did great miſchief to the Country, taking ſome Towns, and burning others; in the mean time the King did all he could to oppoſe him, and having muſtered together a ſufficient Army, marched to Beſiege the Town of *Argentune*, hoping to find Earl *Geoffrey* there; but as ſoon as the King came before it, there happened ſo great a Quarrel between the *Normans* and *Piccards* (being then both in the King's Service) that they fell to Blows among themſelvs, and many were kill'd on both ſides, which ſo diſturbed the whole Army, that many Officers with their Troops deſerted

[5.] *Id. Ib.* The Earl of *Anjou* again Invades *Normandy*.

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The King is forced to make a Truce with the Earl.

ſerted the King without taking any leave; and this ſo broke his meaſures, that finding there was nothing elſe to be done, he made a Truce with the Earl for two years, each ſide being to keep what they had got: But this Agreement did not hold out the time prefixt. For,

[1.] *Id.* p. 911. The King is ſtill diſturbed with freſh Rebellions there.

[1.] Notwithſtanding this Truce the King was ſtill diſturbed by ſome petty Rebellions of the *Norman* Nobility, who from their reſpective Caſtles Plundered the Country round about, againſt whom the King marching with his Forces, ſoon reduced thoſe Places to his Obedience. Having thus ſettled *Normandy* as well as he could, and appointed *William de Romer*, and *Roger le Viſcount* Governours of it in his abſence, he ſet Sail for *England*, whither he was called by freſh Troubles, being inform'd of a Plot, that was privately carried on by ſome of the *Engliſh*, to murther all the *Normans* upon a day agreed on, and then to deliver the Kingdom to the King of *Scots*: this being diſcovered to the Biſhop of *Ely*, was by him communicated to the reſt of the Biſhops and Noblemen to whom the King had committed the care of the Realm in his abſence, and many ſuffer'd, or elſe fled out of the Kingdom upon that Account.

[2.] *David* King of *Scots* Invades *England*, yet a Truce is made between him and K. *Stephen*.

We ſhall now look back upon what has been Tranſacted in *England* during the King's abſence abroad, where in [2] the mean time *David* King of *Scots*, unmindful of the Treaty He had ſo lately made, and ſtill inſiſting on the Oath He had formerly taken to the Empreſs his Niece, raiſed a great Army, and prepared to fall upon *Northumberland*; but the greateſt part of the Earls and Barons of *England* were in a readineſs upon the King's Command at *Newcaſtle* to aſſiſt him with all their Forces, in caſe He ſhould Invade the Kingdom; wherefore a Truce was propoſed by *Thurſtan* Archbiſhop of *York*, who waited on the King of *Scots* as far as *Roxburgh* for that purpoſe, which being accepted of by him till the *Chriſtmaſs* following, after forty days ſtay, the King and his Army returned home: Yet this Truce did not laſt long, becauſe King *Stephen* refuſed to beſtow *Northumberland* on Prince *Henry*, Eldeſt Son to the *Scotiſh* King, as he demanded.

[3.] *Id. Ib.* *Euſtace* the King's Eldeſt Son does Homage for *Normandy*.

Soon after the late Peace with the King of *France*, and *Euſtace*, the King's Eldeſt Son did Homage for *Normandy*, and by this means He prevented the Deſigns of his Enemies. *Theobald* Earl of *Blois* perceiving himſelf defeated in his Pretences to *England* and *Normandy*, (which as the King's Elder Brother he then laid claim to) was at laſt prevailed with to deſiſt from his Pretenſions, upon the payment of Two thouſand Marks yearly Penſion; which the Earl of *Anjou*, Husband to the Empreſs of *Mathilda*, obſerving, thought it beſt for him to make a Truce with King *Stephen*; for He ſaw at preſent that there was no reſiſting him, as well by reaſon of his great numbers of Men as the vaſt quantities of Monies which ſtill remain'd of the Treaſures left by King *Henry*: So that (as ſome Authors relate) being forced to yield to neceſſity, for the Annual payment of Five thouſand Marks, he agreed that King *Stephen* ſhould quietly enjoy the Crown; but yet if he ever made ſuch an Agreement, it did not continue long, as you will find hereafter.

[4.] Dr. *P's Chron.* *Gryffith* Princ. of *South-Wales* dies.

But now to give ſome Account of the Affairs of *Wales*; there died this year [4.] Prince *Gryffith ap Rees ap Theodor*, the Pillar of *South-Wales*, being

being made away by the treacherous practices of his Wife *Guenlhian*, Daughter to *Griffith ap Conan*, Prince of *North-Wales*, who alſo himſelf deceaſed about the end of this Year, after he had Reigned Worthily for Fifty Years, and eſcaped many great dangers both in *Ireland* and *Wales*: He had ſeveral Children by divers other Women beſides his Wife; but *Owen*, Sirnamed *Guyneth*, his Eldeſt Legitimate Son, Succeeded in the Head-Principality, though the reſt of his Territories were diſtributed among all his Sons, according to the Cuſtom of *Wales*. Prince *Owen* in the very beginning of his Reign Invaded the *Engliſh* Territories in *South-Wales*, and took and razed the Caſtles of *Eſtrade*, *Merey*, with ſeveral others, and burnt the Town of *Caermarthyn*, there being ſmall Reſiſtance made either by the *Engliſh* or *Normans*, by reaſon of the King's abſence in *Normandy*.

Anno Dom. MCXXXVII. As alſo *Griffith* Prince of *North-Wales*, who is Succeeded by *Owen* his Son.

The [5.] King being returned into *England* a little before *Chriſtmaſs*, kept that Feaſt at *Dunſtable*, and after that a Court, or Great Council, at the ſame place; and preſently after he was welcom'd with a freſh Rebellion, *Bedford*-Caſtle being held againſt him by *Milo de Beauchamp*, for the King of *Scots*, becauſe King *Stephen* would have taken the Government of that place out of his hands, and given it to another; whereupon the King Marched down, and Beſieged it on *Chriſtmaſs* Eve, nay, even on *Chriſtmaſs* day it ſelf, notwithſtanding its Holineſs, and he preſs'd it ſo hard, that he took it in a ſhort time, the Beſieged not being able to hold out long againſt him.

[5.] Con. Flor. G. R. S. *p.* 937, 938. H. H.

But [1.] ſo ſoon as he had done there, a much greater Buſineſs called him into the *North* parts, where a dangerous War was now commenced; for *William* Son of *Duncan*, Nephew to *David* King of *Scots*, with part of that King's Army, then Beſieged the Caſtle of *Weark* in *Northumberland*, but not being able to make it Surrender, the King himſelf, and his Son *Henry*, went thither with the main Body of his Army, and endeavoured to take it by divers Engines and Various Aſſaults, yet all to little purpoſe; for thoſe that were within defended themſelves ſo bravely, that the King, though he had Beſieged it Three Weeks, and loſt many Men before it, was at laſt forced to raiſe the Siege: [2.] and ſo leaving the Town marched farther into *Northumberland*, which he laid waſte with Fire and Sword (not ſparing the very Churches) and alſo deſtroyed the Inhabitants without any diſtinction of either Age or Sex; for (as all our Hiſtorians relate) he ſlew the Infants hanging at their Mother's Breaſts, and the Prieſts before the very Altars.

Anno Dom. MCXXXVIII. [1.] *Ail. de Rieval. de Bello Standardi. Ric. de Hag. de eodem.* The King of *Scots* begins a freſh War, and Beſieges the Caſtle of *Weark*. [2.] H. H. F. W.

About [3.] *Candlemaſs*, King *Stephen*, attended by a great Number of Earls and Barons, and a powerful Army of Horſe and Foot, arrived in thoſe parts; but as ſoon as the King of *Scots* heard of it, he made what haſte he could to return home.

[3.] R. *de Hag.* Col. 317. King *Stephen* Marches againſt the *Scots*, who Retreat.

Then [4.] the King of *England* paſſing the River *Tweed* (to be even with him) laid waſte moſt of the Borders of *Scotland*; but the King of *Scots* having now retreated into his own Dominions, Encamped his Army within a certain Bog, not far from *Roxburgh*, which had but one paſſage into it, and there lay watching for ſome advantage to fall upon King *Stephen*'s Army by Night, if he entred that Town, in which the *Scotiſh* King had privately left a ſtrong force, and cunningly commanded the Townſmen to open their Gates to K. *Stephen* if he ſhould come that way; but the King being forewarned of the deſign, as

[4.] *Id. Ib.* The King paſſes the River *Tine*.

Anno Dom. MCXXXVIII.

also of the Treachery of some of his Nobility, who Conspired upon the first Engagement to Betray him; and likewise considering that a great part of his Men were unwilling to bear Arms any longer, and that Provisions began to fail, he declin'd going to *Roxburgh*, and thought best to return with his Army into the *Southern* parts; but another more urgent reason than all these was, because he had heard, that many Noblemen of *England* taking hold of this Opportunity had Rebelled, and Fortified their Castles against him, alledging (for a pretence) that he had broken his Coronation-Oath touching the Forests, and other Liberties granted them by his late Charter; but indeed it was because the King had refused to grant them such Castles and Lordships as they had desired of him, as you will hear more at large, when I have related the next Invasion which the *Scotish* King not long after made upon *England*, in this manner.

King *Stephen* being hindred by Domestick Rebellions returns into the *South*.

[5.] *Iidem. Ib.* The King of of *Scots* again Invades *Northumberland*.

[5.] No sooner was King *Stephen* gone into the *South*, and the Feast of *Easter* over, but the King of *Scotland* again Invaded and laid waste the Sea-Coast of *Northumberland*, and did the like also in the Bishoprick of *Durham*, all along between that Town and the Sea; but a report being raised, that great Forces were coming against him from the *South* parts of *England*; the *Scotish* Army presently quitted their Quarters, and their King Retreated to *Norham*, which he Besieged, and endeavoured to take by all means possible; and whilst he was employed in this Siege, he sent part of his Army under the Command of *William* Son of *Duncan* (his Nephew abovementioned) into *Yorkshire*, where he carried all before him, and Routing a great Party of *English* at a place called *Clitherton*, Killed many, and took more Prisoners, after which without any resistance he destroyed the Country, sparing neither Age nor Sex; only some, whom they thought most fit for Service, were carried away Captives.

And Routs a great Party of *English*.

[1.] R. *Hag.* Col. 318. King *David* takes the Town of *Norham*.

[1.] In the mean time King *David* took the Town and Castle of *Norham*, those within being but few, and expecting no assistance from their Lord the Bishop of *Durham*, to whom King *David* sent this Offer, That if he would quit King *Stephen*, and take an Oath of Fidelity to his Neice the Empress, he would restore him his Castle, but the Bishop refusing to do it, the King ordered the Town to be Ruin'd.

[2.] *Id. Ib.* * Called by another Author *Carrum*.

That King looses many Waggons, and his Son *Henry* is Routed.

[2.] While these things were acting in the Bishoprick, about Rogation-Week some Soldiers Sallying out of the Town of * *Weark*, took many Waggons laden with the Victuals and Baggage belonging to the King of *Scots*, and also falling upon his Son *Henry*, and a Party that were with him, routed them, and either Wounded, or took Prisoners a great many of them; at which bold Actions the King being highly provoked, again marched to *Weark*, and laid Siege to it the second time, but with no better Success than before, the Place being very strong; [3.] therefore quitting that Enterprise, he increased his Army and went towards *Yorkshire*, being assisted by *Eustace Fitz-John*, a Baron of the *North* of *England*, and Lord of the Castle of *Alnwick*, who now declared for him, because King *Stephen* not long before had taken from him the Government of *Bamborough* Castle; upon which King *David* leaving the Siege of *Weark* to be continued by Two of his Thanes or Barons, marched to *Bamborough* Castle, but not being able to take it, he surprised and Killed about a Hundred

[3.] *Id. Ib.* King *David* Increasing his Army Marches towards *York*.

Men

Men near that place; and having deſtroyed all the Country round about, and alſo the Town of *Melford*, he repaſſed the *Tine*, and entred the Biſhoprick, and there ſtayed for ſome time, expecting the coming up of the reſt of his Army, which, when it was altogether, was very ſtrong, conſiſting of above 26000 Men; on which the King grew ſo confident, that he threatned to lay waſte the greateſt part of *England*; and ſo leaving *Durham*, and deſtroying all the Country where-ever he went, he paſſed over the River *Teys*, and began to do the like in that part of *Yorkſhire* adjoining to it.

Anno Dom. MCXXXVIII. Then Marches back into the Biſhoprick of *Durham*, which he lays waſte.

Then [4.] Archbiſhop *Thurſtan* (the King's Lieutenant in thoſe parts) with *William* Earl of *Albemarle*, *Walter de Gaunt*, *Walter Eſpec*, and many other Barons and Chief Men of that Country (whoſe Names we need not particularly mention) Aſſembling together at *York*, conſulted what was beſt to be done in this Exigency; for King *Stephen*, being now taken up with ſeveral Rebellions in the *Southern* parts, could not come to their Aſſiſtance; therefore theſe Noblemen's hearts had certainly failed them, and they had never dared to make reſiſtance with ſo few Men as they had, if the Archbiſhop had not encouraged them as well by his perſuaſions as advice; for he having made them a long ſpeech with great exhortations to reconcile themſelves to God by a true Repentance, and promiſing to accompany them himſelf in this Expedition if his health would permit, ſent them home to raiſe what Forces they could; who returning with their Men within a ſhort time to *York*, were alſo further encouraged by the arrival of *Bernard de Baliol*, whom King *Stephen* had ſent with a ſtrong Party of Horſe to their Aſſiſtance: Hereupon the Archbiſhop Ordained a Three days ſolemn Faſt, during which time they made earneſt Supplications to God for a happy Succeſs; after this the Archbiſhop himſelf being carried in a Litter becauſe of his great Age and Infirmities, led the Army till they came to a Town called *Treſc*, from whence they ſent *Robert de Bruce*, and *Bernard de Baliol* to the King of *Scots*, who was then waſting the Biſhoprick, to deſire him to ceaſe from his Barbarity, and if he would do ſo, they promiſed to obtain from the King their Maſter the Country of *Northumberland* for his Son *Henry*; but the *Scotiſh* King, with his Nobles, inſtead of complying, deſpiſed their Entreaties, and defied them; therefore *Robert Bruce* renouncing the Homage which he had formerly done the King, and *Bernard* the Fealty which he had Sworn to him when he was his Vaſſal, they returned to their Companions; ſo that all the Noblemen of that Province, with ſome others of *Nottingham* and *Derbyſhire*, obliged themſelves by mutual Oaths not to forſake each other in this Expedition, but ſtrenuouſly to Live and Die together.

[4.] *Id. Ib.* Archbiſhop *Thurſtan*, with the Earl of *Albemarl*, and ſeveral others, reſolve to raiſe an Army againſt the King of *Scots*.

Bernard de Baliol, comes with a freſh Party of Horſe to their Aſſiſtance.

Robert Bruce, and *Bernard de Baliol*, renounce their Homage to the King of *Scots*.

But [5.] the Archbiſhop of *York* being diſabled by Sickneſs, as well as old Age from Marching any farther with the Army, appointed *Ralph* Biſhop of the * *Orcades* Chief Commander in his ſtead, who immediately led the *Engliſh* Forces towards the *Humber*, near which they Encamped expecting the coming of the *Scots*; and it was not long before they learned from their Scouts, that King *David* and his Army had paſſed the River *Teys*, and were making great Marches to meet them; and paſſing by the Town of *Alverton* (now called *North-Allerton* in *Yorkſhire*) they came betimes in the Morning to an open Plain,

[5.] *Id. Ib.* H. H. The Archbiſhop of *York* being diſabled by Sickneſs, appoints the Biſhop of the *Orcades* Chief Commander in his ſtead.

* *Note*, That the *Orcades* were not then under the Dominion of the Kings of *Scotland*.

Anno Dom. MCXXXVIII. Plain, called *Cutun Moor*, about Two Miles from that place, where ſome of them in the middle of the Field erected a certain Machine made of the Maſt of a ſmall Ship, which they called the *Standard*, and on the top of it they placed a Silver *Pix*, in which was (as they ſuppoſed) the Body of Chriſt, and on each ſide of which they hung the Banners of St. *Peter* and St. *John* of *Beverlie*, and St. *Wilfred*. This Engine (though ſuperſtitious enough) was yet of great Uſe, not only to animate the Spirits of the Soldiers, but (being alſo ſeen all over the Field) to make them more Reſolute in their Defence of it; and if by any Accident they ſhould be diſperſed from each other, then that was to ſerve as an Enſign where they were to Meet and Rally again.

The Army ſets up a certain Maſt which they call the *Standard*.

[1.] *Id. Jb.* The *Scotiſh* Army approaches them, whereupon the Biſhop of the *Orcades* makes a ſharp Oration againſt the *Scotch*. And then Abſolves the Army from their Sins.

But [1.] they had ſcarce got themſelves in a readineſs to Fight, when word was brought that the *Scotiſh* Army was now very near them; whereupon the *Engliſh* being drawn out in order of Battle, the Biſhop of the *Orcades* made them a long and invective Oration againſt the late *Scotiſh* Barbarities, for which I refer the curious Reader to *H. Huntington*, and *R. Hoveden*; all that I ſhall take notice of from it is, that at the Concluſion he Abſolved all thoſe from their Sins, who ſhould happen to fall in this Battel; which made the *Engliſh* the deſperate in Fighting, for nothing can give the Courage a keener edge, than to whet the Quarrel with the Cauſe of God.

[2.] *R. Hag. ib.* The *Engliſh* Army is drawn up in Battel-Array.

Now [2.] the greateſt part of the Horſe alighted, the better to Fight on Foot; the choiceſt of whom being mingled with the Archers were placed in the *Van Guard*, but moſt of the Chief Commanders and Barons were drawn up in the main Body about the *Standard*, the reſt of the Army lying round them as near as poſſible, whilſt the remaining Body of Horſe, with the Horſes of thoſe Soldiers who had alighted, retired further off, that ſo they might not be frightned with the noiſe and ſhouts of the *Scots*.

The Order of the *Scotiſh* Army.

So likewiſe on the Enemie's ſide, the King himſelf and almoſt all his Soldiers alighted, their Horſes being kept at a diſtance; near the Front of the Battel were the *Galloway* men, and in the middle the King with his *Scotiſh* Soldiers and *Engliſh* Auxiliaries, many of whom being of the Empreſs's Party, now join'd with the *Scots* againſt their Native Country, but the reſt of the Barbarous Multitude were diſperſed about the Field: Now whilſt they Marched on in this Order to Fight, and ſaw the *Standard* not far off, their Hearts began to be ſtruck with a panick Fear, but for all that they obſtinately went forward, until the Battel was begun, which laſted not above Two Hours, for many of the *Galloway* Men, who were but lightly Armed, being ſlain at the firſt Onſet, the reſt ſoon flung down their Arms and fled, not being able to endure the Showers of Arrows, and force of the *Engliſh* Swords; then the Body of *Lothian* Men (their Leader being ſlain by an Arrow) likewiſe diſperſed, though the King and the reſt of the Nobility did all they could to Rally them, and ſome of them came back again to his Royal *Standard* (which was a Dragon) and made up a freſh Body: but the King perceiving they were not ſufficient to renew the Fight, commanded them to fling away their * Tokens, and mix themſelves with their Enemies, which they immediately did, and ſo ſafely paſſed through the Van Guard of the *Engliſh*, moſt of

The *Scots* being poſſeſt with a panick Fear, run away.

The King himſelf is forced to fly to *Carliſle*.

* *i. e.* The Marks by which they knew each other.

of them flinging down their Arms and ſhifting for themſelves as well as they could; but the King in his flight kept on his Armour, till being got out of danger he came to a poor Man's Cottage, and there he left it becauſe it was a burthen to him; yet he made no very great haſte, that ſo he might the better in his March pick up thoſe that had fled: at length he arrived ſafe at *Carliſle*, though much concerned for Earl *Henry* his Son, who was left behind; but he tarried there two days, and on the third he likewiſe received him in ſafety. *Anno Dom.* MCXXXVIII. Is much concerned for Earl *Henry* his Son, who at laſt returns ſafe.

[3.] In the mean time the *Engliſh* purſuing the *Scots*, killed a vaſt number of them, beſides a great many that were taken Priſoners, for (as ſome of our Hiſtorians ſay) there were above Ten thouſand *Scots* miſſing when they were Muſtered at their return home; but of the *Engliſh* Forces there were but few killed, all the reſt getting large Spoils, and having placed the Enemie's Colours which they had taken from them, in the Churches of ſeveral Saints, they returned home in Peace. But their ſudden departure tended very much to the prejudice of the King's Affairs, as you will ſee by and by. [3.] *Id. Ib.* The *Engliſh* purſue the *Scots*, and kill a great Number of them, and carry home a great deal of Plunder.

This is the Account (omitting the long Speeches) that *Richard Prior* of *Hagulſtald*, and * *Ailred* Abbot of *Rievalle*, give of this famous Battel and Victory obtain'd by a ſmall Army of *Engliſh*, over a much greater of *Scots*, where their King Commanded in Perſon; and is by thoſe Authors laſt mentioned, called the Battel of the *Standard*, the reaſon of which Title the Story it ſelf ſufficiently declares. * Col. 321, 322.

But *Hector Boetius*, and *Buchanan*, make a quite contrary Relation of this Year's War, and that King *Stephen* repented of the late Agreement he had made, and therefore raiſed all the Forces he could, reſolving to recover *Northumberland*; and that thereupon the *Scots* gathering together an Army in haſte, and joining Battel, had the worſt of it, but yet that their loſs was not very great, for repairing that Affront, by many light Skirmiſhes, they only gave up that part of *Northumberland*, which was ſeized upon by the *Engliſh* immediately after the late Victory; but King *David*, that he might put a ſpeedy end to the War, thought it better to drive the *Engliſh* out of *Northumberland* with all his Forces, or elſe wholly to loſe it by an Honourable Death; and therefore he ordered Soldiers to be raiſed all over *Scotland*, and a very great Army to be drawn together; that not long after this Archbiſhop *Thurſtan* going to the King (then at *Roxburgh*) begged Peace, and ſo for a while ſtopped his fury by obtaining a Three Months Truce on this condition, That the *Engliſh* ſhould yield up all *Northumberland* to his Son *Henry*; which Truce when King *David* found not to be obſerved by the *Engliſh*, he fell ſuddenly upon thoſe who held that part of *Northumberland*, and made a great ſlaughter of them, and that King *Stephen* upon hearing the great loſſes he had received, forthwith Aſſembled his Army, and marched with it as far as *Roxburgh*, but it being there told him, That his Nobles began to Rebel againſt him, he immediately returned without doing any thing. The *Scotiſh* Hiſtorians give a different but falſe Relation of this Battel.

In which Relation there are many great miſtakes: For firſt King *Stephen* did not begin this War with King *David*, with whom he had much rather have been at Peace; nor did he ever give up any part of *Northumberland* to him, and therefore could not make War to recover what; This Relation confuted.

Anno Dom. MCXXXVIII. what was already in his own Poſſeſſion; nor was the Victory gained by the *Engliſh* over the *Scotch* ſo inconſiderable as they would have it, as appears by what we have already related, as alſo by the effects of it; they being now driven not only out of part, but out of all *Northumberland* which they had before laid waſte with Fire and Sword; a Method that Princes never take when they look upon a Country as their Own already.

As for what follows of King *David*'s ſecond Invaſion of *Northumberland* with a potent Army, and Archbiſhop *Thurſtan*'s attending that King at *Roxburgh* to deſire Peace, it was not in this, but in the Year Precedent, as we have already ſhewn; neither was there any ſuch condition then agreed to, that the *Engliſh* ſhould deliver up *Northumberland* to Prince *Henry*, and therefore the *Engliſh* could not break the Truce in not delivering it without their King's Conſent; 'tis true, King *David* did again Invade *Northumberland*, and made a great ſlaughter there; and it is alſo as true, that he then ſuffer'd a total Defeat, which the former of theſe Authors wholly conceals: and as to King *Stephen*'s raiſing an Army, and marching with it as far as *Roxburgh*, and then returning back all of a ſuddain without doing any thing: It was not in this year neither, but in that preceeding, upon the News of the freſh Inſurrections in *England* abovementioned.

A farther Confutation of *Buchanan*.

Nor is *Buchanan* any whit leſs miſtaken, when ſpeaking of this Battel near *Allerton*, he makes the Earl of *Glouceſter* to have Commanded the *Engliſh* forces, and that after a ſharp Engagement (the loſs at firſt being pretty equal on both ſides) the *Engliſh* ran away, and many of their Nobility were taken Priſoners, and among the reſt the Earl of *Glouceſter* their General: This is all a very notorious falſehood, for there never was but one Battel near *Allerton*, in which the *Scots* were utterly routed (as you have already heard;) nor could the Earl of *Glouceſter* be their General, nor then be taken Priſoner, ſince he was never truſted by King *Stephen* with any Command under him, he being always on the ſame ſide with the King of *Scots*, even before he openly declared againſt King *Stephen*. Indeed *Buchanan* is leſs excuſable in this, becauſe he might (if he had pleaſed) have conſulted our *Engliſh* Hiſtorians, who all with one conſent aſſert the contrary. It is true, he is ſomewhat more ingenuous, when he confeſſes that the War being renewed the Year following, the *Scots* again marched into *England*, and being fluſhed by their late Victory, engaged anew with the *Engliſh*, but giving them Battel too precipitantly at the River *Teys*, they paid dear for their Raſhneſs, in thus ſlighting their Enemy, who by a terrible ſlaughter compell'd them to quit *Northumberland*: Though the real Truth is, there was but One ſet Battel fought between the *Engliſh* and the *Scotch* in the laſt Two Years, *viz.* that of the *Standard* abovementioned; and as to what he ſays farther concerning King *David*'s ſecond Invaſion upon this Defeat given him by the *Engliſh*, and Archbiſhop *Thurſtan*'s ſuing for Peace (and for which he cites *William* of *Newburgh*, tho' he ſays no ſuch thing); I have already proved it to be miſplaced, ſince it was not after, but before this Battel, that theſe things happened: Neither did Queen *Mathilda* go at the King her Husband's Command to King *David* her Uncle to ſue for Peace; however it muſt be confeſſed, that Peace was afterwards made by this Queen's Interceſſion, though at firſt

first much against the Inclinations of the King her Husband, as you will find when I come to treat of the next Year's Transactions. This much I thought fit to let the Reader know, to shew the great Ignorance and Partiality of the *Scotish* Historians in the Relation of their Wars with *England*. But to return again to our History. *Anno Dom.* MCXXXVIII.

So [4.] soon as the news of this great Victory reached King *Stephen's* Ears, he was very much pleased with it, and the more because he had heard that *William de Albemarle*, and *Robert de Ferrars* had behaved themselves very Gallantly in the late Battel; whereupon he made the former Earl of *Torkshire*, and the latter of *Darbyshire*; in which Families those Honours continued for divers Generations.

[4.] *De Bello Standardi.* col. 323. King *Stephen* is much pleased with the News of this Victory, and bestows Titles of Honour on the Chief Commanders.

But [5.] to return to the Affairs of *Scotland*; notwithstanding this Defeat, the King of *Scots* no sooner had heard that the *English* Forces were returned home, but recruiting his shatter'd Army, he again Marched into *England*, and laid fresh Siege to the Town and Castle of **Weark*, trying by all sorts of Engines to take it; but the Townsmen so well defended themselves, by breaking the Engines and killing many of the *Scots*, that they grew weary of the Siege; yet having the whole Country round about in their power, they so block'd up the place, that it could receive no Relief any way.

[5.] *Id. Ib.* Upon the Retreat of the *English* the King of *Scots* again Invades *England*, and Besieges the Castle of *Weark*, though in vain.

* Called by this Author *Carrum*,

In [1.] the mean time *Albert* Bishop of *Ostia*, the Pope's *Legate*, being arrived in *England*, and going into the Province of *York* to Visit and Reform what was there amiss, went to the King of *Scots*, whom he found at *Carlisle* with the Bishops and Barons of that Kingdom, where he endeavoured to make Peace between him and King *Stephen*; but it was to no purpose, for he could scarce obtain a Truce that he should not again March into *England* before *Martinmass*: Then the Castle of *Weark* began to be very much streightned for want of Provisions, which increasing more and more, the Besieged, when they had Eaten up all their Horses, were at last forced to surrender it to King *David*, and he caused both Town and Castle to be Demolished.

[1.] *Id.* Col. 324. The Pope's Legate going into the *North* endeavours to make a Peace between the Kings of *England* and *Scotland*, but to no purpose.

But [2.] about the beginning of Winter, there was a Treaty of Peace set on foot between the Two Kings, by the means of Queen *Mathilda*, who being Neice to King *David*, as I have said before, did all she could to reconcile them; to which, though King *Stephen* himself was at first averse, because several of his Barons (who had sustained great Losses by the present War) perswaded him by no means to make Peace with the King of *Scotland* upon those terms; yet the Queen at last prevailed with her Husband to consent to a Peace, though it was not concluded till the Year following.

[2.] *Id. Ib.* Yet a Peace is at last concluded by the Mediation of the Queen *Mathilda*, Neice to the King of *Scots*.

I have already told you, that the King being at the same time pressed with divers Rebellions in the *Southern* parts of *England*, had not Leisure to prosecute the War against *Scotland* in Person, as otherwise he would have done; I shall therefore (from [3.] *William* of *Malmesbury*) give you a more perfect Account of the causes of these Commotions, and what Success they met with: You must know that several of the Young Nobility having been advanced under the late King, the greatness of their Minds, or their own youthful boldness prompted them to commit many unlawful things, and being not contented with what they had got, they very confidently asked the King, some of them for Mannors, others for Castles, and, in short, whatever

[3.] Hist. *Nov. Lib.* 2. *p.* 180. An Account of the Insurrections in *England*, and the Cause of them.

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whatever they had a fancy for; which when the King denied to grant them, alledging that it would be a diſmembring of his Kingdom, and that Others, who had alſo deſired the ſame things were already in poſſeſſion of them; theſe Noblemen ſo very much reſented it, that preſently flying to Arms, they Fortified their Caſtles, and took great Spoils in the adjacent Countries; yet the King was not at all diſcouraged with this their Defection; but ſometimes Subdued one, and ſometimes another; and being too merciful, always made an end rather to his own Loſs than the Prejudice of thoſe who had Rebelled againſt him: for after a great deal of labour and trouble beſtowed to no purpoſe, all that he got by his Clemency, was a temporary diſſembled Peace, though he often obliged them (but too late) by giving them thoſe very Honours and Caſtles which they had at firſt deſired. From whence we may obſerve, That as too great Cruelty, *ſo likewiſe an* over-great Clemency *may be equally Prejudicial to a Prince, eſpecially whoſe Government is unſettled.*

[4.] *Il. Ib.* Upon the report of *Robert* Earl of *Glouceſter*, and the Empreſs's deſign to come over, many Noblemen Rebel.

But [4.] what made theſe Noblemen more greedy to ask, and the King more eaſy to give, was a Report at that time ſpread all over *England, viz.* That *Robert* Earl of *Glouceſter* (then in *Normandy*) was coming over to take his Siſter the Empreſs's part, and having not long before renounced his Homage, had then alſo ſent the King a Defiance; but before his Arrival ſeveral of the Nobility had begun to Rebel: For

[5.] H. H. In which *William Talbot* leads the way.

[5.] *William Talbot* at that time held the Caſtle of *Hereford* againſt the King, but he by a cloſe Siege ſoon reduced it to his Obedience; alſo *William Lovell* held the Caſtle of *Cari*; one *Paganel* that of *Ludlow*; *William de Mohun* that of *Dunſtar*; *Euſtace Fitz-John* that of *Melton* in *Yorkſhire*; *William Fitz-Allen* that of *Shrewsbury*; which laſt the King quickly got by force, and Hanged ſome of thoſe that were taken therein; which one *Walkelin*, who held the Caſtle of *Dover*, hearing of, he delivered it up to the Queen, who was then Beſieging it; but [1.] the King hearing of theſe Rebellions, received the News with a great Preſence of Mind, and was often wont thus to expoſtulate concerning thoſe who had Rebelled; *Since* (ſaid he) *they have Choſen me their King, Why do they now forſake me? By the Birth of God* (which was his uſual Oath) *I will never be called an* * Abdicated *King*; and he was as good as his word; for to his death he courageouſly kept that Crown, which the prevailing party of the Kingdom had ſet upon his Head.

[1.] W. M. *p.* 102. The King's Speech upon the News of theſe Inſurrections.

* *Rex Ejectus.*

But [2.] (as the ſame Author and others relate) one great reaſon of the haſty Revolt of theſe Noblemen, was the King's late Seizing upon the Perſons and Eſtates of ſome of their Order, upon ſlight ſuſpicions of their Diſloyalty; to this may be added the extraordinary Favour he ſhewed to *William* of *Ipre*, a *Flemming*, and thoſe of his Nation, which the *Engliſh* Nobility interpreted as a Contempt of themſelves; whereupon the Noblemen abovementioned ſent over word to the Empreſs, that within Five Months ſhe ſhould have the whole Kingdom delivered up to her: So that we ſee nothing could diſoblige the *Engliſh* Nobility ſo much as Arbitrary Proceedings, and the unneceſſary Preferment of Foreigners to high Commands and great Eſtates.

[2.] *Il. Ib.* Other Reaſons why many Noblemen now Deſerted the King.

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[3.] But he who now, and all along indeed, gave the King the greateſt trouble was, *Robert* Earl of *Glouceſter*, who not long after *Whitſontide* had ſent over Meſſengers out of *Normandy* to the King, by whom (according to an Antient cuſtom of that Age) he renounced his Fealty, and Surrender'd up his Homage, alledging as he thought a ſufficient Reaſon for it, to wit, that he had not only ſeized the Kingdom contrary to the Oath he had taken to the Empreſs, but had likewiſe broken the Faith which he had ſworn to himſelf; and that if he had done him Homage, it was contrary to the Oath which he had already taken to his Siſter, therefore now repented of it; beſides the Anſwers of divers Religious Perſons (whom he conſulted) did very much excite him to it; for they told him, that he could not paſs this preſent life without Ignominy; nor hope to obtain that to come, if he violated the Oath he had already made to ſo near a Relation: He alſo got the Pope's Sentence, requiring him that he ſhould rather obey that Oath which he had formerly taken by his Father's Command, than this more late One to the preſent King.

[3.] *Il. Ib.* Earl *Robert* renounces his Allegiance to King *Stephen*.

Theſe are the Reaſons our Author gives, why Earl *Robert* his Patron broke his Oath of Allegiance to King *Stephen*; which, whither they are ſufficient to excuſe him, or not, I ſhall not take upon me to determine; but only obſerve, that tho' the Clergy then (as well as any time ſince) have been the greateſt cauſes of Alterations, and Revolutions in Governments, yet the double dealing of the Pope is moſt remarkable in this Affair; for after he had by his Bull approved of, and confirm'd King *Stephen*'s Title, yet he could now grant another, declaring that Earl *Robert* was not bound by the Oath he had taken; and indeed the Pope might as well have abſolved All the Biſhops and Nobility of *England* of their Oaths for the ſame Reaſon.

The Pope's double dealing in this Affair.

[4.] But the King deeply reſenting the Earl's bold Defiance, immediately ſeized upon all his Great Eſtate in *England*, and razed ſome of his Caſtles, but thoſe of *Briſtol* and *Slede* remained ſtill untaken, which were not only in a condition able to repell his Enemies, but alſo they did very much diſturb the King by their frequent Excurſions.

[4.] *Il. Ib.* The King ſeizes on Earl *Robert*'s Eſtate, and razes his Caſtles; tho' ſeveral of the ſtrongeſt remain untaken.

[5.] I have nothing further to remark under this Year, but that *Alberic*, Biſhop of *Oſtia*, the Pope's Legate, in *December* held a General Synod of all the Biſhops and Clergy of *England* at *Weſtminſter*, where were preſent Eighteen Biſhops, and about Thirty Abbots, with a great multitude of both Orders: one of its chief Affairs was, to ſelect a fit Perſon into the Church of *Canterbury*, than vacant, by the deceaſe of *William* its late Archbiſhop: But *Thurſtan* Archbiſhop of *York*, being very weak, ſent thither the Dean of his Church, together with ſome of his Clergy, to Repreſent him.

[5.] *Il. Ib.* The Pope's Legate holds a Synod at *Weſtminſter*.

[1.] *Richard*, Prior of *Hagulſtad* or *Hexham*, has given us the Canons of this Synod, which ſince they wholly belong to Eccleſiaſtical matters, or elſe are but ſuch as had been already made by former Councils, I purpoſely omit, only ſhall take notice of Two of them; the former of which Ordains, That no Perſon ſhall claim any Eccleſiaſtical Benefice by Paternal Inheritance, or appoint a Succeſſor therein: And by the Other it is Ordained, That if any one ſhall kill, impriſon, or lay violent hands upon any Clerk, Monk, or Nun; And as for any other Eccleſiaſtical Perſon, (unleſs being thrice Summon'd he make ſatis-

[1.] Col. 327, 328. A ſhort Account of the Canons there made.

Of which that of the Inviolableneſs of the Clergy is the chief.

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satisfaction) he shall be *Excommunicated*; nor might any besides the Pope himself absolve him, unless it were at the point of Death; but if he died impenitent, his Body was to remain unburied.

By vertue of which Decree, many Bishops, Priests and Monks thought they might commit what Crimes they pleased, without being at all lyable to the Civil Power, which caused Great Disturbances in after-times.

[2.] *Id. Ib. Theobald* Abbot of *Bec* is there chosen Archbishop of *Canterbury*.

[2.] In this Council likewise, (after some Debates about filling the Vacant See of *Canterbury*) *Theobald* Abbot of *Bec* in *Normandy* was by the Pope's Legate, and all the Bishops of *England*, Elected Archbishop; but [3.] *Gervase* of *Canterbury* places his Election immediately after the breaking up of the said Council, and makes it to have been perform'd not only by the Bishops, but by *Jeremy*, Prior of *Canterbury*, and some of the chief Monks of that Convent.

[3.] Col. 1348.

[4.] O. V. P. 915. The various successes of affairs in *Normandy*, where the War broke out before the Truce was expired.

[4.] Before we conclude this year it is fit we look back into *Normandy*, and see what King *Stephen*'s Enemies had been doing there, whilst he was employed in *England*: for before the Truce between the King and the Earl of *Anjou* was expired, *Reginold*, Base Son to King *Henry*, took up Arms for his Sister the Empress, and joyned his Forces with *Baldwin de Redvers*, *Stephen de Mandeville*, and others of the King's Enemies, who made a fresh Insurrection in the County of *Constantine*; whom when *Roger le Viscount* went to resist, he fell into an Ambush they had lain for him, and was there slain; this ill Accident was followed by divers other petty Insurrections, and taking and Plundering of Castles and Towns, not sparing any Places either Sacred or Prophane, no not in the Holy Time of *Lent*.

[5.] P. 916. *Waleran* Earl of *Mellent* passes over thither with some Forces, but to little purpose.

[5.] In *May* following *Waleran* Earl of *Mellent*, and *William de Ipers* Captain of the *Flemings*, came over with them, and other Forces into *Normandy*, in order to settle that Province, which then laboured under great Disturbances, but to little purpose; for *Roger de Conchis* the Head of the opposite Party so well defended himself that they could do him little prejudice, only the miserable Country being Burnt and Plundered, suffer'd extremely by both Parties.

[1.] *Id. Ib.* The Earl of *Anjou* returns into *Normandy*, and having brought over Earl *Robert* to his Party, takes *Caën*, and *Bayeux*.

Whereupon many Bishops and Noblemen of that Province desert the King.

[1.] For in *June*, tho' the two years Truce between the King and the Earl of *Anjou* was not yet expired, yet laying hold on these Disturbances he return'd into *Normandy* with an Army, and by Prayers and Promises now prevail'd with the Earl of *Glouceſter*, openly to espouse and take up Arms for his Sister the Empress's Interest, so that by his Assistance the Cities of *Bayeux* and *Caën*, together with many other Places, were taken either by Force or Surrender: which Successes encouraged many Bishops and Noblemen of *Normandy* to Rebell against King *Stephen*, because they knew the Earl to be very powerful not only there, but in *England*, as having a great Estate, and many strong Places under his Command in both Countries; therefore tho' the Earl of *Mellent* did all he could to oppose this almost general Defection of the *Normans*, and hired Foreign Troops to reduce them to Obedience, yet it was to little purpose; for his Forces not being strong enough to Besiege *Caën* (which Earl *Robert* then kept) all that could be done was, to waste the Country that lay in the Enemie's power, and to fight them in some petty Rencounters, tho' with various success; this I thought fit to mention, since *Normandy* had continued hitherto under the King of *England*'s Dominion.

This

This Year [2.] immediately after *Chriſtmaſs*, the King Beſieged the Caſtle of *Slede* belonging to *Robert* Earl of *Glouceſter*, and took it in a ſhort time; ſome while after which, early in the *Spring* he again marched with his Army into *Scotland*, which he laid waſt with Fire and Sword, till at laſt the King of *Scots* was forced to make Peace with him, ſending his Son Earl *Henry* as a Hoſtage, whom the King carried along with him into *England*; and then went to the City of *Worceſter*, where being joyfully received by both Clergy and Laiety, He offer'd his Ring at the High Altar, and ſo marched preſently to the Siege of *Ludlow* Caſtle, which was then in Rebellion againſt him; and Earl *Henry* (being there preſent with him) was pulled from his Horſe by an Iron-hook let down from the Wall, and very narrowly eſcaped being taken Priſoner, but the King perceiving his danger, ran himſelf to his Succour, and reſcued him; yet notwithſtanding all his other Endeavours, the Reſiſtance which the Beſieged made was ſo vigorous, that he thought it convenient to leave the Place untaken, and march back to *Oxford*; where holding a * *Court*, or Great Council, of his Biſhops and Nobility, there happened a Buſineſs that afterwards gave him much diſturbance, and was very like to have coſt him his Crown by his unſeaſonably falling out with thoſe Biſhops, who had been the chief means of putting it upon his Head, and who were now too powerful for him in his Circumſtances to contend with.

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[2.] H. H.

The Caſtle of *Slede* is taken.

The King marches into *Scotland*, and forces that King to make Peace, and give his Son *Henry* as a Hoſtage for it.

The King Beſieges *Ludlow* Caſtle, where Earl *Henry* is like to be taken up with with an Iron-hook.

* *Curia.*

The King marches back to *Oxford*, and there holds a great Council.

The Original of which Quarrel [3.] *William* of *Malmesbury* having given us at large, I ſhall from him (who wrote not long after it) give you this ſhort account of.

[3.] P. 101. *b.*

[4.] Upon the Reports of Earl *Robert*'s ſpeedy coming out of *Normandy*, together with the Empreſs his Siſter, ſeveral Noblemen (as we have already ſhewn) made an open Defection from the King, whereupon he reſolved to ſecure himſelf from their Inſurrections, tho' to the prejudice of many that were Innocent; for ſeizing upon divers of the Nobility at his Court on a bare Suſpition of their being in Confederacy againſt him, he contrary to his Royal Dignity committed them to Priſon, and thereby conſtrain'd them to Surrender their Caſtles, and ſubmit to what Conditions he pleaſed: There were likewiſe at that time two moſt Potent Prelates in *England*, viz. *Roger* Biſhop of *Salisbury*, and *Alexander* his Nephew, Biſhop of *Lincoln*; this laſt had lately built the Caſtle of *Newark* for the Defence of his Biſhoprick (as he pretended;) the Former alſo, who deſired to appear as Magnificent in Buildings as his Nephew, had erected one Caſtle at *Shireburn*, and another at the *Devizes*, taking in a great quantity of Ground, with Walls and Buildings; and had alſo begun a Third at *Malmesbury* in the very Church-yard, and had formerly procured of King *Henry* the Cuſtody of the Caſtle of *Salisbury*, which too he had Encloſed with a Wall; to which I may likewiſe add *Nigel* Biſhop of *Ely*, another Nephew of Biſhop *Roger*'s, who all three lived in ſuch Secular Pomp and Grandeur, that they never came to the King's Court without vaſt Trains of Armed Followers, to the great ſcandal of their Epiſcopal Function, and terror to the King and his Subjects, as the Anonymous Relater of this King's Reign obſerves.

[4.] W.M. p. 102. *a.*

The occaſion of King *Stephen*'s Quarrel with the Biſhops of *Salisbury*, *Lincoln*, and *Ely*.

The high and Pompous way of Living of theſe Biſhops give great offence to the Lay-Nobility.

With which Actions ſome of the Lay-Nobility, particularly the Earl of *Mellent*, being much diſpleaſed, they plainly told the King

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that the Bishops were now grown more intent upon erecting Castles, than on their Sacred Functions, and no doubt, but they were designed for his Destruction; and that when the Empress came over, they would not only take her part, but deliver them up to her, as being obliged to it by the memory of those favours they had formerly received from her Father; perswading the King to force them to deliver up their Castles: and he readily hearkening to their advice, took the first Opportunity to put it in execution, and it was in this manner.

[5.] *Id. Ib.* A Council held at *Oxford.*

[5.] About the end of *June* a General Council of all the Chief Men of the Kingdom was held at *Oxford*, where all the Bishops above mentioned appeared; *William* of *Malmesbury* reports he heard the Bishop of *Salisbury* say, *He had no mind to the Journey, and undertook it with great Reluctancy, for that he could be of no use in that Council*; which proved true enough, for it so happen'd, that the Retainers and Servants of that Bishop, and those of *Alan* Earl of *Bretaign*, quarrelled about taking up Lodgings, and from words it came to blows, upon which many were wounded, and one Knight killed, but the Bishops Men were superior in the conflict: Now the King taking advantage of this Riot, commanded the Bishops above mention'd to be Convened, that they might satisfie his Court for their Servants thus breaking the Peace, and the Satisfaction he required, was no less than the Delivery up of their Castles into his hands as a Security for their future Fidelity to him.

Where upon occasion of a Quarrel between the Servants of the Bishop of *Salisbury*, and *Alan* Earl of *Bretaign*, the King seizes the Bishops abovementioned, until they would Surrender their Castles into his hands.

They seem'd very willing to make him satisfaction, but they demurred as to the yielding up their Castles; [1.] whereupon the King commanded they should be kept Prisoners with great strictness, for fear of their escape; then *Roger* Bishop of *Salisbury* was carried away unbound indeed himself, but his Son *Roger*, Chancellor of *England* [2.] (whom he had got on *Maud* of *Ramesbury* his Concubine) was led in Fetters (with a Halter about his Neck) to the Castle of the *Devizes*, which *Nigel*, Bishop of *Ely*, (Nephew to the Bishop, who had fled thither from *Oxford*, when his Uncle was taken) then held out against the King; so that by this severe Treatment, the Castle of *Salisbury*, *Shireburn*, and *Malmesbury*, were delivered upon the first Summons; as was that of the *Devizes* too after three days Siege, the Bishop of *Salisbury* of his own accord without any force, resolving to fast until it was in the King's possession, that so he might the more incline his Nephew to yield, who otherwise perhaps would have defended it as long as he could; his Other Nephew *Alexander* Bishop of *Lincoln* purchased his liberty by the speedy surrend'ring of his Castle of *Sleaford* into the King's hands.

[1.] *Idem.* P. 103.

[2.] H. H.

[3.] H. H. A prodigious Treasure found in the Castles of *Shireburn*, and *Devizes*, which the King seizes to his own use.

[3.] In the Castles of *Shireburn* and the *Devizes* the King found such a prodigious quantity of ready Money, that sending great part thereof to *Lewis* King of *France*, he thereby not only obtain'd his Friendship, but also *Constantia* his Sister for his Son Prince *Eustace*, tho' the Mariage was not Consummated till the year following.

[4.] P. 199. A farther Account of this Action from *Ordericus Vitalis.*

[4.] *Ordericus Vitalis* tells this Story somewhat more at large, for he says, that *Waleran*, Earl of *Mellent*, and his Brother *Robert*, with *Alan* Earl of *Bretaign*, sought occasion of quarrelling with the Bishops, and that after the Fray, when the Bishops, *Roger* and *Alexander* were taken Prisoners, the Bishop of *Ely* escaped to the Castle of the *Devizes*, and Fortified it. And that the King hearing of it, was very angry,

angry, and ſent *William de Ipre* a *Fleming* before with an Army to take the Caſtle, who carried *Roger* the Biſhop and his Son the Chancellor along with him, ſwearing that the Father ſhould not eat, until it was deliver'd to him; and not only ſo, but erecting a Gallows before the Caſtle-Gate, he threatened forthwith to hang the Chancellor *Roger*: and then *Maud* his Mother, who was in the Caſtle to redeem her Son from death, ſent to the King, and acquainted him, that ſhe would deliver the *Keep* or Chief place of Strength (which was in her power) and by that means forced the Biſhop of *Ely* to Surrender the whole Caſtle, in conſideration, that he might have Liberty to retire to his own See. *Anno Dom.* MCXXXIX.

[5.] This Act of the King's as it made a great noiſe, ſo it likewiſe ſerved to divide the Biſhops among themſelves; *Hugh* Archbiſhop of *Rouen*, a great Friend to, and Defender of the King's cauſe and Intereſt (being then in *England*) was of opinion, that it was but juſt the Biſhops ſhould be deprived of their Caſtles, which were not allowable by the Eccleſiaſtical Canons, that the Biſhops ought to be *Evangeliſts of Peace, not Builders of Caſtles, to be as Sanctuaries for their evil and diſloyal Practices.* But *Henry* Biſhop of *Wincheſter*, King *Stephen*'s Brother, then the Pope's *Legate*, affirmed, That if the Biſhops tranſgreſſed in any point, they were not to be tried in the King's Court, but to be Judged by the Canons, nor to be deprived of any thing but by a General Synod; and forthwith Summon'd the King his Brother to be preſent in the Council he intended to hold at *Wincheſter*, on the Twenty ninth day of *Auguſt* next enſuing.

[5.] *Id. Ib.* W. M. *Ib.* This Action of the Kings makes a great diviſion among the Biſhops.

The Biſhop of *Wincheſter* takes part with the injur'd Biſhops.

[1.] On which day appeared moſt of the Biſhops of *England*, with *Theobald* Archbiſhop of *Canterbury* (for *Thurſtan* Archbiſhop of *York* was excuſed, both in reſpect of his want of health, and preſent care in the defence of the Northern parts againſt the *Scots*;) then the Legate having firſt produced his Commiſſion from the Pope, made a *Latin* Speech to the Clergy, wherein he ſet forth, and aggravated "his Brother's late Fact, in that he had Commanded the Biſhop of "*Salisbury* to be taken Priſoner in the very Chamber of the *Court*, (or Great Council) "and the Biſhop of *Lincoln* in his Lodging; and "that the Biſhop of *Ely* fearing the like Treatment had avoided it, "by a ſpeedy flight to his own See; that it was an unheard of wick-"edneſs, that the King ſhould be ſo far ſeduced by Evil Councellors, "as to command his Subjects (eſpecially Biſhops) to be ſeized even "under the protection of his own Court, Exhorting the Archbiſhop "and all others to conſult what was needful to be done; telling "them, that for the loſs of his Brother's Friendſhip, or of his own "Poſſeſſions, nay even of his Head, he would not forbear to put the "Decrees of this Council in Execution.

[1.] *Id. Ib.* Who thereupon being Legate to the Pope, calls a Synod of the Biſhops and Clergy of *England* at *Wincheſter*, where he makes a Speech to them againſt the King.

"But the King not diſtruſting his Cauſe, ſent ſome of the Earl's into "the Synod, *To know why he was called thither*; to whom the Legate "immediately anſwered, That he who was guilty of ſuch a crime as "that Age never ſaw, being himſelf a Chriſtian, ought not to take "it amiſs, if he was called by the Miniſters of Chriſt to make ſatis-"faction; they might therefore tell his Brother, that if he would "take his Advice, by the help of God, it ſhould be ſuch, as neither "the *Roman* Church, the Court, nor Council of the King of *France*, "nor their Brother Earl *Theobald*, (a prudent Religious Man) ſhould "find

The King appears to the Legate's Acculation.

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" find fault with; which was, that he ſhould do well, either preſent-
" ly to give a reaſon of this late action, or ſubmit to the Judgment of
" the Canons. The Earls when they had heard what was ſaid, went out, and not long after came back again.

[2.] *Id. Ib.* *Alberic de Ver* a Baron Learned in the Laws makes the King's Defence.

[2.] Then *Alberic de Ver* (Anceſtor to the Earls of *Oxford*) a Man well vers'd in all the variety of Civil Cauſes (who accompanied the Earls thither) brought back the King's anſwer, " and as much as he was able aggravated the cauſe againſt Biſhop *Roger*, (for Biſhop *Alexander* was then abſent) yet modeſtly enough, and without any reproachful Language; the Sum of his Diſcourſe was to this effect; " That the Biſhop of *Salisbury* had been many ways injurious to the " King, that he very ſeldom appeared at his Court, or Council; alſo " that his Men, or Retainers, preſuming upon his power, had moved " Sedition, and at *Oxford*, (as well as at other times and places) had " done violence to the Followers of his Nephew Earl *Alan*, and likewiſe to the Servants of *Hervey* of *Lyons*, who was of ſuch great " Nobility and high ſpirit, that tho' the late King *Henry* had often " requeſted him, yet he would never vouchſafe till now to come into *England*; ſo that the affront reflected upon the King himſelf in " reſpect to whom he came over: He further accuſed the ſaid Biſhop, " that he privately favour'd the King's Enemies, which appeared in " many inſtances, but moſt eſpecially in this, that when *Roger Mortimer* with the King's Troops, which he commanded, fled for fear " of thoſe that belong'd to *Briſtol*, he would not permit them to " Quarter one Night in *Malmesbury*; that it was the general diſcourſe, " that he with his Nephews, ſo ſoon as the Empreſs ſhould arrive, " would declare for her; he alſo added, that he was ſeized, not as a " Biſhop, but as the King's Servant, that had tranſacted the King's " Buſineſs, and received Wages for ſo doing: That the Caſtles were " not violently taken from them, but that they freely render'd them " to eſcape the accuſation of the Tumult they had raiſed in the " Court; that the Sums of Money which were found in the Caſtles " lawfully belong'd to the King, for that in the time of his Uncle " King *Henry*, the Biſhop had fraudulently diverted them from the " *Exchequer*, and that he had willingly parted with them and the " Caſtles as a Compoſition for the Crimes he had committed; and of " this (he told the Council) the King wanted not ſufficient Proof, and " therefore he adviſed, that the late Agreement between him and the " Biſhops might remain firm, but the Biſhop of *Lincoln* was only accuſed of an old grudge he bore to Earl *Alan*, and was therefore " made the Author of the late Tumult, and breach of the Peace committed by his Followers.

[3.] *Id. Ib.* The Biſhop of *Salisbury*'s Reply.

[3.] To all which the Biſhop of *Salisbury* replied, " That he never " was the King's Servant, neither had he received his Wages; and " ſtoutly threatned, that *if he could not find Juſtice in that Council, he would ſeek it in a Higher Court.* Whereupon the Legate ſaid calmly, " It ought to be firſt enquired, Whither all thoſe things, of which the " Biſhops were accuſed in that Council, were true, before they could " be condemned; and therefore according to the practiſe in Secular " Courts; the King ſhould reinveſt them in thoſe Poſſeſſions *, otherwiſe whilſt remaining diſſeiſed, by the Law of Nations, they ought " not to Plead.

* *Alioqui Jure Gentium deſſeiſiti, non placitabant.*

So

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So much having been ſaid on both ſides, at laſt upon the King's requeſt, the cauſe was adjourned to the next day, and then to the day following, until the Archbiſhop of *Roüen* came thither, who granted the Biſhops ſhould have their Caſtles reſtored, if they could prove by the Canons, that they ought of Right to have them; and ſuppoſe (ſaid he) that they have ſuch a Right, yet certainly the times being ſuſpicious, all the Great Men according to the uſage of other Nations, ought to commit their places of ſtrength to the King's diſpoſal, who is beſt able to defend them. *Alberic de Ver* added on the King's behalf, that if they preſumed to ſend any of the Biſhops or other Perſons out of *England*, to appeal to *Rome*, contrary to the King's will, and the Dignity of the Kingdom, their return would be very difficult: by this they underſtood, the King would not endure the cenſure of the Canons, and therefore the Biſhops thought it was moſt adviſable, to forbear pronouncing it, and that for two reaſons; firſt, becauſe it would be a raſh thing to *Excommunicate* their Prince, without the knowledge of the Pope: Secondly, becauſe they ſaw, or at leaſt heard, that ſome Swords were drawn not far from them.

The Buſineſs adjourned till the Arrival of the Archbiſhop of *Roüen*, who alſo undertakes to defend the King's Cauſe.

Therefore tho' they parted for the preſent, yet the Legate and Biſhops fail'd not to perform their Duty, by throwing themſelves at the King's Feet in his Chamber, and *beſeeching him to be merciful to the Church, and his own Soul, and to conſult his Honour, ſo as not to ſuffer a breach to be made between the Secular and Eccleſiaſtical Powers; and that if he would reſtore to the Biſhops their Poſſeſſions, they would likewiſe paſs by all that he had done againſt them.* But the King, tho' he did all he could to remove from himſelf the Odiouſneſs of this action, yet being hindred by the ill advice of thoſe about him, notwithſtanding his fair Promiſes, ſtill kept the Caſtles in his hands. Then about the latter end of *Auguſt* the Council was diſſolved without coming to any Iſſue.

The Legate and Biſhops throw themſelves at the King's Feet, beſeeching him to have mercy on the Church, and reſtore the Biſhops their Poſſeſſions.

But being denied the Council is diſſolved.

Theſe Diſputes between the King and the Biſhops, encouraged divers of the Barons to rebell, and [4.] *William de Moiun* (or *Mohun*) fortified his ſtrong Caſtle of *Dunſtar*, lying on the Sea-ſide, againſt which the King (preſently marched with his Forces, and finding that by reaſon of the great Strength of the Place, he was not able to take it by force, he raiſed the Siege, and left *Henry de Tracy* a Valiant Knight with ſome forces to block it up, who not long after taking above a hundred of the Gariſon Priſoners in an Incurſion they made to Plunder the Country, thoſe in the Caſtle being reduced to a ſmall number, *William de Mohun* the Lord of it, agreed to deliver the Caſtle upon conditions, that himſelf and thoſe that were with him, might quit the Country, and go ſome where elſe. Alſo *Henry de Tracy* had the like ſucceſs againſt *William Fitz-Odo*, a Man of a great Eſtate in thoſe parts, who alſo holding his Caſtle againſt the King, it was ſurprized by *de Tracy*, whilſt *Fitz-Odo's* Men were gone out to Plunder.

[4.] G.R.S. p.945. Theſe Differences encourage *William de Mohun*, and other Barons to rebell.

England being thus diſturbed in divers places by freſh Inſurrections and Rebellions, [5.] Earl *Baldwin de Redvers* (who had been formerly baniſhed by the King) Landed at *Warham* with ſome Forces, and was preſently after received through the treachery of the Governour into the Caſtle of *Corfe*, which being one of the ſtrongeſt Places of *England*.

[5.] *Id.* p.946. Earl *Baldwin de Redvers* Lands at *Warham* with ſome Forces.

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And ſeizes the Caſtle of *Corf*, the King marches down to take it, without ſucceſs.

* MS. in *Bib. Cotton. Sub. Domitian.* No. 13. Upon News of the Earl of *Glouceſter*'s, and the Empreſs's intentions to come over, the King cajoles both the Nobility and the Commons by Acts of Grace.

† *Ut Plebeis fulciretur adjutoribus.*

[1.] O. V. *Ib.* The Earl of *Glouceſter* with the Empreſs arrive in *England*, with but a few Forces.

[2.] W. M. p. 104. *a.* The Earl marches away for *Briſtol*, and leaves the Empreſs with the Queen Dowager her Mother-in-law, who for fear of the King ſoon grows weary of her.

[3.] *Contin. Flor. Wigorn.*

[4.] C. G. The Queen Dowager upon the King's approach ſends to the King to excuſe her ſelf for receiving the Empreſs.

[5.] W. M. p. 104. [1.] G. R. S. *Ib.*

England, *Baldwin* reſolved to fix himſelf there; to prevent which, the King immediately marched down with his Forces, but when he came thither, finding it too ſtrong to be taken in haſt, he raiſed the Siege, and return'd back to the more Inland parts of *England*, giving Orders, that ſtrict Guards and Watches ſhould be kept at all the Sea-Ports towards *Normandy*, to prevent the Landing of the Earl of *Glouceſter*, who was then every day expected with a great Army of Foreigners. And it was about this Time (as * *Richard* of the *Devizes* relates) that the Empreſs *Matilda* being alſo expected with Earl *Robert*, King *Stephen* to oblige the Great Men of the Kingdom to his Service, aſſembled them, and granted them new Earldoms and Baronies out of his own Demeſnes, or Crown-Lands; and alſo that he might be ſure of the Aſſiſtance of the † *Commons*, he granted to all ‖ Free Tenants that they might build Caſtles upon their Lands, and alſo allow'd them the liberty of Hunting and Hawking; whereupon the whole Council or Aſſembly being never like to receive a greater favour, willingly accepted it, and returned the King many Thanks for the Liberties now granted them.

[1.] But notwithſtanding all theſe Endeavours, the Earl hearing that the King was embroiled with thoſe Inſurrections, and being alſo much encouraged by thoſe of his Party in *England*, towards the end of *September*, he brought over his Siſter the Empreſs along with him, and Landed at *Arundel*, where they were kindly received by *Adeliſa* the Queen Dowager, to whoſe Husband that Caſtle than belonged; the Forces the Earl brought over with him were [2.] but very few to carry on ſo great War as was now to be undertaken, for they were no more than a hundred and forty Souldiers. Then after a few days ſtay to refreſh himſelf, the Earl committing his Siſter to the care of the Queen Dowager her Mother-in-law, marched away with no more than Twelve Knights (beſides their Attendants) quite through the Enemy's Country, as far as *Briſtol*, *Brian* Son to the Earl of *Wallingford*, meeting him half-way. [3.] But not long after, the Queen failing in her Promiſes, which ſhe had made them before their Arrival, grew weary of her Daughter-in-law, or rather was afraid to diſoblige the King by entertaining his Enemies.

For [4.] he being at the time of the Empreſs's Landing taken up with the Siege of *Marlburgh*-Caſtle, as ſoon as he received the News of it, immediately raiſed the Siege, and marched towards *Arundel*; but upon his Approach, the Queen Dowager being afraid leſt her Caſtle ſhould be taken, and her ſelf made a Priſoner, ſhe ſent the King word, that ſhe was ready to take her Oath, that ſhe was not the occaſion of the Empreſs, or her Adherent's Landing in *England*, nor had entertained them as his Enemies, but only as her near Relations and antient Acquaintance. With which Meſſage the King was not only pacified [5.] but ſhewed himſelf ſo generous an Adverſary, that he not only allowed the Empreſs his ſafe conduct to go whither ſhe pleaſed, but alſo ordered his Brother the Biſhop of *Wincheſter*, and *Waleran* Earl of *Mellent*, to conduct her. Earl *Waleran* waited on her no further than *Calne* in *Wiltſhire*, but Biſhop *Henry* attended her to the end of her Journey. Then Earl *Robert* taking ſome Forces along with him, met the Empreſs at the Bounds the King had appointed, and carried her to *Briſtol*; [1.] from whence after two Months ſtay, (receiving

ving in the mean while all Men's Homages that offer'd themſelves, and diſpoſing of the Rights of the Crown of *England* according to her will) ſhe went to *Glouceſter*, where ſhe was kindly received by *Milo*, who had the Cuſtody of that Caſtle under the Earl; and tho' he was lately Chief Conſtable to the King, yet had he a little before renounced his Allegiance to him, ſwearing anew to the Empreſs, and doing her Homage: ſo that the whole Country about *Glouceſter*, even to the very ders of *Wales*, partly by force, and partly through Inclination, before the end of this year ſubmitted to the Empreſs; tho' ſome Governours of Caſtles who ſtood upon their Guard, keeping themſelves as Neuters within their places of Strength, waited for the iſſue of theſe Affairs.

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The Empreſs receives the Homages of all that would, and removes from *Briſtol* to *Glouceſter*, where ſhe is received by *Milo* late Conſtable to the King.

But to make ſome reflection upon what has been here related; perhaps it may ſeem a very odd piece of Policy in King *Stephen*, not only to give his Competitor the Empreſs a ſafe conduct to *Briſtol*, but alſo to appoint his Brother the Biſhop of *Wincheſter* to wait upon her thither; nor can I find the reaſon of it in any other Author, except [2.] the Anonimous Writer of this King's Actions, who ſays, that when the King was about to Beſiege the Empreſs in *Arundel* Caſtle, his Brother the Biſhop diſſwaded him from it, telling him, that this Siege would take up a great deal of time, that in the mean while the Earl of *Glouceſter* might over-run or perhaps ſubdue the greateſt part of *England*, and therefore it were better to give her leave to go to her Brother, and then the King might carry on the War againſt both of them at once; in which whither the Biſhop acted ſincerely, or deſigned by it to ruin the King, as being ſtill inſenced againſt him for his late harſh uſage of the Biſhops, or elſe might not have made his Peace under-hand with the Earl of *Glouceſter* and the Empreſs, our Author does not determine; but certainly this advice proved very fatal to the King's Affairs, as you may have already obſerved: and thus the Kingdom, which was before the Empreſs's coming over full of Tumults and Commotions, now fell into a cruel and violent Civil War.

Some Reflections upon the King's generous tho' impolitick Proceeding; and the Reaſon of it.

[2.] G. R. S. P. 947.

Not long after her arrival, *Brian Fitz-Count*, a Baron of great Birth and Eſtate, was thereby encouraged to rebell againſt the King, and to that end, declaring for the Empreſs he Victualled and Fortified the Caſtle of *Wallingford*; to Beſiege which the King preſently marched with a very great Force, but finding it too ſtrong to be taken without longer time, then he could at that Seaſon afford, he only order'd the Building of two Forts to Block it up to hinder the Gariſon's going out to Plunder, and then he marched on to Beſiege the Caſtle of *Troubridge* in *Wiltſhire*, and in the way thither, took the Caſtles of *Cerne* and *Malmesbury*, in which laſt *Robert Fitz-Hubert* the Governour was taken Priſoner.

[3.] *Id. Ib.* *Brian Fitz-Count* Rebells, and Fortifies *Wallingford*-Caſtle; the King marches to take it, but can do no more than build two Forts to Block it up.

Whilſt the King was engaged in this Expedition, *Milo* the late Conſtable laid hold of the Opportunity, and marching ſpeedily by Night from *Glouceſter* to *Wallingford* with a ſtrong party of Light-horſe, fell upon thoſe the King had left in the Forts to Block up the Caſtle, ſo that he either kill'd or took moſt of them Priſoners. And having met with this good ſucceſs he marched back towards *Glouceſter*, which he made the chief Seat of the War for that Part of *England*: Theſe actions happened ſometime before the Empreſs came to that Ci-

Milo late Conſtable raiſes the Blocade of *Wallingford*-Caſtle, and takes the Forts.

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ty, whom *Milo* ſoon after received, and eſpous'd her Intereſt with as great heartineſs, as if he had been her Father; and ſhe in requital created him afterwards Earl of *Hereford*.

Who for his good Service is by the Empreſs made Earl of *Hereford*.

[4.] But we ſhall now look back on what the King has been doing all this while in the *Weſt*, where ſitting down before the Caſtle of *Troubridge*, tho' he Battered it with his Warlike Engines, yet it proved all in vain; and therefore finding it was not like to be eaſily taken, he was adviſed by thoſe Barons and Great Men that aſſiſted him in this Siege, immediately to riſe from thence, and to return towards *London* to recruit his Forces, leſt the Earl of *Glouceſter* ſhould lay hold of this opportunity to ſurprize him, and make him raiſe the Siege whither he would or not, and thereby expoſe himſelf to greater hazards; which advice the King followed, and only left in the Caſtle of the *Devizes* a Garriſon ſufficient to reſtrain the Excurſions of thoſe of *Troubridge*; ſo that theſe two Gariſons often Sallied out, and meeting Skirmiſh'd each other, and thus by their Frequent Plunderings and Burning of Houſes and Towns, the whole Countrey was laid in a manner deſart.

[4.] *Id.* P. 948. The King Beſieges the Caſtle of *Troubridge*, but after ſome time raiſes the Siege, and marches toward *London*.

[5.] Not long after this, *Milo* above mentioned having taken in many Caſtles and ſtrong Places about *Glouceſter*, was reſolved to attack the City of *Worceſter*, (which was then held for King *Stephen*) wherefore marching thither with an intent to Burn and Plunder it, upon the News of the Earl's approach great part of the People retired with their Goods within the Cloſe of the Cathedral: then the Enemy attacked a ſtrong Fortreſs on the South-ſide of the Town, but being beaten off from thence, they aſſaulted the North-ſide, where they enter'd and fired it in many Places, and burnt a good part of the City, tho' the greater part remain'd; here they got a very large Booty of the Citizen's Goods, as alſo of Oxen and other Cattle in the Countrey; they took alſo ſeveral Priſoners in the Lanes and by-Streets of the City, and coupling them together like Dogs hurried them away, ſo that whither they had or had not ſufficient for the ranſome ſet upon them, yet they were compell'd to pay ſuch Sums as by a forced Oath they had promiſed.

[5.] *Con.* F. W. Earl *Milo* goes from *Glouceſter*, and attacks the City of *Worceſter*, ſets it on Fire, and marches off with a Conſiderable Booty.

[1.] In *November* following the Earl of *Worceſter* came to the City, and when he ſaw how it was deſtroy'd, he was much grieved, and deeply reſenting the Injuries he had received from the Enemy, gathered together ſome Forces, and went to *Sudely* in *Glouceſterſhire* to be revenged upon *John Fitz-Harold*, who had now deſerted the King and gone over to the Empreſs's Party; there the Earl ſtayed two days doing all the miſchief he could, and carrying away many Men with their Goods and Chattles to *Worceſter*; but not long after, the King himſelf coming thither from *Oxford* with a conſiderable Army, beheld with great grief, what had already been told him concerning the Deſtruction of that City.

[1.] *Id. Ib.* The Earl of *Worceſter* when he ſaw the City ſo deſtroyed, in revenge Plunders all the Countrey about *Sudely*.

[2.] From thence after he had made *William Fitz-Beauchamp* (at that time Sheriff for *Worceſterſhire*) his High Conſtable, or Mareſchal, in the room of *Milo*, who had deſerted him, he returned to *Oxford*, and from thence to *Salisbury*, where he kept his *Chriſtmaſs*.

[2.] *Id. Ib.* The King coming to *Worceſter* makes *William Beauchamp* his Conſtable in the room of *Milo*.

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[3.] After which he came to *Reading*, and there lay a while to recruit his Forces, and then marched towards the Iſle of *Ely*, for he looked upon the Biſhop of that Dioceſs as his Enemy, ever ſince he had

[3.] R. G. S. P. 949. The King marches againſt the Iſle of *Ely*.

had retreated thither from the *Devizes*, and had ſtrongly fenced the Iſle with a Fortification of Wood and Turfes near the Water-ſide, which commanded the Landing-place; upon the King's arrival near it, he at firſt met with ſome oppoſition, but coming to *Alherethe*, and from thence making a Bridge upon Boats and Hurdles over the River, he made a ſhift to Land without any great difficulty; upon which Biſhop *Nigel* ſeeing he could not any longer defend the Iſle againſt ſo Powerful an Army, ſtole away in the Night to *Glouceſter*, and his Men run all away and hid themſelves in the Fens; and then the King ſeizing the Iſle, placed a ſtrong Gariſon in it, and without doing any Injury to the Monks, returned to *Worceſter*, from whence he not long after marched with a numerous Army to reduce *Hereford*, as he not long after did.

Anno Dom. MCXL. The Biſhop ſteals away, and the Iſle is Surrender'd.

[4.] But whilſt he remained at that Place, the Earl of *Worceſter* not forgeting the Injury his Citizens had lately received, went with a great Party of Souldiers and ſet upon *Tewkesbury*, but being not able to take the Town, he contented himſelf with Plundering and Burning the Magnificent Palace of Earl *Robert*, as alſo the Houſes of ſeveral others lying a Mile off, ſparing only the Goods belonging to the Church, and that at the Intreaty of the Abbot and Monks of *Tewkesbury*; here they alſo took abundance of Priſoners, and got a great deal of Plunder, but after a while all the Priſoners he had were releaſed and left at liberty to go home, which was at that time thought a very great favour, ſince it had been the uſual practice of the Souldiers to ſell the ordinary People for Villains or Slaves.

[4.] *Con.* F. W. The Earl of *Worceſter* ſets upon *Tewkesbury*, but not being able to take it, burns the Palace of Earl *Robert* lying near, and marches off with a great deal of Plunder.

[5.] But whilſt the War was thus furiouſly carried on in *England*, a Mariage was Celebrated in *France* by the Advice of the Barons of that Kingdom, between *Euſtace* King *Stephen*'s Son, and *Conſtantia*, Siſter to the King of *France*, Queen *Matilda*, Mother to the young Prince, being preſent at it, with divers of the Nobility of both Nations; tho' inſtead of receiving any Portion with this Lady, King *Stephen* was fain to pay the King of *France* a great part of the Treaſure he had lately taken from the Biſhop of *Salisbury*; yet the King gain'd this Advantage by it, that his Son *Euſtace* was now Inveſted by the King of *France* in the Dutchy of *Normandy*, the new Duke doing him Homage for it, according to the Cuſtom of his Predeceſſors.

[5.] C. G. A Mariage in *France* between *Euſtace* the King's Son, and the K. of *France*'s Siſter.

[1.] About the ſame time *Robert Fitz-Hubert* a wicked and cruel Man, (many inſtances of which our Author gives us) treacherouſly ſeized the Caſtle of the *Devizes*; and declaring neither for the Empreſs, nor for the King, was about to ſend for more Souldiers out of *Flanders*, whereby he bragged he would take in all the Countrey from *Wincheſter* to *London*; but being not long after ſurprized and taken Priſoner by *John* Governour of *Marlburgh* Caſtle for the Empreſs, and by him given up to Earl *Robert*, he was by his Orders Hanged before the Caſtle of the *Devizes*, becauſe he refuſed to make his Men Surrender it for the Empreſs's uſe; being indeed neither obedient to her, nor true to the King, ſo that thoſe who did this Piece of Juſtice deſerved commendation, who thus freed their Countrey from ſo Bloody and Inſolent an Enemy.

[1.] W.M. *p.* 105 *a.* C. F. W. The Treachery and deſerved Fate of *Robert Fitz-Hubert*, before the Caſtle of the *Devizes*.

I muſt not here omit what the [2.] Anonimous Writer of this Reign further adds, concerning this Caſtle of the *Devizes*, that the Gariſon that was in it, ſeeing their Governour thus Executed before their Fa-

[2.] G.R.S. *P.* 951.

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The Garison in the Caſtle make Count *Hervey* their Governor, but at laſt he is forced to ſurrender it, and leave the Kingdom.

ces, did not only for all that refuſe to Surrender it to the Earl of *Gloucester*, but alſo immediately choſe Count *Hervey* a *Breton*, and a famous Soldier, Governour, who for ſome time aſſiſted the King, and had many Skirmiſhes with his Enemies, till being at laſt Beſieged by the Country Militia, [3.] he was forced to deliver up the Caſtle to the Empreſs, and to retire beyond Sea, with but a few Attendants.

[3.] *Id.* P. 953.

[4.] Alſo about the ſame time *Hugh* Sirnamed the *Poor*, Brother to the Earl of *Leiceſter*, having upon the Expulſion of *Milo de Beauchamp*, got Poſſeſſion of the Caſtle and Earldom of *Bedford*, by the King's Aſſent, being a looſe and careleſs Man, was ſurprized by Earl *Milo*, and not only loſt that Caſtle and Honour, but from an Earl fell to a Knight, and was not long after reduced to extream Poverty. I mention theſe Actions, becauſe it gives light to the ſtate of the Nobility at this time, when he who was poſſeſſed of the Chief Caſtle or Head of the Earldom or County, was looked upon as lawful Earl of it: But whither theſe things happen'd before or after the King's Impriſonment is hard to determine, ſince our Author does not aſcertain us of the Time.

[4.] *Id. Ib.* *Hugh* the *Poor* loſes the Caſtle and Earldom of *Bedford*.

But to return to Affairs of greater Moment.

[5.] About the middle of *Auguſt* the Earl of *Glouceſter* marched with his Army toward *Bathe*, which the King being inform'd of, he ſent a ſtrong party to hinder his paſſage thither, who meeting with the Earl, there was a ſharp Engagement between them, wherein many were taken Priſoners or killed out-right, among whom *Geoffry Talbot* (a Nobleman that often changed Sides) was one, who there receiving a Mortal Wound died ſoon after, ſo the King's Party obtain'd the Victory.

[5.] W. M. *Ib.* The Earl of *Glouceſter* in his March to *Bathe* is met by a ſtrong Party of the King's, who get the better.

[1.] About a Month after this, Earl *Robert* (by the perſuaſion of *Rd. Puganel*) taking along with him many Knights or Horſemen, belonging to the Earl of *Warwick*, beſides thoſe he brought with him from *Glouceſter*, and very many Common Soldiers, marched to *Nottingham* and took the Town by Surprize, (it being left without a ſufficient Gariſon) and not only Plundered it, but ſetting it on fire, burnt it to the Ground; tho' the Soldiers denied that it was done by them, therefore it is ſaid to have happened by this ſtrange accident: A Townſman being threatened with death by ſome of thoſe Plunderers, unleſs he would diſcover where he had hid his Money, he carried them down into a Cellar, and whilſt they were digging where he ſaid it lay, he locked the door upon them, and preſently ſet fire to the Houſe, in which near thirty of them periſhed, but the fire ſpreading further, the whole Town was laid in aſhes.

[1.] C. F. W. Earl *Robert* takes *Nottingham*, which is by a ſtrange Accident burnt to the Ground.

[2.] Alſo ſometime this Summer (tho' *W.* of *Malmesbury* does not tell us the Month) by the Mediation of *Henry* Biſhop of *Wincheſter*, the Pope's Legate, a Treaty of Peace was ſet on Foot between the King and the Empreſs, for the latter of whom, the Earl of *Glouceſter* was appointed Commiſſioner; and for the King, his Queen, with his Brother the Legate, and *Theobald* Archbiſhop of *Canterbury*: they met at *Bathe*, and the Empreſs ſeemed then inclinable to Peace, offering to refer her ſelf to the Judgment of the Church; but the King thought it prudence to decline that Propoſal, and ſure he had juſt cauſe, the Biſhops and Clergy being at that time ſo highly incenſed againſt him; tho' our Author blames him for it, ſaying, that he only

[2.] W. M. P. 105. *b.* A Treaty of Peace again ſet on foot between the King and the Empreſs, which comes to nothing.

followed

followed their Counſel who were deſirous of nothing leſs than Peace; ſo the Commiſſioners beſtowed their time and labour in vain, and parted juſt as they met, without coming to any Concluſion: then the War broke out again as fierce as ever, as has been already ſhewn. *Anno Dom.* MCXL.

[3.] About the laſt of *September* the Legate thinking it his duty to promote Peace (as much as he could) took a Voyage into *France*, to ſee whither he could not procure it by going over thither; his deſign was to conſer with that King, and *Theobald* Earl of *Blois*, (King *Stephen's* Elder Brother) about compoſing the Differences that were here in *England*, after which he returned about the end of *November*, bringing along with him ſuch Propoſals for Peace, as the Empreſs and Earl *Robert* allented to: I could have wiſhed our Author had told us in particular what they were, but they ſeem not to have been for the King's advantage, ſince he delayed his Anſwer from day to day, and at laſt wholly refuſed to agree to them.

[3.] *Id. Ib.* The Biſhop of *Winchester* to promote the Peace takes a Voyage into *France*.

But the King refuſes to agree to the Propoſals he brought over.

[4.] In ſhort, this unhappy War was ſpent in nothing but taking and retaking of Towns and Caſtles, Plundering and Burning of Houſes, not ſo much as ſparing the very Churches; and altho' the Archbiſhop with the reſt of the Biſhops thundered out their *Excommunications* againſt all Violaters of Perſons in Holy Orders, as alſo of Churches, and other Conſecrated Places, yet they had little or no effect; ſo that *England*, which was wont to be a refuge to thoſe that fled to it, was now reduced to this Extremity, that not ſo much as the Eccleſiaſticks could paſs from Town to Town in ſafety, for the great Swarms of Mercenaries from *Flanders* and *Bretaigne*, who being wont to live upon Plunder, came over hither upon the hopes of Spoil, [5.] and often taking the Innocent *Engliſh* Priſoners, forced them with cruel Torments to ranſome themſelves with Money; and the Earl of *Glouceſter* did what he could to hinder theſe Exorbitances, and did alſo perform all the Parts of a Courageous Soldier, and prudent Commander, taking in all the ſtrong Places he could: Nor was King *Stephen* wanting to diſcharge his duty, omitting no occaſion to repell his Enemies, and defend himſelf, but his endeavours failed of Succeſs, and all things grew worſe, and worſe for want of a due adminiſtration of Juſtice.

[4.] *Id. Ib.* The ſad ſtate of the Kingdom in this Year's War.

[5.] C. F. W.

[1.] And now likewiſe the dearneſs of Corn, and all ſorts of Proviſions, began to encreaſe, and the difficulty in paying or receiving of Money was ſo great, by reaſon of its being ſo much counterfeited, that ſometimes of Ten Shillings ſcarce one would go; and the King himſelf had contributed to this miſchief in commanding the Money to be raiſed above its true value, becauſe the vaſt Treaſure of his Predeceſſor being now exhauſted, he had not wherewith left to pay ſo many Soulders as he was then forced to maintain; therefore all Dignities and Offices were now made Saleable, even to the very Biſhopricks and Abbies, and that not privately, but openly, being juſtified as neceſſary for that time: This was the ſad and deplorable ſtate of *England*, not only in this, but the moſt part of the ſucceeding years of this King's Reign, as *William* of *Malmesbury* relates, who was an Eye-witneſs of it.

[1.] *Id. Ib.* The great dearneſs of Proviſions by reaſon of Counterfeit Money; and how much the King contributed to it by raiſing the value of his Coyn.

[2.] This is the Sum of the Civil as well as Military Actions of this Year, and nothing elſe happened conſiderable; Only as to natural *Phænomena*, upon the Eleventh of the *Kalends* of *April* (being our

[2.] *Id. Ib.*

Twenty

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A Great Eclypſe of the *Sun.*

Twenty firſt of *March*) early in the Morning, happened ſo great an Eclypſe of the Sun, that Men were forced to light Candles to eat their Meat by (as the *Saxon* Annaliſt relates) and *William of Malmesbury* adds, that thoſe who ſat at Table where he was, fear'd the Return of the antient Chaos, for going out they could perceive divers Stars near the Sun; yet our Author is miſtaken in placing this Eclypſe on the Thirteenth of the *Kalends* of *April*, (*i. e.* the Nineteenth of *March*) for it was not New Moon till the Twenty firſt.

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[3.] O. V. P. 921. W. M. P. 105. *b.* *Ranulph* Earl of *Cheſter* ſurprizes the Caſtle of *Lincoln.*

Where the King kept his *Chriſtmaſs* this year I find not, only it is certain this year produced great Changes in *England*, [3.] for King *Stephen* having about the end of the laſt left *Lincoln* (where he had ſpent ſome time) *Ranulph* Earl of *Cheſter* (who had Maried the Daughter of Earl *Robert*) together with *William de Romare*, laying hold of this opportunity, ſurprized the Caſtle of *Lincoln*, but the Citizens who much favoured the King, ſent to let him know, that both the Earls were very ſecure in the Caſtle, and not dreaming of his coming, they might eaſily be taken, in which deſign they would give him their utmoſt Aſſiſtance: Whereupon the King began his March preſently after the *Chriſtmaſs*-Holy-days; but before that time, the Citizens, upon the News of his coming to them, ſeized ſeventeen Men at Arms, that were got out of the Caſtle into the City, and made them Priſoners; whereupon the Earl of *Cheſter* in the Night quits the Caſtle, and going thence into *Cheſhire*, raiſed freſh Forces from that County, as alſo ſome *Welſhmen* under the Conduct of *Morgan* and *Maradoc* their Princes; he alſo applied himſelf to his Father-in-law Earl *Robert*, and to the Empreſs her ſelf, promiſing her all future fidelity, if he might but obtain their Aſſiſtance; for he was very ſolicitous about his wife's ſafety, whom he had left behind in the Caſtle; with theſe earneſt Entreaties the Earl of *Glouceſter* eaſily complied, and joyn'd what Forces he had of his own to thoſe of his Son-in-law, and not thinking them ſufficient, he raiſed more by the way, and ſo marched towards *Lincoln*; when the King (who had layn before the City from *Chriſtmaſs* to *Candlemaſs*) heard of their approach, he raiſed the Siege and marched towards them in Battel array; his Army (which was not great) conſiſted of a Main Body of Foot, headed by himſelf; one of the Wings conſiſting of *Flemings*, was led by *William de Ipre* a Nobleman of *Flanders*; the other of *Bretons* was Commanded by *Alan* their Earl, beſides a Body of Horſe Headed by *Waleran* Earl of *Mellent*, with whom were alſo *William* Earl of *Warren*, and *Gilbert de Clare*, with divers Noblemen of *Norman* Extraction.

The Earl of *Cheſter* quits the Caſtle, and goes into *Cheſhire* to raiſe more Forces, and brings the *Welſh* Princes to aſſiſt him.

The Earl of *Glouceſter* alſo joyns his Forces with Ea. *Ranulph's*, with which they march to *Lincoln*, the King raiſes the Siege, reſolving to fight them.

The Order of the King's Army.

[4.] C. B. *Col.* 1039. How the Earl of *Glouceſter's* Army was drawn up.

[4.] The Earl of *Glouceſter's* Army was divided into three Bodies, the firſt whereof was Commanded by *Ranulph* Earl of *Cheſter*, the ſecond conſiſted of thoſe whom King *Stephen* had deprived of their Eſtates, the third was led by the Earl of *Glouceſter* himſelf, by which the Vant-Guard, conſiſting of *Welſhmen*, was Commanded by two *Welſh* Princes, *Maradoc* and *Kaladar*. *H. Huntington* and *Roger de Hoveden* here bring in the Earl of *Cheſter* making a long Invective Speech at the Head of the Army, full of Perſonal Reflections againſt *Alan* Earl of *Bretaign*, and the other chief Commanders in the King's Army, which is ſeconded by the Earl of *Glouceſter* in another much longer, ſetting forth all the Vices and Faults of thoſe Noblemen who were

The Invective Speeches that were made by Noblemen on both Sides, before the Battel.

were of the King's Party, and (that they might not be behind hand with the other) he brings in one *Baldwin Fitz-Gilbert* an Eloquent Knight of the King's ſide, doing the like for him, becauſe he had naturally but a weak voice; but ſince we are not aſſured that theſe Orations were ever really ſpoken by thoſe whoſe names they bear, I ſhall omit giving you any further account of them, tho' of the bad Omens which they ſay befell the King before this Battel, I ſhall here give you a ſhort Relation from *Henry Huntington*, which is to this effect: That the *Welſh* firſt charging the *Flemings* and *Britains*, ſoon routed them, and that then the Earl of *Cheſter* furiouſly fell on the Earl of *Mellent*, who preſently fled, as did alſo moſt of the Noblemen and Soldiers on the King's ſide, and even one of the ſtouteſt of them, *viz. William de Ipres*, ſeeing it impoſſible further to aſſiſt the King, fled likewiſe, and ſo reſerved himſelf for better times: but the Main Body of the Army (in which the King himſelf was) conſiſting of Foot, being yet unbroken, all the Enemy's Horſe turned upon them, which begot a ſharp diſpute, till at laſt the King's Army was totally routed, except a ſmall Party where he himſelf was, who fought ſtoutly, defending himſelf with a *Daniſh* Battel-Axe, and ſo laid about him, that none durſt come near him, till that being broke with the force of his Blows, he then defended himſelf with his Sword, and that alſo breaking, he was knocked down on his Knees with a Stone thrown from an unknown Hand, which a valiant Knight (called *William de Kains*) perceiving, he immediately ran in, and took hold of the King's Helmet; yet for all this he refuſed to Surrender himſelf to any but the Earl of *Glouceſter*, who being hard by was called to take him Priſoner. The Earl for ſome time forgeting their former Quarrel, uſed him like a Kinſman, and tho' he was a Priſoner, yet omitted no Reſpect that was due to his Royal Dignity: With him likewiſe were taken Priſoners that Brave Knight (whom our Author ſuppoſes to have made the Speech for him), alſo *Richard Fitz-Urſe*, and *William Martel* the King's Sewer, who was forced to deliver up the ſtrong Caſtle of *Shirburne* for his *Ranſome*, with divers others who fought near the King's Perſon, and thought it would ſully their Honour to forſake him; but the Earls of *Bretaign* and *Mellent*, with moſt of the Men of Quality ſaved themſelves by flight.

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A Relation of the Battel of *Lincoln*, where the King's Army is totally defeated.

And where he himſelf being knockt down, is taken Priſoner, with divers other Perſons of Quality.

The [5.] King being thus made Priſoner, was carried to *Glouceſter*, and there preſented to the Queen by the Earl her Brother, and from thence was conveyed to *Briſtol*, where he was a while kept in ſafe, but Honourable Cuſtody, (being only debar'd of his Liberty) but ſometime after, either through the ill will of ſome who were vexed, to ſee the Earl uſe the King better than they deſired he ſhould; or becauſe it was reported, that by bribing his Keepers, he had been found abroad in the Night beyond the Bounds of his Confinement, he was at laſt Fettered with Irons.

[5.] W. M. P. 106. a. The King is preſented to the Empreſs, and carried Priſoner to *Briſtol*.

Not long after the cloſe Impriſonment of the King, *Nigel* Biſhop of *Ely* (as the Manuſcript Hiſtory [1.] of that Monaſtery informs us) by the Aſſiſtance of the Empreſs, recovered the whole Iſle, and returning thither in Perſon, after two year's Exile, was received by the Clergy and Laiety with great Rejoycings; yet for all that he by the Counſel of ſome wicked perſons about him, again ſeiſed upon the Goods and Lands belonging to the Monaſtery; and alſo Coyned a new Groat of Silver with what Stamp he pleaſed.

[1.] *Penes Doct. Gale.* *Nigel* Biſhop of *Ely* returns to his own Church, and there Coyns new Money.

But

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But the wiſeſt action the Empreſs performed after this Victory was in following the Advice of her Brother the Earl of *Glouceſter*, who uſed all means poſſible to bring over the Biſhop of *Wincheſter* to her Party, ſince he exceeded all the Prelates of *England* in Prudence, Riches and Power; for being then the Pope's Legate, 'twas very great odds, that which way ſoever he inclin'd, the Ballance would turn on that ſide: but he remain'd for ſome time very uncertain what to do, for tho' he had been much diſpleas'd with the King his Brother, yet it ſeem'd diſhonourable (having ſworn Allegiance to him) wholly to deſert him; but finding it very difficult to reſtore things to their former ſtate, he thought it ſafeſt to comply with the time, and make his Peace with the Empreſs.

[2.] G. R. S. P. 953. The Empreſs brings over the Biſhop of *Wincheſter* to her Party.

[3.] Wherefore upon her and the Earl of *Glouceſter*'s earneſt Application to him, that he would without delay admit her to the Government over the Church and Kingdom (by which was meant her ſpeedy Coronation) as Daughter to King *Henry*, and one to whom both *England* and *Normandy* had ſworn Fealty: after ſome Treaty by Meſſengers, they at laſt agreed, and a Meeting was appointed on the open Plain near *Wincheſter*, upon the third *Sunday* in *Lent*, when the Empreſs ſwore ſolemnly to the Legate, that he ſhould wholly order and direct all the Great Affairs of both Church and State, and ſhould likewiſe diſpoſe of all Vacant Biſhopricks and Abbies, provided that he and the Clergy would inviolably obſerve their Fidelity to her, and receive her for their Lady and Miſtreſs. Then the Earl of *Glouceſter* with *Brian Fitz-Count* Marqueſs of *Wallingford*, (that is, Governour of that Caſtle) and *Milo* the late Conſtable, and ſome others, Swearing the ſame things on her behalf, the Biſhop, together with ſome other Prelates of his Party, acknowledged her for * *Lady* of *England*, and took an Oath of Fealty to her, that as long as ſhe obſerved Her † *Compact with them, they would alſo keep their Fidelity to her.* The next day ſhe was received into the City of *Wincheſter*, and attended to the Cathedral with a Solemn Proceſſion, the Legate leading her into the Church by the Right-Hand, and *Bernard* Biſhop of *St. Davids* by the Left, many Biſhops, Abbots, Barons, and Knights, being there preſent.

[3.] W. M. P. 106. And upon what Conditions.

* *Ut ipſam in Eccleſiam, & Regnum reciperet.* *Id. Ib.*

* *DOMINA.*

† *Pactum.*

[4.] Cont. F. W. [4.] Then the Legate *Curſed all thoſe who curſed her, and Bleſſed thoſe that Bleſſed her; and Excommunicated all thoſe who were diſobedient to her Commands.*

[5.] *Id. Ib.* From *Wincheſter* the Empreſs removes to *Wilton*, where the A.B of *Cant.* and other Biſhops promiſe to own her if the K. will give leave.

[5.] After ſome day's ſtay at *Wincheſter*, ſhe went to the Nunnery of *Wilton*; but *Theobald* Archbiſhop of *Canterbury*, tho' he came thither ſome time after by the Legate's Invitation, yet deferred ſwearing Fealty to her as his * *Lady* or Miſtreſs, thinking that it by no means did become his Character and Dignity to change Sides upon every occaſion, without firſt conſulting the Impriſon'd King; therefore he and moſt of the Biſhops with ſome few Lay-men were permitted to go and diſcourſe with him, and if poſſible obtain his leave, that ſubmitting to the neceſſity of the times, they might go over to the Party of the Empreſs.

* *Dominam.*

The Archbiſhop owned her for no more than *Lady*, not *Queen*.

This is *William* of *Malmesbury*'s, and the *Continuator* of *Florence*'s Account of this Great Tranſaction, wherein they both agree in their Expreſſions, by ſaying that the Archbiſhop of *Canterbury* acknowledged her only (in *Dominam, i. e.*) for *Lady* or Miſtreſs, but neither of them ſtyled her *Queen*.

But

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But the Anonymous Writer of this Reign is more large, and expreſs in ſome Particulars, than our Author in the relation of this late Tranſaction between the Empreſs and Legate, [1.] as that he not only then deliver'd up to her the Caſtle of *Wincheſter* with the Crown, and that little Treaſure which remain'd there, but alſo cauſed her to be publickly proclaimed *Lady* and *Queen* in the Market-Place of that City, which is to be underſtood only by way of Courteſie, and vulgar Acceptation; for neither this Author, nor *Ordericus Vitalis*, who gives us much the ſame Relation of this Affair, do for all this Proclamation ever give her any other Title than that of Empreſs, or Dutcheſs of *Anjou*. But to return to our Hiſtory.

[1.] G. R. S. P. 953. Some other Particulars concerning the Legate's delivering up the Crown and proclaiming the Empreſs Lady and Queen.

The ſame Hiſtorian alſo relates, that King *Stephen* being thus taken, and kept cloſe Priſoner in the *Caſtle* of *Briſtol*, the whole Kingdom ſtood aſtoniſh'd, and many Noblemen, who before this ill ſucceſs took part with the King, now went over to the Empreſs as the ſtronger ſide; not to mention *Alan* Earl of *Richmond*, [2.] who (having been ſurprized by the Earl of *Cheſter*, at the Caſtle of *Galclint*) was by him kept Priſoner, till he had done him Homage, and had deliver'd up all the reſt of his Caſtles to his diſcretion; but he was forced to do what he did, whilſt others quitted the King without any conſtraint, among whom were *Robert Doyley* Governour of the City of *Oxford*, and the Earl of *Warwick*, Men more addicted to their Pleaſures than Military Atchievements. [3.] So that the Empreſs being now puft up with this good ſucceſs, ſhe left off her former Feminine mildneſs, and began to carry her ſelf with extreme Pride, and haughtineſs, eſpecially when ſhe had once poſſeſſed her ſelf of the Capital City of the Kingdom, as you will find anon; ſo that ſhe diſanulled all Grants made by King *Stephen*, even to thoſe who had come over to her from the King's party, and tho' the King of *Scots* her Uncle, and the Earl of *Glouceſter*, did all they could to perſwade her to the contrary, yet being wholly guided by her own will and humour, ſhe would not comply with their deſires, which when the Biſhop of *Wincheſter* ſaw, he held his Peace, and waited to ſee how things would work: But to return to Tranſactions of greater moment.

[2.] S. D. Contin. Col. 969. *Civitatis Oxenfordiæ ſub Rege Præceptor.*

[3.] G. R. S. *Ib.* The Empreſs being elated with this good ſucceſs carries her ſelf haughtily and diſannulls all King *Stephen's* Grants.

[4.] On *Apr.* 9. following there was a General Synod of all the Biſhops and Abbots of *England* held at *Wincheſter*, in which the Legate preſided as the Pope's Legate, notwithſtanding the Archbiſhop of *Canterbury* was preſent: before the Council met, the Legate had a private Conference with the Biſhops, Abbots, and Archdeacons, each of them a part; the next day in a full Aſſembly he made a ſet Speech to them, "Setting "forth the cauſe of their meeting, which (in ſhort) was to conſult "about the Peace of the Kingdom; then minded them of the flou-"riſhing Eſtate thereof in the Reign of King *Henry*, and that divers "years before his death, he had taken an Oath of Fealty from *En-*"*gland* and *Normandy*, for the Succeſſion of his Daughter, and her "iſſue-male, but ſhe, being in *Normandy* at the time of his Deceaſe, "had delayed coming into *England*; ſo that for the preſent ſecurity "of the Nation, his Brother was *Elected* to Reign over them. He "ſaid further, That tho' he had made himſelf a Pledge between God "and him, that he ſhould honour and exalt Holy Church, maintain "the good Laws, and abrogate the evil; yet it grieved him to re-

[4.] W. M. P. 106. *b*: A Geueral Synod held at *Wincheſter*, where the Legate makes a Speech.

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" member (and he was aſhamed to ſpeak it) how ill he had behaved
" himſelf in the Kingdom, the Peace of which was deſtroyed, and
" no puniſhment inflicted upon the offenders; that the Biſhops were
" impriſoned, and forced to deliver up their Poſſeſſions; Abbies were
" ſold, and Churches robbed of their Treaſure, the Counſel of ill
" Men prevailed, and the Advice of the good were deſpiſed; that
" he had once already convened him before a Synod of Biſhops, and
" got nothing but hatred for it; that he ought indeed to love his
" Natural Brother, but much more the cauſe of God his Eternal Fa-
" ther; therefore ſeeing he had exerciſed his Judgment upon him, ſo
" as to let him fall into the hands of his Enemies, leſt the Kingdom
" might be ruined for want of a Governour, he had Summon'd them
" all hither by his Legantine power; that yeſterday the Cauſe was
" propounded in private to the greateſt part of the Clergy of *England, Whoſe Right it chiefly was to Elect and Ordain a King*; there-
" fore after having (as is meet) invoked the Divine Aſſiſtance, they
" now Elected *Maud* (Daughter of the late Glorious King *Henry*)
" Lady of *England* and *Normandy*, to whom they now promiſed Fi-
" delity and Defence.

The Legate and Clergy Elect the Empreſs Lady of *England*.

[5.] *Idem.* P. 107. *a.*

[5.] All that were preſent either aſſenting to what he ſaid, or elſe by their ſilence ſeeming not to contradict it, the Legate proceeded thus: " We have alſo Summoned the Citizens of *London (who in re-*
" *ſpect of the greatneſs of their City may be compared with the* * Chief
" *Men of* England) *and ſent them a ſafe Conduct*; and he hoped they
" would not defer coming beyond the next day, and therefore
" they would wait for them. The *Londoners* came the next day (ac-
" cording to appointment) and being brought into the Council, ſaid,
" They were ſent from the † Community of *London*, not to make
" Debate and Contention, but to Petition, that their Lord the King
" might be delivered out of Priſon; as likewiſe did all thoſe Barons
" who had been already received into their Community, earneſtly
" deſiring it of the Legate, the Archbiſhop and all the Clergy there
" preſent.

The Citizens of *London* Summon'd to this Synod.

* *Optimates.*

And their Anſwer when they appear'd.

† *Communione*, *i.e.* the whole Body or Corporation.

" Then the Legate anſwered at large, that it became not the
" *Londoners*, who were eſteemed like Noblemen of *England*, to ſide
" with ſuch as had forſaken their Lord in Battel, and by whoſe Coun-
" ſel he had made Holy Church contemptible, and who favour'd the
" *Londoners* only for their own Advantage.

The *Londoners* with great difficulty are brought to grant the Empreſs admittance into the City.

[1.] G. R. S. *Ibid.*

[1.] But it was a matter of ſuch great difficulty to bring over the *Londoners* to the Empreſs's Party, that tho' this Council was held preſently after *Eaſter*, yet it was but a little before *Midſummer*, before they agreed to receive Her into the City.

[2.] W. M. *Ibid.*

The farther Proceedings of the Synod, where the Queen's Chaplain intercedes on the King's behalf for his Reſtitution to the Throne.

[2.] Then there ſtood up a Chaplain to King *Stephen*'s Queen, whoſe Name was *Chriſtian*, and offered a Letter from her to the Legate, who received and read it, but would not communicate it to the Aſſembly; then the Chaplain with great aſſurance read it himſelf, the ſum whereof was, " That ſhe earneſtly intreated all the Clergy, and by name the Biſhop of *Wincheſter*, her Lord's Brother, to reſtore him to
" his Kingdom, whom wicked Men, tho' his Subjects, had caſt into
" Priſon.

The Legate's Anſwer to the Chaplain.

To this Suggeſtion the Legate gave much ſuch an anſwer, as he had before given the *Londoners*, who thereupon conſulting together, ſaid, They

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They would communicate the Decree and Reſolution of the Council to their fellow Citizens, and comply with it as far as they could.

[3.] This done, many of the King's party were *Excommunicated*, as *William Martel* by name, who had formerly been his Cup-bearer, and was then his Sewer, whoſe Advice the King had followed in many things; but the true reaſon was, he had provoked the Legate in divers Particulars, as by intercepting and Plundering his Goods. After this the Synod was diſſolved, which ſate only three days; for the firſt meeting was on the fifth day of the ſame Week, which was *Friday*, and ended on the *Monday* following.

[3.] *Id. Ib.* Many of the King's Party Excommunicated in the Synod.

The Synod is diſſolved.

[4.] From *Wilton* the Empreſs went to *Reading*, where a great confluence of People reſorted to her, and *Robert Doyley* came in, offering her to reſide in the Caſtle of *Oxford*, which ſhe accepted, and went thither, and there received the Homages of that City, and the Country round about it; from thence ſhe went to the Monaſtery of *St. Albans*, where many of the chief Citizens of *London* met her, and treated about delivering the City to her, to which ſhe quickly came with a great Train of Biſhops and Barons, her Uncle the King of *Scots* alſo accompanying her; and being honourably received by the *Londoners* at *Weſtminſter*, in a Stately Proceſſion, ſhe ſtayed there ſome days to give Directions and Orders about the ſtate of the Kingdom; firſt of all providing for the Peace of the Church, (that is, of Eccleſiaſtical Perſons) ſo that the greater part of *England* now willingly owned her Authority, her Brother *Robert* acting all things for her Honour, and the Publick Benefit, bringing by fair means, or elſe by force, moſt of the Great Men to embrace her Intereſts; and if ſhe would have hearkened to his prudent Counſel, ſhe had not ſuffer'd ſo ſudden a Change of Fortune, which happened through her Own too much Severity and Wilfulneſs, the occaſion of which was thus.

[4.] C. F. W. The Empreſs removes to *Reading*, and from thence to *Oxford*, where ſhe receives the Homages of that City, and the Country adjacent.

[5.] *Id. Ib.* * *Interpellavit Dominam Anglorum, Regina.* King *Stephen*'s Queen ſollicites the Empreſs for her Husband's Liberty, moved to it by many of the Chief Men of *England*.

[5.] Theſe Affairs being diſpatch'd, *Mathilda* King *Stephen*'s Queen * ſtill ſollicited this new Lady of the *Engliſh*, being encouraged to it by divers of the Principal Men of *England*, that upon Hoſtages given, and all Caſtles delivered up to her pleaſure, the King her Husband might be releaſed, and reſtored to his liberty, tho' not to his Kingdom, and ſaid they would undertake to perſwade him to quit his pretence to it, and devote himſelf to the ſervice of God either as a Monk or Pilgrim. This Propoſal ſhe abſolutely refuſed with great haughtineſs, and thereby ſo highly incenſed the Queen, that when ſhe found ſhe could obtain nothing of her by fair means, ſhe reſolved to take other meaſures, which proved the ruin of the Empreſs's Affairs, as you will read hereafter.

The Empreſs refuſes the Propoſal with ſcorn.

[1.] At the ſame time the Citizens of *London* humbly deſired her, that they might live under King *Edward*'s Laws, being much more gentle than thoſe of her Father, but ſhe following her own humour, would by no means conſent to this their reaſonable requeſt; and (which was worſe,) [2.] being not long after by them invited to come up to *London*, ſhe eaſily complied with their deſires; But tho' the Citizens rejoyced at her arrival (as hoping for better times) and applied themſelves to her, beſeeching that in conſideration of their great Loſſes by the Wars, ſhe would give them ſome eaſe in their Taxes, and other Duties, till the Times ſhould mend, yet ſhe was ſo far from granting any Relief, that looking upon them with a ſevere Countenance, ſhe

[1.] *Id. Ib.* The Citizens of *London*'s requeſt to enjoy K. *Edward*'s Laws, but ſhe refuſes it.

[2.] G. R. S. P. 954. As alſo all their other Petitions, which they made upon his Arrival there.

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she told them, that since they could bestow their Riches upon their late King, to support him against her, and had joyn'd with her Adversaries to her prejudice, she did not think it reasonable to spare them in the least; with which answer, the Citizens departed much more discontented than they were before.

[3.] Queen *Mathilda* finding no hopes of recovering her Husband's Liberty, destroys the Country about *London*.

But [3.] that which farther contributed to the ruin of the Empress's Affairs, was, that Queen *Mathilda* finding there were no more hopes of Reconciliation upon any other Terms than the giving up all that her Husband and Son could pretend to, was now resolved to make use of force to obtain what she looked upon as their Right; wherefore being already Mistress of *Surrey* and *Kent*, she sent over a strong Detachment to the other side of the River *Thames*, to Burn and Destroy the Countrey; which being done in sight of the Empress and her Party (who it seems were not able to hinder it) the *Londoners* were so mortified to see those Places laid waste, from whence they were used to receive most of their Provisions, that this (together with her late rough usage) made them repent their ever quitting of the King, and therefore they now resolved to return as soon as they could to their former Allegiance, and make a new Confederacy with his Queen, to deliver King *Stephen* out of Prison; the Empress all this while thinking her self secure, since the Legate and divers other Bishops and Barons were now come to Town, in order to her intended Coronation; this did rather encourage, than hinder, the Citizens from taking the first opportunity of rising against her, which *William* of *Malmesbury* sets forth more at large, *viz.* That [4.] the *Londoner's* Affections being now wholly turned against her, it was no easy matter to sweeten them, and again to reconcile them to her; therefore though Earl *Robert* her Brother did all he could by Promises and Threatnings to gain some of them to her Party, and to deter others from leaving it, yet it was all in vain; for the *Londoners* being disgusted by her former rigid Deportment, quite changed the face of her Affairs, for they privately conspired against her, and intended to seize her Person, with those that accompanied her; but they gaining Intelligence of it, resolved to retire privately out of the City; so the Empress her self, attended by her Uncle the King of *Scots*, the *Legate*, and her Brother Earl *Robert*, and the rest of the Noblemen of her Party, stole away from thence; yet no sooner was she gone, but the Rabble of the City fell upon the Goods she had left behind, and plundered them.

The Citizens being highly displeased, resolve to return to their old Allegiance.

[4.] W. M. *Ib.* Earl *Robert* does all he can to reconcile the *Londoners* to the Empress, but in vain.

The Empress, fearing to be Seized by the *Londoners*, steals away privately.

But as Misfortunes seldome come alone, so this Error of the Empress in returning that harsh Answer to the *Londoners*, was followed by another greater mistake in Politicks; for though she had still the Clergy pretty firm to her, yet she lost them likewise by falling out with the Legate, and it was upon this occasion:

[5.] *Id. Ib.* The Empress denies the Legate to grant *Eustace* his Nephew the Earldom of *Mortaign*; at which the Legate being offended, is reconciled to the Queen his Sister-in-law.

King [5.] *Stephen*, whilst Earl of *Mortaigne*, had *Eustace* his Eldest Son by *Mathilda*, Daughter and Heir of *Eustace* Earl of *Boloign*, which Match he obtained by the Recommendation of King *Henry* his Uncle, as the first of these Titles was also owing to his Favour; which Earldoms the Legate was very importunate with the Empress to have her confirm to *Eustace* his Nephew; But the Empress absolutely refusing it, the Legate was so offended at this unkind Repulse, that, though he was often Summoned, he came not for many days to Court;

Court; but in the mean time he had private Conferences at *Guilford* with the Queen his Sister-in-law, where he was eaſily prevailed with by her Tears and Promiſes of Satisfaction from the King her Husband, to procure his Delivery and Reſtoration; whereupon not long after changing ſides, he *Abſolved* all thoſe of the King's Party, whom he had before *Excommunicated* (the reſt of the Biſhops not being at all conſulted in it): He then alſo publiſhed throughout *England* great Complaints againſt the Empreſs, "As that ſhe would have taken and "impriſoned him; that whatever ſhe had Sworn to was not obſer-"ved by her, though the Barons had fully performed their Oaths "to her; and that ſhe knew not how to uſe with Moderation what ſhe "had ſo eaſily acquired. *Anno Dom.* MCXLI.

From which we may obſerve, that the Empreſs (as indeed moſt other Women) underſtood not the Arts of Government, nor how to treat People in a new and unſetled ſtate as her's than was, and (which was worſe) would not hear any good Advice: alſo that the *Londoners* (notwithſtanding her ſuppoſed Hereditary Right) did not think themſelves bound to receive her for their Queen, who refuſed to Govern them according to the juſt Laws of their former Kings. And laſtly, that the Church-men in thoſe days were as eaſie and free to break their Oaths of Allegiance, and to change their party, either for Advantage, or out of Diſcontent, as ever they have been ſince. But to return to our Hiſtory. Some ſhort Reflections upon the Empreſs's Conduct and Title.

[1.] The Empreſs when ſhe left *London* in ſuch haſte, went through *Oxford* to *Glouceſter* to conſult with *Milo*, her conſtant Friend and faithful Servant, in whoſe Company ſhe preſently return'd to *Oxford* again, and ſtayed there until her diſperſed Troops came thither to her, and then ſhe created this *Milo* Earl of *Hereford*, as a Remuneration of his former Signal Services; for he was (next to her Brother) her chief Support, ſince from him alone ſhe had received the Expences of her Houſhold from her firſt coming to *Glouceſter*, which was then near two years; And this our Author ſays he had from his own mouth. [1.] C. C. F.

[2.] The Earl of *Glouceſter* in the mean time went with a few Followers to *Wincheſter*, to try if he could compoſe theſe Differences by diſcourſing with the Legate; but not meeting with ſucceſs, he ſoon return'd to *Oxford* (where his Siſter the Empreſs had then taken up her Reſidence) And finding by her Brother's Relation, that the Legate had privately deſerted her Intereſt, ſhe marched to *Wincheſter* with ſuch Forces as ſhe could then get together, and was not without ſome difficulty received into the Caſtle, ſhe not daring to truſt her ſelf in the City, becauſe ſhe found their Affections much alienated from her by means of the Biſhop, who as ſoon as he heard of her coming ſlipt out of the Town at another Gate, and would not come any more into her Preſence, tho' ſhe ſent often for him to wait on her without delay; but he thinking that not very ſafe for him, deluded the Meſſengers with a cunning and ambiguous Anſwer, *that he would * prepare himſelf*; and ſo immediately ſent for all the Nobility that he knew favoured King *Stephen*: Upon this moſt of the Earls of *England* came in to him, who (as *William* of *Malmesbury* relates) were light young Men, that loved Tornaments on Horſeback more than Peace; and but very few continued with the Empreſs, the chief of whom were *David* King of *Scots*, [2.] W. M. P. 107. *b.* The Empreſs finding that the Legate had deſerted her, leaves *Oxford*, and goes to *Wincheſter*. The Legate hearing of her arrival, ſlips out of Town, and tho' ſent to, refuſes to come back. * *Parabo me.* The Legate Summons in the Earls and Barons of *England* to aſſiſt King *Stephen*.

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Scots, with the Earls of *Glouceſter* and *Hereford*, and ſome few Barons.

The Empreſs Beſieges the Biſhop's Tower or Caſtle at *Wincheſter*, whereupon he marches to relieve it.

So ſoon as the Empreſs came to *Wincheſter*, ſhe Beſieged the Tower or Caſtle that was kept by the Biſhop's Men; to relieve which, the Legate brought not only the Earls above mentioned (with whom the Earl of *Cheſter* having now changed Sides joyned) but he had likewiſe ſent for the *Londoners*, who came down in great Numbers, ſo that by their aſſiſtance the City was Blocked up, and all Paſſages to it ſo cloſely Guarded, that no Proviſions could be brought into it without great difficulty; whilſt they within were thus ſtreightened, ſome fire was thrown from the Biſhop's Tower upon the Citizen's Houſes, becauſe they ſeemed more inclined to the Empreſs's than to his party; this took hold of the Nunnery within the City, and at laſt of the Abbey of *Hyde*, tho' without it, and burnt them both down to the Ground, together with the greater part of the City, and above Twenty Churches.

Wincheſter is Block'd up by the Biſhop's Forces.

By Fire thrown from the Biſhop's Tower the Abbey of *Hyde*, and a great part of that City are burnt to the Ground.

[3.] About the ſame time divers of the Empreſs's Party went about to Fortifie the Nunnery of *Warwell*, within Six Miles of that City, which would have commanded all the Country there abouts; to prevent which the Biſhop above mention'd ſent *William de Ipre* with a ſtrong party to diſlodge them from thence, who ſetting upon them drove them into the Church, [4.] and there refuſing to Surrender, the King's Men ſet it on fire and burnt it with the adjacent Monaſtery to the Ground.

[3.] C. G.

The Nunnery and Church of *Warwell* are alſo burnt with many of the Empreſs's Towns.

[4.] W. M. *Ib.*

[5.] But for all this the Biſhop not being able to take either the Caſtle or the City, growing weary of the Siege retreated from the Town, yet the King's Men having the Command of the Country, and daily Skirmiſhing with thoſe of the Empreſs's, (who often went out to fetch in Proviſions) therefore Earl *Robert* and her Councellors fearing the ill conſequences of another Aſſault, (which they were not able to undergo) thought it beſt for them to yield to neceſſity, and retire to another place before it was too late; ſo Earl *Robert* preparing all things for their departure, ſent his Siſter before with the greateſt part of the Army and beſt Troops, under the Conduct of her Brother Earl *Reginald*, who marched in great order, whilſt Earl *Robert* brought up the Rear with Two hundred undaunted Followers; but the King's Forces immediately perſuing him, he, to ſhew himſelf more careful of his Siſter's than his own Safety, and thinking it diſhonourable to flie, was ſet upon and taken Priſoner, whilſt the Empreſs with the reſt of the Noblemen eſcaping with great ſpeed, kept on their Journey as far as to the Caſtle of *Lutgurſhal*, but not finding her ſelf there neither in ſafety (as *Brompton*'s Chronicle and *John* of *Tinmouth* in *Hiſtor. Aurea*) relate, ſhe removed to the *Devizes*, and from thence for fear of the King's Souldiers, was carried in a Herſe or Bier (like a dead Corpſe) to the City of *Glouceſter*; which Story ſince it ſounds very improbable, and is not found in *W.* of *Malmesbury* nor any other Author of that Age, I only mention, becauſe I would not be thought to omit any thing that other Modern Writers have thought worth mentioning.

[5.] C. F. W. W. M. *Ibid.*

Earl *Robert* with the Empreſs fearing an Aſſault, quit *Wincheſter*.

The Earl of *Glouceſter* is taken Priſoner in his Retreat.

The Empreſs is carried to the *Devizes* like a dead Corpſe, as ſome Hiſtorians relate.

[1.] But E. *Robert* (who was not at all daunted with theſe misfortunes) being firſt brought back to *Wincheſter*, and there preſented to the Queen, was ſent Priſoner to *Rocheſter*; and tho' he was tempted by large Promiſes,

[1.] W.M. *p.* 108. *a.*

Earl *Robert* being taken Priſoner is preſented to the Queen, and then ſent to *Rocheſter*-Caſtle.

ſes, and urged likewiſe by Threats to leave his Siſter's cauſe, yet nothing could prevail with him to deſert her, nor would he enter into any Treaty for his Releaſe without her Conſent, or to the leaſt prejudice of her Intereſt: but [2.] within the ſpace of Six Months the King and he were both Exchanged upon even Terms, which was managed with that nice caution on both ſides, that it being moved that the King, becauſe of his Royal Dignity, ought to be firſt ſet free, yet Earl *Robert* doubting whither himſelf ſhould be then diſcharged, the Pope's Legate and Archbiſhop to ſatisfie him were both forced to engage that if he were not ſet free, they would ſurrender themſelves Priſoners; and farther likewiſe they engaged to obtain the Pope's conſent to it. Whereupon the King coming to *Wincheſter*, had ſome familiar converſation with the Earl, who was thereupon immediately ſet at Liberty, and each party were left to perſue the War with as great earneſtneſs as ever.

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[2.] *Id.* P. 109. *a.* The King and the Earl are mutually releaſed.

[3.] Not long after which the Legate being now reſolved to perfect what he had begun, proceeded in his deſign totally to ruin the Empreſs, and by his Legantine Power Summon'd a Synod to meet Eight Days after the Feaſt of St. *Andrew* at *Weſtminſter*; but our Author tells us, that not being preſent himſelf at this Council, he cannot give us the Acts of it with that exactneſs as he had done the former, yet ſays in General, that the Pope's Letters to the Legate were openly read, in which he was blamed that he had not more ſtrenuouſly endeavour'd to reſtore his Brother, and exhorted him to uſe all Power both Eccleſiaſtical and Secular to do it.

[3.] *Idem.* P. 108. *a.* Another Synod Summon'd by the Legate, wherein he endeavours to reſtore his Brother to the Throne.

[4.] Then the King himſelf came into the Council, and complained, that his Subjects (to whom he had never denied Juſtice) had impriſoned, and reproachfully treated him to his great affliction. Then the Legate by his Rhetorick endeavour'd to juſtifie his own late actions, pretending he had received the Empreſs by compulſion and neceſſity, not out of favour, or good will; and at that Juncture of Time, when the King's Army was quite routed, and all the Lords of his Party were either fled, or ſtood expecting the Event, ſhe with her Adherents came to *Wincheſter*; and whatever Compact ſhe had ſworn to, or promiſes ſhe had made to preſerve the Rights of the Church, ſhe had wilfully broke them all. He further ſaid, "That ſhe and her Friends had contrived not only to deprive him of his Dignity, but his Life; but God in his great mercy had beyond her expectations and endeavours, ſo ordered things, that he eſcaped deſtruction; and the King his Brother being now freed from his Impriſonment, he therefore commanded them on the behalf of God and the Pope, that they ſhould aid the King to the utmoſt of their Power, *Who was anointed by the free will of the People, and Aſſent of the Apoſtolick See*; and that he would *Excommunicate* all Diſturbers of the Publick Peace, and that favoured the Dutcheſs of *Anjou*, for ſo he then ſtyled the Empreſs.

[4.] *Id. Ib.* The King himſelf appears at this Council, and complains of th' ill uſage he had received from his Subjects.

The Legate excuſes his joyning with the Empreſs.

And commands all Men under pain of *Excommunication* to obey the King his Brother.

But tho' our [5.] Hiſtorian not being preſent in this Council, cannot tell us exactly what was done in it, as in the former, yet he ſays in General, that the Legate's words were not grateful to all the Clergy, tho' none of them durſt contradict them, but out of fear and reverence they kept ſilence; only one Lay-meſſenger from the Empreſs forbad the Legate by the Fealty he had before ſworn to her, to act

[5.] *Id. Ib.* The Legate's Speech not well received by the Clergy tho' they durſt not contradict it.

A Meſſenger from the Empreſs forbids the Legate to act any thing to her Prejudice.

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"act any thing in that Council contrary to her Honour or Intereſt, "or to aſſiſt his Brother: He added alſo, That the Empreſs came in "to *England* by his Invitation; and that if ſhe had taken the King, "and kept him Priſoner, 'twas by his Approbation. All this the Meſſenger ſaid, and much more, with great ſharpneſs, not at all ſparing the Legate, but all his words could not move him to make any reply, or to ſhew any paſſion, much leſs to deſiſt from his intended deſigns.

[1.] O. V. P. 923. The Earl of *Anjou* again enters *Normandy*.

To conclude this Year with ſome Account of the Affairs of *Normandy*: [1.] when *Geoffrey* Earl of *Anjou* heard of his Wife's good ſucceſs in *England*, he went forthwith into *Normandy*, and then ſent Meſſengers to the Noblemen, requiring them peaceably to deliver up their Caſtles and ſtrong holds, which he ſaid belonged to him of Right: then in *Lent* following *Rotrou* Earl of * *Mortain* made Peace with him, and breaking the League he had made with the King, aſſiſted the Earl of *Anjou*. About *Mid-lent* following many of the Great Men of *Normandy* held a Council concerning the Publick Affairs, where divers of them, together with *Hugh* Archbiſhop of *Roüen*, agreed to make an offer to *Theobald* Earl of *Blois* of the Kingdom of *England*, and Dutchy of *Normandy*, but he like a wiſe Prince, refuſed thoſe Litigious Titles; but (if our Author may be credited) he made over all his Right in them to Earl *Geoffrey* on theſe Conditions, That he ſhould Surrender to him the City of *Tours*, which he ſaid belonged to his Fee, and ſhould alſo ſet at Liberty the King his Brother, and reſtore to him and his Heirs all thoſe Territories which had belonged to him in King *Henry* his Uncle's life-time. Upon which the Citizens of *Verneüil*, who were formerly very violent for the King, when they ſaw ſo many Places Surrendred to the Duke of *Anjou*, they began to relent, and delivered up both Town and Caſtle to Earl *Geoffrey*, and not long after the Townſmen of *Nonen-court* followed their Example.

* Not *Mortaign* in *Normandy*, but another Place of the ſame name in *Picardy*.

A Council is there aſſembled, where divers of the Great Men offer that Dutchy to *Theobald* Earl of *Blois*. *Verneüil* and other Places are Surrender'd to Earl *Geoffrey*.

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From [2.] the Feaſt of *Chriſtmaſs* until *Lent* following, both Parties continued quiet, being more deſirous to keep their own, than Invade what was in the poſſeſſion of another; but then the King began to move, and the War to be renewed as fiercely as ever; the Empreſs alſo came to the *Devizes*, and there held a Council, in which it was reſolved, That ſhe ſhould ſend for her Husband the Earl of *Anjou*, who, perhaps, might prove more fortunate, and help her to recover her Son's Right in *England*: upon this there were ſome Perſons of Quality preſently ſent to him to deſire his ſpeedy coming over.

[2.] *Id.* P. 109. *b.* The War is again renew'd as fiercely as ever. The Earl of *Anjou* is deſired to come over.

Not long after *Eaſter* King *Stephen* being followed by his Queen, marched down to *York*, reſolving to Revenge his former Injuries in thoſe parts, and to that purpoſe gathered together great Forces, which quickly after he was obliged to diſband; for returning to *Northampton*, he was there taken with a grievous fit of Sickneſs that held him till *Whitſuntide*, ſo that he was given over for dead, but at laſt he recovered his health again.

The King upon his return from *York* is taken with ſuch a fit of Sickneſs that he was given over, yet recovers.

[3.] *Id. Ib.* Another Council called of the Empreſs's Party, where the Meſſengers deliver the E. of *Anjou*'s Excuſe for not coming over.

And [3.] And now the Meſſengers being returned from the Earl of *Anjou*, another Council was held at the *Deviſes*, where they delivered the Earl's Anſwer to the Empreſs, and the Chief Men of her Party, which was to this effect: "That the Earl, as he was proud to "receive ſuch an Invitation from the *Engliſh Nobles*, ſo alſo he highly "eſteemed the Earl of *Glauceſter*'s Friendſhip, whoſe Prudence, fide-

"lity,

" lity, and Courage, he had long ſince ſufficiently tried, and that if " he would come over he would Adviſe with him what was beſt to be " done to anſwer their requeſts, otherwiſe it would be but in vain to " ſend any body elſe. Wherefore the Earl was mightily intreated by all the Noblemen there preſent to undertake this Voyage, but he alledging the difficulty of the Journey, and the great hazard his Siſter might run, did all he could to decline it; but at laſt being prevail'd upon, he demanded certain Perſons to go along with him, who might aſſure the Earl of the fidelity of the *Engliſh* Nobility, that they would to the utmoſt of their power ſtand by, and defend the Empreſs, of whom he deſired greater Security for her ſafe ſtay at *Oxford* till his Return; wherefore he took Pledges of the Nobles that were to attend and Guard her there; all which being ſettled, he left them and took Shipping at *Warham* in *Dorſetſhire*, and ſoon arrived in *Normandy*, tho' not without ſome difficulty (by reaſon of a great Storm he met with in his Paſſage:) and came to the Earl of *Anjou*, who was then at *Caën* for the Earl taking advantage of the King's Impriſonment, had not long before conquer'd the greateſt part of *Normandy*, and was then buſied in gaining the reſt.

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The Earl of *Glouceſter* is importuned by the Noblemen to go over and perſwade him to come hither.

The Earl is hardly perſwaded to undertake the Journey, yet yields at laſt, and goes.

The greateſt part of *Normandy* is conquer'd by the Duke of *Anjou*.

[4.] This troubleſome Affair detain'd the Earl much longer in thoſe parts than he expected, for the Duke made ſeveral difficulties, why he could not as yet go over into *England*, eſpecially becauſe of divers ſtrong Places holding out againſt him; but that the Earl might do what he could to remove this main Objection, he aſſiſted him in ſubduing no leſs than ten Caſtles in *Normandy*; yet all this could not procure the effect of his Ambaſſie; the Earl ſtill ſtarting freſh difficulties, why he could not go along with him, and at laſt could only be prevailed with to ſend over his Eldeſt Son *Henry* with his Uncle Earl *Robert*, by whoſe Preſence the Noblemen of *England* might be the more encouraged to maintain his Right.

[4.] *Id. Ib.* Yet Earl *Robert* cannot prevail with the Earl of *Anjou* to come over.

[5.] In the mean time the King taking his Advantage of the Earl's Abſence, had ſurprized the ſtrong Caſtle of *Warham*, then deſtitute of a ſufficient Gariſon; but the Earl being ignorant of this, ſet Sail for *England* (bringing the young Prince *Henry* Eldeſt Son to the Emperor over with him) and after a proſperous Voyage arrived in *Warham* Harbour, and there Landing with ſufficient Forces he reſolved immediately to take the Town, which he preſently did, but not the Caſtle, tho' he Beſieged it with all the Forces he could raiſe, to the end that he might draw the King thither to its Relief, from the Siege of *Oxford* Caſtle, where his Siſter the Empreſs than was; for he had not long before taken the Town and burnt great part of it, but could not take the Caſtle, by reaſon of its great Strength: in the mean time the King being now imploy'd in that Siege was not able to ſend any Relief to his Men in *Warham*-Caſtle, ſo they were at laſt forced to Surrender it; beſides, the Earl then took the Iſle of *Portland*, (which the King's Men had alſo fortified) together with another Caſtle called then *Lullewarden*, (now *Ludworth* Caſtle in *Dorſetſhire*): after which the Earl Summon'd all thoſe who were for the Empreſs to meet him at *Cyrenceſter*, that they might march together to *Oxford* for her Relief, and fight the King if he durſt abide their coming; but in their way thither, they received the joyful news of the Queen's Eſcape out of that Caſtle, and her ſafe arrival at *Wallingford*, whither

[5.] *Id.* P. 110. *a* The King takes *Warham* Caſtle, but E. *Robert* arriving in that Harbour, takes the Town.

The King being employ'd in the Siege of the Caſtle of *Oxford* cannot ſend any Relief thither.

Warham-Caſtle with others forced to Surrender to the Earl.

Who receives the good news of the Empreſs's Eſcape out of *Oxford*-Caſtle.

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the Earl with his Men immediately went according to the Empreſs's Orders, becauſe the Souldiers who were left in *Oxford* Caſtle had Surrender'd to the King, upon condition to go whither they pleaſed; ſo that the *Chriſtmaſs*-Holy-days approaching, all the Forces on both ſides went into Winter-Quarters.

[1.] *Id. Ib. b. W. Malmesbury's* Account of the manner of the Empreſs's Eſcape.

[1.] Our Author further tells us, he would have given us the manner of the Empreſs's Eſcape, had he himſelf certainly known it, and therefore only ſays in ſhort, that many of the Beſiegers running away for fear of the Earl's approach, the reſt that were left kept a more ſlender Guard about the Caſtle, of which the Empreſs being inform'd by ſome of the Townſmen, her Friends, eſcaped at a Poſtern, with only four Attendants, and paſſing the River (it being then a great Froſt) walked to *Abingdon* on Foot, and from thence was conveyed on Horſeback to *Wallingford*-Caſtle. Here *William* of *Malmesbury* concludes his Relation of this King's Reign, tho' he intended to continue it further, which it is pity he had not done, for the greater advantage of our *Engliſh* Hiſtory, that ſo we might have had a more certain account of the manner of her Eſcape, which as yet remains but dark: for the Author of this part of the *Saxon* Chronicle (* lately Printed) tells us in the beginning of *Henry* the *Second*'s Reign, that ſhe was let down from a Tower by Ropes, and ſo made her Eſcape: but ſince ſo grave an Author as *H.* of *Huntington* (who wrote not long after the time when this was done) tells us expreſly, that the Empreſs eſcaped over the *Thames*, it being then Frozen, and a great Snow upon the ground, by Clothing her ſelf, and thoſe that attended her all in White-Linnen; and is therein alſo followed by *Roger Hoveden*, *Bromton* and *Gervaſe* of *Canterbury*'s Chronicles, who all three lived in King *Henry* the *Second*'s and King *John*'s Reigns; I ſhall not ſet the *Saxon* Chronicle in Competition with their concurrent Authorities.

* *Edit. Oxon.* The different Account of the *Sax.* Ann. concerning the ſame Action. Yet moſt Authors agree ſhe eſcaped over the Ice and Snow, Clothed in White.

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[2.] R. H. Another Synod at *London*, where a Canon is made againſt thoſe who ſhould lay violent hands on a Clerk.

[2.] This Year in the beginning of *Lent*, King *Stephen* was preſent at a Synod in *London*, which was held by the Biſhop of *Wincheſter*, (the Pope's Legate) wherein it was again Ordained, That whoever laid violent hands upon a Clerk, (that is one in Holy Orders) ſhould not be abſolved, unleſs by the Pope himſelf, and then *only in his Preſence*.

Which Decree, tho' formerly made in the Reign of King *Henry*, yet by reaſon of the violence that was lately committed upon the Perſons of Clergy-men during theſe Wars, it was now again reinforced, and that Clauſe *of the Pope's Preſence* being added to it, render'd the Perſons of all Eccleſiaſticks for the future inviolable.

[3.] H. H. King *Stephen* ſeizes *Geoffrey de Mandeville*, and for what cauſe.

[3.] Not long after this, King *Stephen* holding his Court at *St. Albans*, ſeized upon the Perſon of *Geoffrey de Mandeville* Earl of *Eſſex*, contrary to the ſafe Conduct he had given him; but all our Authors excuſe it, by ſaying, that he did this rather out of neceſſity than choice, and according to the Law of Nature; for unleſs he had acted thus, he might have been deprived of his Kingdom by the Earl's perfidious practiſes; wherefore before he could obtain his Liberty, he was forced to deliver up into the King's hands the Tower of *London*, together with his Caſtles of *Walden* and *Pleſſi*, which two laſt were then counted two of the ſtrongeſt Places in *England*.

[4.] The

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[4.] The Earl being thus ouſted of his Caſtles, was reſolved to be revenged of the King, therefore raiſing what Men he could, he did a great deal of miſchief in the Countreys through which he marhced; and going to the City of *Canterbury*, he ſurprized it before the Citizens were aware, and not only Plundered them, but did the like by the Churches; and ſetting fire on the Town, marched croſs the Countrey as far as *Huntingtonſhire*, where wanting a place of Strength for his Retreat, he ſeized upon the Abbey of *Ramſey*, and driving out the Monks made it a Gariſon, for which he was *Excommunicated* by the Biſhops; yet being a Man of greater Courage than Conſcience, he valued it not, but kept the Place till he was ſtrangely and ſuddenly taken off, as you will find the next year.

[4.] *Id. Ib. Geoffrey de Mandeville* afterward Plunders *Canterbury*, and ſets it on fire, and then marches off and ſeiſes the Abbey of *Ramſey*.

[5.] After this, ſome time this Summer, tho' I cannot tell in what Month, the King marched down into *Wiltſhire*, with a deſign to Fortifie the Nunnery of *Wilton*, to prevent thoſe that were of the Empreſs's Party in *Salisbury* from ſeizing it; upon which News the Earl of *Glouceſter* raiſing what Forces he could, immediately went thither in the Night, and ſetting the Town on fire (where the King with his Army than lay) put him into ſuch a fright, that tho' he Quartered in the Nunnery, he diſlodged, and left all his Plate and other Baggage behind him, and tho' the Night was very dark yet he hardly eſcaped with his Brother the Biſhop of *Wincheſter*; the Earl's Souldiers in the mean while killing and taking Priſoners many of the King's Men, and amongſt the reſt *William Martel* the King's Favourite, whoſe Redemption coſt three hundred Marks, beſides the Surrender of the Caſtle of *Shirborn*, then in his Cuſtody.

[5.] H. H. *Ib.* C. G. Col. 1358. The King goes down to *Wilton* where his Quarters being beaten up by the Earl of *Glouceſter*, he flies away in the Night, with the loſs of his Plate and Baggage.

Gervaſe of *Canterbury* places this Action under the year following, but I rather chuſe to follow *Henry* of *Huntington*, who puts it under this.

And as for Eccleſiaſtical Affairs there happened nothing worth our noting, only that the [1.] Archbiſhop of *Canterbury* and Biſhop of *Wincheſter* went now to *Rome* to adjuſt their differences concerning the Legantine Power, which the Archbiſhop ſaid was an Incroachment upon his Right; but before they could arrive there, Pope *Innocent* died, and *Celeſtine* ſucceeded him, and he alſo deceaſed before the end of this year.

[1.] H. H. The Archbiſhop of *Canterbury*, and Biſhop of *Wincheſter* go to *Rome*, and on what occaſion.

As to Foreign Affairs, theſe things are moſt worth our notice, that *Normandy* being almoſt ſubdued the laſt year, [2.] the Conqueſt of it was this year quite finiſhed, for *Geoffrey* Earl of *Anjou* having gather'd a great Army in the beginning of *February*, paſſed the *Seine* at *Vernon*, and Encamping before the City of *Roüen*, had it Surrender'd unto him by the Citizens the day following, being received into the Town with a Solemn Proceſſion; notwithſtanding which, the Souldiers of the Earl *Warren* ſtill held the Caſtle for the King, which Earl *Geoffrey* and *Walleran* Earl of *Mellent*, and other *Norman* Lords, (who had now made their Peace with him) preſently Beſieged, and tho' they made uſe of all their Engines, yet could they not ſuddenly take it, by reaſon

[2.] C. N. *Normandy* almoſt quite ſubdued by the Earl of *Anjou*, the City of *Roüen* being Surrendred to him.

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ſon of the Strength of the Place, but at laſt Proviſions failing them, they were forced to Surrender upon Terms.

[3.] *Ib. Ib.* [3.] But all Things being ſettled in the City and Caſtle, the Earl having gathered a great Army, reſolved to carry his Conqueſts to the farthеſt Parts of *Normandy*, for the Earl of *Flanders* his Brother-in-law was now come to his Aſſiſtance with Fourteen hundred Horſe; whereupon the Duke undertook the Siege of the Caſtle of *Driencourt*, which was then held by ſome Stipendiary Souldiers of the Earl of *Warren*, who ſeeing they could not reſiſt him Surrender'd the Caſtle, tho' againſt their Wills. Then alſo *Hugh de Gornay* delivered up the Caſtle of *Lyons*, fearing leaſt Earl *Geoffrey* ſhould take away his Eſtate: thus all things were quiet in *Normandy*, and the whole Countrey reduced to Earl *Geoffrey*'s Obedience, except the Caſtle of *Arcques*, which was ſtill Beſieged; upon this the Earl of *Anjou* took the Title of Duke of *Normandy*, and was no more under the Subjection of the *Engliſh* till this Earl's Son *Henry* ſucceeded King *Stephen* in the Throne; till whoſe Reign we ſhall ſay no more of the Affairs of *Normandy*, only that the Caſtle above mention'd not long after ran the ſame fate as the reſt of that Province had already done.

[4.] G. R. S. P. 962. An odd Account of the death of *Milo* Earl of *Hereford*.

[4.] I ſhall conclude this year with an Account of the death of *Milo* Earl of *Hereford*, which the Anonimous Writer above mention'd thus relates, *viz.* that a Quarrel ariſing between him and *Richard* Biſhop of *Hereford*, about certain Taxes or Contributions which he then Exacted from him, and others of the Clergy in his Dioceſs. But the Biſhop refuſing to pay it, the Earl at laſt ſent Souldiers to levy it by force; wherenpon the Biſhop Aſſembling his Clergy, *Excommunicated* the Earl and all his Aſſiſtants, and alſo laid an *Interdict* upon his Territories; At laſt the Earl becoming penitent for his offence, gave Security to make ſatisfaction, and ſo was reſtored to the Church; but on *Chriſtmaſs* Eve following he was unfortunately ſlain by one of his own Men with an Arrow, as he was ſhooting at a Deer, which is looked upon by this Author as a Judgment; But for the truth of this Relation I will not paſs my word, ſince it looks ſo like the fate of *William Rufus*, and is related by no other Author than this, and the *Welſh* Chronicle; yet thus much is certain, that this Earl's deceaſe went extreamly to the heart of the Empreſs, whoſe chief Councellor, Friend and Defender he was.

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[5.] H. H. The King Beſieges *Lincoln*, but meeting with ill ſucceſs marches off.

[5.] This year the King Beſieged the City of *Lincoln*, but when he had juſt begun to build a Fort againſt the Caſtle (then under the Command of the Earl of *Cheſter*) the Enemies Sallied out, and ſtopping up the mouth of a Mine, ſmother'd near eighty Pioneers, who were then working in it; whereat the King being diſcouraged, marched off; nor had he much better ſucceſs elſewhere, ſo that this year paſſed without any great action done on either ſide.

The remarkable Deaths of *Geoffrey de Mandeville*, and *Robert Marmion*. [1.] C. G. Col. 1360.

Neither doth it afford any thing elſe remarkable, but [1.] the ſudden deaths of two Barons of great note, the firſt *Geoffrey de Mandeville*, who, after he had ſeized upon the Abbey of *Ramſey* (as you have already heard) Sallied out thence to Beſiege *Burwell* Caſtle, where having made a vigorous Aſſault, and being much heated in the Action, he withdrew to a Place not far off, to cool and reſt himſelf; and having pulled off his Helmet for that purpoſe, he was eſpied by a Souldier in the Caſtle, who preſently ſhot at him with an Arrow which pierced

pierced his Skull, but the Wound being very ſmall, it was ſo long neglected, that he died of it within a few days; the like Fate alſo befell *Robert Marmion* about the ſame time, who had made a Gariſon of the Monaſtery of *Coventry*, which being aſſaulted by the Enemy, he Sallying out to repell them, was ſlain before its Gates, in the midſt of his own Souldiers. Theſe Accidents I thought fit to relate, as being look'd upon by the Writers of thoſe Times as Judgments upon Sacrilege. *Anno Dom.* MCXLIV.

[2.] The beginning of this year was wholly taken up by K. *Stephen* in repelling the Incurſions of *Hugh Bigot*, but in the Summer *Robert* Earl of *Glouceſter*, having lately built a ſtrong Caſtle at *Farindon* in *Berkſhire*, the King immediately marched thither with all the Forces he could raiſe, bringing alſo a ſtrong Body of *Londoners* along with him, who Beſieged this Caſtle with that briskneſs and vigour, that at laſt they took it by Storm, which occaſioned a great effuſion of Blood; whilſt Earl *Robert* with thoſe of his party lay not far off, expecting a Reinforcement, tho' to no purpoſe, and from this time the King's Fortune began to change for the better, however he met not with the like good ſucceſs in all Places. *Anno Dom.* MCXLV.

[2.] H. H. The King is taken up in repelling *Hugh Bigot*, and then marches to Beſiege the Caſtle of *Farindon.*

For the year following, [3.] the King having long Beſieged the ſtrong Caſtle of *Wallingford*, without being able to take it by force or Art, he built a Wooden Caſtle or Fort before it, which he called *Crawmers*, and thereby Blocked it up; at which Siege *Ranulph* Earl of *Cheſter* came in to him with his Forces, and made his Peace with the King, but notwithſtanding this ſhow of Friendſhip, it laſted not long. *Anno Dom.* MCXLVI.

[3.] H. H. C. G. Col. 1361. The King not being able to take *Wallingford* Caſtle, builds a Fort againſt it, to Block it up.

[4.] Whileſt the King ſome time after kept his Court at *Northampton*, he on the Twenty fifth of *Auguſt*, ordered the Earl to be ſeized, and committed cloſe Priſoner, and kept him ſo till he had Surrendered the ſtrong Caſtle of *Lincoln*, which he had formerly ſurprized, with all the other Places of ſtrength he had then in his Power, which being done the Earl was reſtored to his Liberty; but this gave him ſuch an implacable malice againſt the King, that he was reſolved to have them again, or be revenged whatever it coſt him; and indeed this Act brought the King into ſuch Extremities, that it may warn Princes either never to diſoblige great and powerful Men, or if they once do it, to put it out of their power ever to hurt them again.

[4.] *Chron. MS. Ceſtriæ. Ranulph* Earl of *Cheſter* is ſeized and committed cloſe Priſoner till he Surrender'd the Caſtle of *Lincoln.*

[5.] This year produced nothing more worth noting, except that *Geoffrey* Earl of *Anjou* having ſubdued all *Normandy*, and alſo quelled the *Angevins* who were then about to rebell, and being now in Peace, deſired to ſee his Son *Henry*, whom he had ſent four years before to his Uncle the Earl of *Glouceſter*; wherefore the Earl of *Anjou* ſent three Noblemen with a great Train into *England*, to bring over his Son, to which Earl *Robert* readily conſenting, accompanied his Charge to *Warham*, where he took Shipping; from which time they never ſaw each other more, [1.] for the Earl ſoon after deceaſed of a Feaver at *Glouceſter*, and was buried at *Briſtol*. He was certainly a Prince of great Prudence and Magnanimity, and of invincible Fidelity to the Empreſs his Siſter, to whoſe Intereſt his death proved ſo great a Blow that it could never recover it ſelf, till the return of her Son *Henry* into *England*, of which you will hear more anon.

[5.] C.G. *Id. Ib. Geoffrey* Earl of *Anjou* ſends for his Son over to him.

[1.] *Id. Ib. Robert* Earl of *Glouceſter* deceaſed of a Feaver.

As

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As to Eccleſiaſtical Matters, notwithſtanding the Civil Wars that now raged, [2.] *Baldwin de Rivers* Earl of *Devonſhire* about this time Founded and well Endowed a Monaſtery at *Exceter*, Dedicated to St. *James*, for Monks of the *Cluniac* Order, which was alſo confirmed by the Charter of the Empreſs *Mathilda*; upon the Seal of which (a Draught whereof I have ſeen) ſhe is ſtiled *Regina Romanorum & Domina Anglorum*; this ſhews that the Earl had then engaged in her party, and that ſhe did not account her ſelf abſolute Queen, but only Lady of the *Engliſh*, or elſe what need of this diſtinction in the Titles?

[2.] *Mon. Ang. Vol.* 1. *p.* 643. Earl *Baldwin de Rivers* founds a rich Monaſtery at *Exceter*.

Nor did this year afford any thing conſiderable in Foreign Affairs, only [3.] that the Pope hearing of the great Succeſs of the *Saracens* in the *Holy Land*, did now by the Preaching of *Bernard*, Abbot of *Clarevalle*, ſet on foot a new *Cruſado*; *Conrade*, Emperour of *Germany*, *Lewis* King of *France*, *Frederick* Duke of *Swevia*, *Theodorick* Earl of *Flanders*, *Waleran* Earl of *Mellent*, *William* Earl of *Warren* his Brother, with divers other Perſons of Great Dignity of the *German*, *French* and *Engliſh* Nations, taking the Croſs (the Mark of that Expedition) and not only Military Men, but divers Biſhops, Abbots and Monks taking upon them the ſame Sacred Enſign, prepared to go to *Jeruſalem*; but this Expedition tho' now reſolved on, was not undertaken till the next year, and then it proved as unfortunate as thoſe that had preceeded it.

[3.] *Ann. Waverly.* The Pope ſets on foot a new *Cruſado* by the Preaching of St. *Bernard*.

Anno Dom. MCXLVII.

[4.] The King having again poſſeſſed himſelf of the ſtrong City and Caſtle of *Lincoln*, was much ſatisfied and went thither in Perſon, and there held his Court, or Great Council; and to ſhew his Grandeur, wore his Crown at the *Chriſtmaſs* Solemnity, which no King before him durſt undertake to do in that City, being frighted by a certain Superſtitious Propheſie, foretelling death, or ſome great miſfortune to any Prince that ventured it, which the King not valuing at all, is therefore commended by our [5.] Hiſtorians for his Courage. But no ſooner had He departed thence, but the Earl of *Cheſter* came up thither with all his Forces to retake it; but he was repulſed, the chief Commander of his Forces being killed in the very entry of the *North* Gate of the Town, and he himſelf forced to retreat with the loſs of many of his Men, which gave the Citizens great cauſe of rejoycing. Nothing elſe happen'd remarkable, except [1.] that the Empreſs *Mathilda* being extremely mortified with the Deaths of Earl *Milo*, and her Brother *Robert*, and therefore deſpairing of Succeſs, in the beginning of *Lent* returned to the Earl her Husband, being then in *Normandy*, with whom ſhe continued till his Death; nor do we hear any more of her, till her Son Duke *Henry* came to the Crown.

[4.] H. H. R. H. The King goes to *Lincoln*, and there holds his great Council, and wears his Crown, notwithſtanding a certain Prophecy againſt it.

[5.] *Id. Ib.*

[1.] C. G. Col. 1363. The Empreſs *Mathilda* deſpairing of ſucceſs, goes over into *Normandy* to her Husband.

[2.] As for Eccleſiaſtical Affairs, this time of War affords nothing at home; but Pope *Eugenius* coming this year into *France*, and holding a Council at *Rheims*, did there without the conſent of the greater part of his Cardinals ſolemnly deprive *William* Archbiſhop of *York*, of his Archbiſhoprick, becauſe he had been Nominated by the King before he was Canonically *Elected*, and the Chapter of *York* was commanded by the Pope to make a new *Election*, who choſe *Henry Murdac* Abbot of the Monaſtery of *Fountains* to be Archbiſhop: and *William* being a weak and pious Man, was forced to retire to

[2.] *Id. Ib.* Pope *Eugenius* comes into *France*, and there holds a Gen. Council, where *William* A. B. Elect of *York* is deprived, and for what Cauſe.

Henry

Henry Biſhop of *Wincheſter*, and he maintained him until the death of the ſaid Pope. *Anno Dom.* MCXLVIII.

The Earls of *Glouceſter* and *Hereford*, the main Props of the Empreſs's Party, being both lately dead, it is no wonder if the War againſt the King was now carried on more remiſsly; ſo that I do not find any action of moment perform'd this year in *England*, neither did there happen any conſiderable alteration in the Church, [3.] only *Alexander* Biſhop of *Lincoln*, having contracted a Sickneſs by his Journey into *France* to viſit the Pope, deceaſed this year, and was Buried at *Lincoln*; a Prelate more famous in Hiſtory for his great Magnificence in Building, and Policy in Secular Affairs, than for thoſe more neceſſary Qualifications of a Biſhop, *viz.* Piety, Charity, or Learning.

[3.] H. H. *Alexander* Biſhop of *Lincoln* dies.

I cannot here omit [4.] the bad ſucceſs of that vaſt Army above mentioned, that went towards the *Holy Land*, of which great part periſhed by the Treachery of *Emanuel* the *Greek* Emperour, who ordered Chalk to be privately mingled amongſt the Meal that was ordered to make Bread for the Army; and after this, thoſe that remain'd, and arrived in *Syria*, being routed at the Siege of *Damaſcus*, the whole Army dwindled away to nothing, and the Emperour, as alſo the King of *France*, with all the other Princes were forced to return home ingloriouſly.

[4.] *Id. Ib.* The bad ſucceſs of the Army ſent to the *Holy Land*, great part of which periſhed by the Treachery of the *Greek* Emperour.

[5.] Duke *Henry*, Son to the Earl of *Anjou* and the Empreſs, came this year into *England* with a ſmall, but well choſen Army, (being no more than a hundred and forty Horſe, and three thouſand Foot) which excited the courage of many of their Friends; for after the deceaſe of the Earls *Robert* and *Milo*, (and the departure of the Empreſs into *France*) nothing could move the Noblemen againſt King *Stephen*, but the Duke's Preſence, to whom the Crown was of Right thought to appertain; ſo having ſecured *Normandy* by convenient Gariſons on the Frontiers, from the Invaſion of the K. of *France*, he took Shipping, But preſently after his arrival (finding he had not ſtrength ſufficient to make open War againſt the King) he took with him *Ranulph* Earl of *Cheſter*, *Roger* Earl of *Hereford*, Son of the late Earl *Milo*, and ſome others beſides thoſe he brought over with him out of *Normandy*, and went to *David* King of *Scotland*, his Great Uncle, who receiving him at *Caërliſle* with great honour and ſatisfaction, at the Feaſt of *Pentecoſt* enſuing Knighted him, and ſome other young Noblemen of his Retinue; which Solemnity being over, the King his Uncle, and himſelf, reſolved with their Joint Forces to Invade *England*, to prevent which, King *Stephen* marched into the *North* Parts, and came to *York* with a great Army, thereby the better to ſecure the Countrey and City, and there continued all the Month of *Auguſt*, the King of *Scotland* lying then at *Caërliſle*, not daring to Invade the *Engliſh* Territories; and thus after they had layn the whole Summer watching each other's motions, they Both of them return'd home without any Action.

Anno Dom. MCXLIX.

[5.] C. G. *W. Newbrig.* Duke *Henry* returns into *England* with a ſmall, but choice Army.

And goes into *Scotland* to his Uncle K. *David*, by whom he is Knighted.

[1.] In the mean time Earl *Euſtace*, Son to King *Stephen*, (having not long before received the Order of Knighthood) ſhewed his Brave and Warlike temper, by falling upon and ſpoiling the Eſtates of thoſe Noblemen, who took part with the Empreſs, and deſtroying them with Fire and Sword, no Man daring to oppoſe him. But young Prince

[1.] H. H. Earl *Euſtace* falls upon the Eſtates of ſuch Noblemen as took part with the Empreſs.

Anno Dom. MCXLIX.

Anno Dom. MCL.

Prince *Henry* finding no good to be done in *England*, returned before Winter into *Normandy* to his Father, who not long after ſurrendred to him that Dukedom, which he had lately Conquered.

[2.] C. N. The King of *France* being return'd from the *Holy Land* is diſpleaſed that the Earl of *Anjou* ſhould diſpoſe of *Normandy* without his conſent, and therefore joyns with E. *Euſtace*.

Lewis [2.] King of *France* being newly returned from the *Holy Land*, was much diſpleaſed that the Earl of *Anjou*, as Duke of *Normandy*, ſhould preſume to diſpoſe of that Dutchy to his Son without his Conſent; wherefore joining his Forces with thoſe of Earl *Euſtace*, Son to King *Stephen*, he Invaded *Normandy* with a Powerful Army, and Beſieged the Caſtle of *Arques*; to prevent the taking of which, the Earl of *Anjou*, and Duke *Henry* his Son, marched with another great Army of *Anjovins*, *Britains*, and *Normans*, but the Chief Men of both ſides ſeeing this Quarrel could not come to a deciſion without great effuſion of Blood, they perſwaded their Princes to make Peace; whereupon by the Interceſſion of Friends, the King of *France* was prevailed on to receive Homage from *Henry*, as Duke of *Normandy*, and ſo Earl *Euſtace*'s Claim was now laid aſide: But whilſt Duke *Henry* remained there, conſulting with his Great Men, concerning his intended Invaſion of *England*, he received the News of the ſudden Death of his Father, who being lately return'd into his own Country, and there deceaſing, was immediately ſucceeded by the Duke his Son.

A Peace is made between the *French* King and the E. of *Anjou*, and he inveſts his Son *Henry* with the Dutchy of *Normandy*.

He being thus advanced, not long after Married *Eleanor* Counteſs of *Poictou*, and Dutcheſs of *Aquitain*, [3.] late Queen of *France*, from whom King *Lewis* her Husband had been newly Divorced, on ſuſpicion of Adultery with a young *Saracen* in the *Holy Land*; though a more plauſible pretence was found out, *viz.* as being Couſins in the Fourth Degree; yet King *Lewis* dealt ſo honourably with her, as to reſtore her all her own Territories, and gave her leave to return home in ſafety, and alſo provided for the two Daughters he had by her. Nor was the Dutcheſs her ſelf leſs pleaſed at this Divorce, though to the loſs of her Honour, ſhe having had no Affection for the King, who was too much in Years, and too ſtrict for one of her youthful and gay Humour.

Anno Dom. MCLI.

[3.] R.D.HH. C.B. *Eleanor* Dutcheſs of *Aquitain*, &c. is Divorced from the K. of *France*, and for what cauſe.

Not [4.] long after her return home a Match was privately Treated on between her and Duke *Henry*, being then in the Eighteenth Year of his Age, and as much too Young for her, as her former Husband was too Old; who, when he heard how his late Queen had beſtowed her ſelf, was highly diſpleaſed, becauſe he found that thereby accrued ſo great an Acceſſion of Dominions to his Rival Duke *Henry*, and upon this account he ever after both hated and envied him, and did him all the prejudice he could, as you will find in the next Book, when King *Henry* ſucceeded *Stephen* in the Kingdom of *England*: Though indeed King *Lewis* could blame no body but himſelf for it, becauſe he might (if he had ſo pleaſed) have kept the Dutcheſs for his Wife with all her Faults.

[4.] *Id. Ib.* The Dutcheſs not long after her return Marries *Henry* Duke of *Normandy*.

But to be revenged of King *Henry* [5.] and to recover by Force what he had loſt by his own Weakneſs, he again joined his Forces with Earl *Euſtace*; and they with *Robert* Earl of *Perche*, *Henry* Earl of *Champaigne*, and *Geoffrey* Brother to Duke *Henry* (who had now upon Diſcontent joined with them) Invaded *Normandy* with a powerful Army, and Beſieged and took the Caſtle of *New-Market*, having already divided (in imagination) all Duke *Henry*'s Territories amongſt themſelves; but he being then at *Barbfleet*, ſtraight marched againſt

[5.] C. N. The King of *France* being Angry at D. *Henry*, Invades *Normandy*.

against them, and giving them a Diverſion, fell in upon the *Norman Veuxin*, then in the hands of the King of *France*, and there Burnt ſeveral Towns and Caſtles; after which the Duke leaving a ſufficient Guard to ſecure *Normandy*, marched back into *Anjou*, where he Beſieged and ſoon after took the Caſtle of *Mount-ſorrel*, which belonged to his Brother *Geoffrey*, who upon that was forced to make Peace with him on the beſt terms he could. In the mean time, the King of *France* taking this Opportunity of the Duke's abſence, again Invaded *Normandy*, and Burnt ſome Towns there, but not long after, through the Interceſſion of certain Monks, there was a Truce made between the King and the Duke, in order to a Peace.

Anno Dom. MCLII.

A Truce is made between the *French* King and the Duke.

But whilſt he was thus defending his Territories in *France*, [1.] King *Stephen's* thoughts were taken up in ſettling the Crown of *England* in his own Family; for which purpoſe having Summon'd *Theobald* Archbiſhop of *Canterbury*, and all the Biſhops and Chief Men of *England* to a Great Council, he propoſed to them the Coronation of his Son *Euſtace*, and particularly required the Archbiſhop of *Canterbury* (to whom of Antient Right it belonged to Anoint and Conſecrate our Kings) to perform that Office; but he anſwered, *That the Pope by his Letters had forbidden him to Crown or Anoint him, becauſe that he himſelf contrary to his Oath had uſurped the Kingdom*; At which Repulſe all thoſe who favoured the Royal Party were highly incenſed, and thereupon the King and the Prince his Son, ſhut up all the Biſhops with their Primate in one Houſe, that ſo by threats and terrors they might extort from them what they could not obtain either by Money or intreaties; but the Archbiſhop made his eſcape, and got over the *Thames* in a Boat, and ſo fled to *Dover*, and from thence into *Normandy*, and thus the King's Deſign was utterly defeated: But yet to be revenged on him for his Obſtinacy, as alſo for his flight, the King ſeized all his Lands and Poſſeſſions; *Henry Huntington* relates this ſtory much after the ſame manner, tho' ſomewhat ſhorter, omitting the flight of the Archbiſhop in a Boat, which indeed is not very probable; but the Annals of the Abbey of *Waverlie*, as alſo *Matthew Paris*, ſay expreſly, that at this time the Earls and Temporal Barons of *England* ſwore Fealty, and did Homage to Earl *Euſtace*, Son to King *Stephen*; And tho' the former of theſe Authors places this Tranſaction under the year following, yet it is plain that it could be done at no other time than this above mentioned; and if ſo, then all theſe Authors may be in the right as to the matter of Fact, and the Earls and Barons might then ſwear Fealty to him, tho' all the Biſhops refuſed it.

[1.] H. H. C. G. Col. 1371. King *Stephen* endeavours to perſwade the Biſhops and Noblemen to Crown his Son *Euſtace*, but the A. B. of *Canterbury* with the Biſhops refuſe to conſent to it.

The Archbiſhop flies into *Normandy*.

[2.] Not long after this the King marched down, and took the Caſtle of *Newbury*, and from thence went to *Wallingford*, and Beſieged that; but not being able to take it, he raiſed a ſtrong Tower or Caſtle before it, by which means as well as by his other Fort called *Crawmers*, which he had built before, he cut off all Succours from the Beſieged; ſo that at laſt finding themſelves reduced to great want of Proviſions, they ſent word of their Condition into *Normandy* to the Duke, deſiring ſome ſpeedy Relief, or otherwiſe they muſt Surrender the Caſtle to the King.

[2.] *Idem.* Col. 1372. The King takes *Newbury*-Caſtle and Beſieges that of *Wallingford*.

They ſend over to Duke *Henry* for relief.

[3.] Whereupon Duke *Henry*, hearing the ſtrongeſt place he had left in *England* was now ready to fall into the King's hands, made what haſt he could to come over, and Landed here eight days after *Epiphany*, bringing

Anno Dom. MCLIII.

[3.] R. D. C. G. *Ib.*

Anno Dom. MCLIII.

bringing along with him no more than an Hundred and forty Horſe, and three thouſand Foot, and Landed about *Twelfe-tide*; and ſo ſoon as the News of his Arrival was ſpread abroad, all thoſe that had been of his Mother's party came flocking in to him, and now having got together a conſiderable ſtrength, he marched directly to *Malmesbury*, and ſitting down before it, took it, together with the Caſtle; only the main Tower, which proved very ſtrong, was kept by one *Jordan*, and he privately ſlipping out, gave the King notice of it, who thereupon muſtering what Forces he could, marched down towards *Malmesbury*, and came as far as *Cirenceſter* with an intention to relieve it; but Duke *Henry* went out to meet him; and when both Armies were got pretty near each other, the Weather proved ſo very Wet and Tempeſtuous, (and the Wind ſitting full in the King's face) that his Men were neither able to ſtand againſt it, nor to handle their Armes: whereupon the King finding it in vain to reſiſt Providence, returned back to *London*; in the mean time thoſe, who were in the Tower of *Malmesbury*, being diſappointed of the King's Aſſiſtance, Surrender'd it into the Duke's hands; after which *Robert* Earl of *Leiceſter*, took part with the Duke, furniſhing him for ſome time with all Neceſſaries; and afterwards no leſs than thirty ſtrong Caſtles (together with their Maſters) ſubmitted themſelves to Duke *Henry*.

He arrives in *England* with ſmall Forces, yet great numbers flock in to him.

He takes *Malmesbury*, whereupon the King marches with his Army againſt the Duke.

But being hinder'd by bad Weather he is forced to return to *London*.

The Tower of *Malmesbury* with ſeveral ſtrong Caſtles Surrender'd to the Duke.

[4.] H. H. C. G. Col. 1373. Who marches to relieve *Wallingford*-Caſtle, and Block up the Fort of *Crawmers*.

[4.] But ſo ſoon as the Weather would permit, the Duke being reſolved to relieve his Men, (who were ſtill Blockt up in the Caſtle of *Wallingford*) marched thither with all his Forces, and laid Siege to the Caſtle or Fort of *Crawmers* (which King *Stephen* had built) and by caſting up a deep Trench before it, the Duke Beſieged the very Beſiegers; ſo that they could not receive any Succours from the adjacent Countrey; which when the King heard, he made what haſte he could to relieve it, but the Duke's Souldiers had ſurprized it on the ſudden, before he could arrive; and entering the Tower, they flung the King's Men down head-long from the top of it.

Which is afterwards taken.

[5.] *Id. Ib.* The Duke and King's Army lie encamped near each other, but a bad Omen hinders the King from fighting.

[5.] The Duke, having thus fortunately relieved this Caſtle, marched forward to meet King *Stephen*, and the two Armies were now encamped within a quarter of a Mile of each other; but whilſt the King accompanied with all his Earls and Barons was giving Orders for the drawing up of his Army, his Horſe on the ſudden rear'd up an end, and did ſo not only once, but twice or thrice, till at laſt he fell down backward, not without great danger of the King's Perſon: Then *William* Earl of *Arundel*, a Man of powerful Eloquence and Prudence made a Speech to his Majeſty, ſetting forth, "That they "ought to be warned by theſe Ill Omens, not to expect any good "Succeſs, if they now came to a Battel againſt the Juſter Cauſe, and "that there were ſo many Perſons nearly related in Blood, now ſet "againſt each other, that it was impoſſible for them to engage "without a Great and Unnatural effuſion of Blood; therefore he adviſed the King to ſend Meſſengers to the Duke to treat of a Peace. To which Propoſal all thoſe about him began likewiſe to hearken; whereupon it was reſolved by the King and the Chief Men of his Party, that he ſhould have a private Enterview with the Duke about it, and what could not be concluded between them, ſhould be referr'd to the Noblemen on both ſides; which Reſolution being brought to the

A Treaty of Peace is propoſed between them.

the Duke by Meſſengers ſent on purpoſe, tho' he ſeem'd at firſt unwilling to come to any Treaty, yet being at laſt prevailed upon, he had an Enterview with the King near *Wallingford*, where (the River *Thames* being but narrow) they could diſcourſe together from the oppoſite Banks; and after a long and private Conference, they return'd each of them to their Several Camps; then a Ceſſation of Armes being agreed to, both Parties retreated for that time.

Anno Dom. MCLIII.

And at laſt at a private Enterview they agree upon a Ceſſation of Armes.

[1.] Earl *Euſtace* the King's Son was mightily diſturbed at this Treaty, which he knew muſt end ſo much to his prejudice, and Expoſtulated with his Father very ſharply about it, and ſeeing that would do no good, immediately left the Court, and marched into *Cambridgeſhire*, as if he would have laid waſte that Countrey; and being now grown deſperate, reſolved not to ſpare the Sacred Places any more than others; wherefore coming to the Abbey of St. *Edmundsbury*, where he was treated with great Kindneſs and Reſpect but not receiving Money which he demanded for his Souldiers, He ordered them to go out, and ſeize upon their Corn that was then in the Fields; but when he ſate down at Table to Dinner, upon the firſt bit he eat, he fell into a Frenzy, and died preſently after, and was Buried at *Feverſham*, near his Mother. This is the Account that *Gervaſe* of *Canterbury* gives of this Prince's ſudden death, which whither it be true or no in all Circumſtances, as is there related, I very much doubt, ſince the Monks are accuſtomed to make ſuch terrible Judgments of the Deaths of thoſe who did them or theirs any Injury: Nor is this Relation found in any other Author of that time. But this is certain, and very remarkable, that this Prince, and [2.] *Simon* Earl of *Northampton*, a young Nobleman of no extraordinary good Character deceaſed one and the ſame Week; as did alſo about the ſame time *Ranulph* Earl of *Cheſter* in the flower of his age, a young Prince of great Valour, reported to have been Poyſoned by one *William Peverel* his Servant. He had ſince his laſt Impriſonment by the King ſided with the Duke, and was a great Encourager of his late coming over into *England*, yet had done nothing conſiderable for his Service. The ſudden Deaths of theſe three Gallant Men, being the chief Perſons of theſe contending parties, proved a great furtherance to the Peace, which was not long after concluded between the King and the Duke.

Idem. Col. 1374. Earl *Euſtace* marches into *Cambridgeſhire* to make a freſh diſturbance.

And coming to the Abbey of St. *Edmundsbury*, there falls ill, and dies.

[2.] *Id. Ib.* H. H. As do alſo *Simon* Earl of *Northampton*, and *Ranulph* Earl of *Cheſter* ſuppoſed to be Poyſon'd.

But that which before proved the greateſt Affliction to King *Stephen* was [3.] the Deceaſe of Queen *Mathilda* his Wife, a Lady of Incomparable Prudence and Courage, to whoſe Conduct he chiefly owed his Liberty and Reſtitution to the Throne: She dyed in *May*, but a few Months before Earl *Euſtace* her Son.

[3.] C. G. Col. 1372. Queen *Mathilda*'s death.

[4.] The late Truce being now expired, the War broke out again afreſh, and Duke *Henry* marched to Beſiege the Town and Caſtle of *Stamford*, and the former being ſoon taken, thoſe in the latter were ſo much ſtreightned, that they ſent to the King for Succour, who at the ſame time was laying Siege to the Caſtle of *Ipſwich*, which *Hugh Bigot* Earl of *Norfolk* then held out againſt him; but the King being loth to raiſe that Siege, and not able to ſend Relief to thoſe in the Caſtle of *Stamford*, they were forced to Surrender it: And the King in requital took the Caſtle of *Ipſwich*; then the Duke marched to *Nottingham*, and took that Caſtle after ſome few days Siege.

[4.] *Idem.* Col. 1374. The late Truce being expired, the War breaks out afreſh.

Anno Dom. MCLIII.

[5.] *Id. Ib.* Another Treaty ſet on foot by the A.B. of *Cant.*

[1.] H. H. Which is alſo further'd by the Biſhop of *Wincheſter.*

A great Council Summon'd at *Wincheſter*, where a Peace was agreed on, and on what Conditions.

[5.] Whilſt the ſtate of Affairs remain'd thus as it were in an equal Ballance, the King being (as I have ſaid) extremely afflicted for the loſs of his Queen and Son, was now more inclinable to hearken to a new Treaty of Peace, which was ſet on foot by *Theobald* Archbiſhop of *Canterbury*, who laboured all he could to bring the King and Duke to a final Agreement, diſcourſing often with the former alone about it, and ſending frequent Meſſengers to the latter. [1.] Alſo *Henry* Biſhop of *Wincheſter*, who had been before ſo mighty prejudicial to the Nation, in making his Brother King, now moved with Repentance (when he ſaw the Kingdom almoſt ruined) contributed his utmoſt Aſſiſtance in giving the finiſhing-ſtroke to this great work of Peace: whereupon a Common Council was Summon'd by the King and Duke to meet at the City of *Wincheſter*, conſiſting of all the Biſhops and Noblemen of either party, who being there met accordingly, were joyfully received with a ſolemn Proceſſion; and there in the Preſence of a great Multitude of Spectators the King led the Duke by the hand, and at laſt a Peace was there concluded, on theſe Conditions:

Firſt, That King *Stephen* ſhould enjoy the Crown during his Life.

Secondly, That after his Deceaſe Duke *Henry* ſhould ſucceed him as his Lawful Heir. Then the King adopted the Duke for his Son, and he at the ſame time gave him Reverence in the preſence of them all, and acknowledged him as his Father, and Lord: [2.] Whereupon Earl *William* King *Stephen*'s only Legitimate Son then remaining alive, did Homage to the Duke at his Father's Command.

[2.] C. G. Col. 1375.

After all theſe things were ſolemnly performed, and ratified by the mutual Oaths and Conſents of the King and all the Biſhops and Temporal Lords there preſent, a Firm Peace, which had been Baniſhed *England* for many years, was at length happily reſtored.

Then alſo as *Roger Hoveden* relates (for I find it in no other Author) the King appointed the Duke Juſtitiary of all *England* under himſelf; and all the Affairs of the Kingdom were determined by him, ſo that from that time the King and Duke continued unanimous all the reſt of this Reign, but it did not laſt long.

This Agreement above mention'd you will find recited, and confirmed by King *Stephen*'s [3.] Charter or Declaration under his Seal in *Brompton*'s Chronicle, directed to all his faithful Subjects of *England*; only the Order of the Articles or Conditions is ſomewhat inverted from what it is in our Hiſtorian.

This Agreement is extant, being by way of a Charter, and the Contents of it.

[3.] Col. 1037, 1038.

For the King in the firſt place there appoints *Henry* Duke of *Normandy* his Succeſſor, by *Hereditary Right*, and Grants and confirms the Kingdom of *England* to him, and his Heirs: In conſideration of which Honour, it is there recited, that the Duke paid the King Homage, and promiſed upon Oath to be faithful to him, and to preſerve his Perſon, and obſerve all the Agreements contain'd in this Charter.

And

And the King likewiſe Grants, That on his part, he has given the Duke his Oath to preſerve and maintain his Life and Honour againſt all Men in all Points to the Utmoſt of his Power. *Anno Dom.* MCLIII.

Then follows the Recital of the Homage, which Earl *William* the King's Son had already paid to the Duke, in conſideration of which, the Duke Grants, That he ſhould hold of him all the Lands and Honours, which he was then poſſeſs'd of either in *England* or *Normandy*, which not being to our preſent purpoſe, I omit.

[4.] From *Wincheſter* after a few day's ſtay, the King accompanied by the Duke, returned to *London*, where they were alſo received with Solemn Proceſſion, and all other imaginable Demonſtrations of Joy; after which they parted for ſome time, and tho' our Authors give us no Account, whither the Duke then went, yet it is moſt likely it was to keep his *Chriſtmaſs* among thoſe of his own Party.

[4.] C. G. *Ibid.* H. H. The King and Duke came to *London*, where they are joyfully received.

[5.] But theſe Princes ſoon met again at *Oxford* on the Thirteenth of *January*, where all the Chief Men of *England* by the King's Command, did Homage and ſwore Fealty to the Duke, ſaving that Allegiance they owed the King, ſo long as he lived; and it ſeems that the Aſſembly in which this was done, was a Great Council of the Kingdom, for our Author ſtiles it *Conventus Magnificus*; then they parted again for ſome time; but ſhortly after met at *Dunſtable*, where the good Correſpondence between them ſeem'd a little interrupted, becauſe the Duke took it ill, that all thoſe Caſtles which had been built for evil deſigns were not demoliſhed according to the late Agreement; and the King by his ſparing ſome of thoſe that belonged to his own party, had violated the League ſo lately made between them: And the Duke moving him on that Subject, received a Denial, which he much reſented; yet however, becauſe he would not diſoblige his new adopted Father, he reſolved for the preſent to paſs it by, and wait for ſome better opportunity.

Anno Dom. MCLIV.

[5.] *Id. Ib.* The two Princes meet again at *Oxford*, where all the Chief Men ſwear Fealty to the Duke.

They meet again at *Dunſtable*, where there is ſome miſunderſtanding by reaſon that all the Caſtles were not demoliſhed.

[1.] But after ſome time the King and Duke came to *Canterbury*, where they were again received with Solemn Proceſſion; then in *Lent* they had an Enterview with the Earl of *Flanders*, and his Counteſs at *Dover*, after which the King and Duke returned to *Canterbury*, where (as our Author relates) there was a Conſpiracy among certain *Flemmings* to have killed the Duke, but as it was going to be executed, Earl *William* the King's Son, who was privy to it, falling from his Horſe upon *Barham*-Down, broke his Leg, by which happy Accident, the Conſpirators were diſappointed of a Leader, and ſo the Deſign fail'd.

[1.] *Id. Ib.* The King and Duke come to *Canterbury*.

Where there is a Conſpiracy ſet on foot to kill the Duke, but by *Will.* the King's Son's breaking his Leg, it is defeated.

[2.] The Duke thus eſcaping the ſnares of his Enemies, preſently took his final leave of the King, and went over into *Normandy*, where he was received with great Joy and Satisfaction by the Empreſs his Mother, and by *Eleanor* his Dutcheſs, and all his Subjects, he having ſtayed above Twelve Months in *England*.

[2.] *Id. Ib.* The Duke takes his leave of the King, and paſſes into *Normandy*.

After [3.] the Duke's departure, there were ſome who endeavoured to raiſe a freſh miſunderſtanding between the King and him, by falſe rumours and ſuggeſtions; but God prevented their producing

[3.] H. H.

Anno Dom. MCLIV.

The King being better ſetled in his Throne, marches into the *North*, takes and demoliſhes divers Caſtles.

producing any evil effects: for the King being now better ſetled in his Throne than ever before, took divers Caſtles in the *North* that preſumed to hold out againſt him; one of the laſt of which was the ſtrong Caſtle of *Drax* near *York*, which he cauſed to be razed to the ground, as well as many others of the ſame ſort; from thence he was called away again on the ſudden to meet the Earl of *Flanders* being then newly arrived about the end of *October*; of whom when the King had taken his leave, and returned to *Canterbury*, he was quickly after ſeized with his old diſtemper of the Emroids, which came upon him with ſuch violence, that it ſoon put an end to his Life, as well as troubleſome Reign: he deceaſed on the Twenty fifth of *October* in the Monaſtery of *Chriſt*-Church, but was Buried at *Feverſham* by the Queen his Wife in the Abbey-Church of that Monaſtery, which he himſelf had Founded ſome Years before.

He is recalled to meet the Earl of *Flanders*, ſoon after which he falls ſick and dies at *Canterbury*.

A Character of this King.

I need not ſay much more of his Character, than what is already written of him in the beginning of his Reign; he had certainly many Princely Qualities, being Valiant, Affable, and Merciful to his Enemies, as alſo Liberal to thoſe that ſerved him: But to counterballance theſe Virtues, he was Ambitious above meaſure, not valuing the wilful committing of Perjury, and drawing almoſt the whole Kingdom into the ſame ſnare, provided he might gain a Crown; which ſhews he was *no ſlave to his Word or Oath*, and which alſo appears by ſeveral paſſages in his Reign: he was no great valuer of the Priviledges or Grandeur of the Biſhops and Clergy when they ſtood in his way, which procured him a great deal of Trouble and Ill-will, and which had almoſt coſt him his Crown; but notwithſtanding theſe faults, he was an excellent Husband, a good Father, and a true Friend; and had he mounted the Throne by an Undiſputed Title, would have been an excellent Prince, as even his Enemies allow; none Burthening their Subjects with fewer Taxes, nor Governing with greater Mildneſs and Clemency. But to conclude this Reign.

As to Foreign Affairs this Year, the moſt conſiderable was that [4.] *David* King of *Scots* deceaſed on the 24th of *May* at *Carliſle*; he was a Prince of great Piety, Charity, and Valour; inſomuch that *Ailred* Abbot of *Rievalle* in an [5.] Epiſtle to King *Henry* the *Second*, has written a great deal in his Commendation; he was Succeeded by *Malcolm* his Grandſon, then but a Youth of about Twelve Years of Age, being the Eldeſt Son of *Henry*, that Noble and Magnanimous Young Prince, who Died ſome time before his Father.

[4.] *Id. Ib.* C. M.

[5.] Scriptor. X. Col. 347, 348.

In Eccleſiaſtical matters, I find nothing to have happened conſiderable, except [1.] the ſudden Death of *William* Archbiſhop of *York*, who having been *Elected* ſome Years before, and Choſen by the Chapter of that Church, his *Election* was declared void by Pope *Eugenius*, purely becauſe he had been Nominated by the King, as being his near Kinſman: but that Pope Dying, and *Anaſtaſius* the Fourth ſucceeding him (who had always whilſt he was a Cardinal favoured *William*'s Cauſe) as ſoon as he attained the Papal Chair (*Henry Murdak* whom *Eugenius* had made Archbiſhop

[1.] C. G. 1375. B. C. 1040.

Dying

Dying the Year before) the New Pope confirmed the firſt *Election* of *William*; and he being thus reſtored, immediately went over into *England*, and going to *York* was there received with ſo great a concourſe of People, that the Bridge breaking under them, a great many perſons fell into the Water, but none periſhing, it was looked upon as a Miracle, and imputed to this good Biſhop's Prayers. But he did not long enjoy this Dignity, for after he had been at *York* about a Month, and ſaid Maſs there on *Trinity* Sunday, he was ſeized at the end of it with a ſudden and violent Diſtemper, of which he Died in a few Days, and was Buried in that Cathedral; where he was looked upon as a Saint, and his Tomb reſorted to for the Miraculous Cures ſaid to be there done: but *Gervaſe* ſuppoſes him to have been Poyſoned in the Ablution of the Chalice by a Monk or Prieſt of the contrary Faction. *Anno Dom.* MCLIV.

[2.] About *Michaelmaſs* after King *Stephen* called a Great Council of the Chief Men of the Kingdom to meet at *London*, to adviſe about filling the Church of *York* now Vacant, where all the Biſhops being met, as alſo the Abbots and Priors of that Province, they unanimouſly gave their Votes for *Roger* Archdeacon of *Canterbury*, and the King approved of the *Election*; then *Theobald* Archbiſhop of *Canterbury* was prevailed upon to Conſecrate him on the Tenth of *October* at *Weſtminſter*, tho' not as Archbiſhop, but as Legate to the Pope; whereby that old Diſpute between *Canterbury* and *York* about the Oath of Canonical Obedience, was now laid aſide, for I do not find it mentioned any more. [2.] B. C. *Ib.*

King Stephen's *Wife and Iſſue.*

This Prince whilſt Earl of *Mortaigne*, had by the means of his Uncle King *Henry*, Married *Mathilda* Daughter and Heir to *Euſtace* Earl of *Boloigne*, by whom he had Iſſue two Sons; [3.] *Baldwin* his Firſt Son was born in the Reign of King *Henry* the Firſt, and died an Infant: [4.] *Euſtace* his Second Son, having Married *Conſtance* Daughter to *Lewis* the *Groſs*, King of *France*, deceaſed without Iſſue. [3.] *Sandford's* Gen. Hiſt. *P.* 42. [4.] *Id. Ib.*

[5.] *William* his Third Son (who is expreſly mentioned in King *Stephen's* Charter above mention'd, wherein he appoints Duke *Henry* his Succeſſor) was by the King his Father Created Earl of *Surrey*, by the Mariage of [1.] *Iſabel* Daughter and Heir of *W.* Earl of *Warren* and *Surrey*, in whoſe Right he alſo enjoyed both thoſe Earldoms, and after his Father's Deceaſe was alſo Earl of *Boloigne* and *Mortaigne*; he likewiſe died without Iſſue, in his Return from an Expedition from *Tholouſe* with King *Henry* the Second, *Anno Dom.* 1160. as you will find hereafter. [5.] *Vid.* K. *Steph.* Charter above cited. [1.] *Sandf.* Ib.

This King had alſo two Natural Sons, [2.] the firſt of whom was called *William*, and bearing the ſame Name with his Elder Legitimate Brother, is by ſome Writers miſtaken for him; but that they were Two ſeveral Perſons * Mr. *Speed*, appeals to an Original Charter of the Elder *William*, to which this Baſe Brother of the ſame Name was a Witneſs. [2.] *Id. P.* 43. * At the end of this King's Reign.

The other Natural Son called [3.] *Gervaſe*, was born of a *Norman* Gentlewoman named *Dameta*, and being bred a Monk, was by his Father made Abbot of *Weſtminſter*, but he was afterwards deprived in the [3.] *Id. Id.*

Anno Dom. MCLIV.

the Reign of King *Henry* the Second, for prodigally Embezelling the Revenues of that Monaſtery, and ſo he remained in a private Condition ever after.

[4.] *Id. Ib.* This King had [4.] Two Legitimate Daughters, *viz. Maud* the Eldeſt, who Died an Infant; and [5.] *Mary* his younger Daughter, who was

[5.] *Id.* P. 44. brought up a Nun in the Nunnery of *Ramſey* in *Hampſhire*; but upon the Death of her Brother Earl *William* ſhe was clandeſtinely taken from thence, and Married to *Matthew* Earl of *Boloigne* and *Alſace*; but when ſhe had been his Wife Ten Years, ſhe was Divorced from him by a Sentence of the Pope, which forced her to return again to her Monaſtery, tho' ſhe left Two Daughters, who were notwithſtanding both declared Legitimate.

There are no Laws extant of this King's, either becauſe they have been loſt, or that his Reign being very turbulent, and moſt things Tranſacted by the Sword, there was little, or no occaſion for making any New Ones.

Scutages or Subſidies granted to, or taken by this King, I find none; yet it appears from an Antient Manuſcript Copy of *Florence* of *Worceſter*, in the Library of *Corpus Chriſti* Colledge *(Oxon)*, that he took *Dane-gelt* more than once, notwithſtanding his Charter to the contrary; but it could not be paid very often, ſince the Armies of both the Competitors being for the moſt part maintain'd by the Plunder and Spoil of their Adverſaries, or the Contribution of their Friends, the Nation became unable to pay Taxes.

THE General History OF ENGLAND BOTH Ecclesiastical and Civil.

VOL. II. BOOK V.

Containing the Reign of King *Henry* II.

KING *Stephen* Dying thus unexpectedly, *Henry* Duke of *Normandy* (who was in his Dutchy at that time) so soon as he had Notice of his Death, and could settle his Affairs, immediately came away for *England*, [1.] and Landed here on the 7th of *December*, and (as all Authors agree) was here received with Universal Joy by all Orders and Degrees of men, to whom the Prospect of a lasting and settled Peace (a Happiness which *England* had for some little time already tasted) was likely to prove a great Satisfaction; and therefore it is no Marvel, if having lately suffer'd so much for breaking the Course of Succession, which was setled by the Great Council of the Kingdom, no man durst now attempt the like Exorbitance, since he could not expect to find any Favourers or Abettors.

Anno Dom. MCLIV.

Henry Duke of *Normandy*, upon the News of King *Stephen*'s Death, comes for *England*.

[1.] *C. G. M. P.* And is here receiv'd with Universal Joy.

As for King *Stephen*'s only Surviving Legitimate Son *William*, he was but a Youth under Age, and of small Reputation, and less Experience; so that it is not to be thought much if he could scarce find any of the Clergy or Nobility forward to Engage in his Quarrel, and to Violate the late Agreement between his Father and Duke *Henry*; which shews the wonderful Providence of God, that when it pleases him to remove a Crown from one Family to another, it commonly takes off all Obstacles that might any ways hinder that great Design.

King *Stephen*'s only Lawful Son meets with few that would venture to take his part.

[2.] But to return to our History; Duke *Henry* being thus Arrived in *England*, he was not long after solemnly Crown'd King at *Westminster*, together with *Eleanor* his Queen, by *Theobald* Archbishop of

[2.] *C. B.* King *Henry*'s Coronation.

Anno Dom. MCLV.

of *Canterbury*, [3.] on the 19th Day of *December* with Loud Acclamations of all the People; Immediately after his Coronation, he retired to the Abby of *Bermundſey*, where he kept his *Chriſtmaſs*, yet he did not wholly ſpend it in Feaſting and Jollity, but in a ſerious Conſultation with the Chief men of the Kingdom, concerning its ſad and diſtracted condition, and the beſt means how to ſettle a laſting Peace; which they told him could not be done by a wiſer method than by expelling all Strangers out of *England*, and by putting the laſt hand to the deſtruction of thoſe Caſtles which had been Erected here during the Reign of his Predeceſſor; though moſt of them had been already demoliſhed.

(3.) *C. G.* He conſults with the Chief men of the Kingdom about the State and Welfare of it.

Now as for Foreigners, we need not think it ſtrange, if the Kingdom ſwarm'd with them; for the Reader may remember, That in the Reign of the Late King, many Strangers, and eſpecially *Flemmings* (whom he chiefly favour'd) were encouraged to come over hither, to ſerve as Mercenary Soldiers; but at their firſt Arrival, the principal thing they aimed at was ſpoil and plunder; yet being afterwards married, and ſetled here, and ſeveral of them having Lands given them by the King's Bounty, they were loath to leave their preſent Enjoyments; (4.) However theſe being looked upon as too dangerous Inmates for the Peoples quiet, they were all order'd by the King's Expreſs Command to leave the Nation at a day prefixt; which ſince they knew not how to avoid, they were forced to comply with, and accordingly went over in a Body under the Conduct of *William d' Ipre* as their Leader.

(4.) *Id. Col.* 1377. And by their Advice orders the Strangers, eſpecially the *Flemmings*, by a Day to leave the Nation.

This being perform'd; The next great Work was, according to the foregoing Advice of his Great men, to raze moſt of thoſe Caſtles which had been Erected ſince the Deceaſe of his Grandfather King *Henry*, excepting ſome few of the Principal, which were preſerved for the Strength and Defence of the Kingdom.

He demoliſhes the late Erected Caſtles.

(5.) *C. B. Col.* 1046. Recals the Crown-Rents and Lands.

(5.) Then King *Henry* finding the chief of the Lands and Revenues belonging to the Crown granted away, and (thro' the late King's eaſineſs or neceſſity to ſecure the Great men on his ſide,) divided amongſt them, He recalled all thoſe Grants, and commanded the Lands immediately to be reſtor'd to the Crown; and when ſome offer'd to produce King *Stephen*'s Charters for them; King *Henry*'s Anſwer was, *That the Grants of an Uſurper ought not to prejudice a Rightful Prince*; ſo that tho' theſe Noblemen were at firſt very loath and unwilling to reſign them; yet being afraid of the new King's Power, they were forced at laſt to ſurrender them.

(1.) *Id. ib.* * The *Northern* Nobility forced to ſubmit to the King's pleaſure in it, tho' very unwillingly.

Indeed almoſt all the *South* complied betimes; but the (1.) * *North* ſeemed more reſolute, and for a while ſtood it out with him, until the King going down into thoſe parts, cited *William* Earl of *Albemarle*, and other Noblemen to appear before him, who not without Delays and great Reluctance, were at laſt made to ſubmit to the King's good pleaſure, and to ſurrender all thoſe Lands and Demeſnes they had ſo long wrongfully poſſeſt: Among the reſt was that ſtrong Caſtle of *Scarborough*, which that Earl (laſt mentioned) had cauſed to be built on the top of a Rock, commanding the Sea with the Adjacent Country.

The K. goes to the *South* of *England*.

All things being thus peaceably ſetled in the *North* of *England*, the King return'd back into the *South*, where he alſo reſolved to take into

into his hands the reſt of thoſe Caſtles, which ſome of the Nobility ſtill retain'd in their poſſeſſion, (who had been hitherto too powerful to be queſtioned), [2.] that ſo he might by this ſure means cut up the very Roots of all future Rebellions: To which end, not long after, he ſummoned a *Common-Council* of the Chief Men of the whole Kingdom, where he demanded of ſome of them, By what Right they held thoſe Caſtles which appertain'd to the Crown? Then *Roger* Earl of *Hereford*, Son to the late Earl *Milo*, being much ſtartled at theſe proceedings, fled privately from Court, and ſtrongly fortified his Caſtles of *Gloceſter*, and *Hereford*, and at firſt ſeemed reſolved to venture the worſt Conſequences of his Rebellion, rather than part with thoſe places: But at length by the perſuaſions of *Gilbert Foliot*, his Kinſman, (then Biſhop of *Hereford*) he reſign'd them into the King's hands, and thereupon was reſtored to his Favour.

Anno Dom. MCLV.

[2] *C. G. Col.* 1377. A Common-Council of the Chief Men of the Kingdom ſummoned. *Roger*, Earl of *Hereford*, fortifies his Caſtles againſt the King. But at laſt reſigns them, and is reſtored to Favour.

[3.] But *Hugh de Mortimer*, a Potent Baron, who had before incited Earl *Roger* to rebel, tho he found he was forſaken by him, yet ſtill preſumed to hold out his ſtrong Caſtles of *Coleburgh*, *Wigmore*, and *Bridg-north*, againſt the King's Forces: But He dividing them into Three Bodies, ſent them all at once to aſſault thoſe places, which being vigorouſly attack'd, were quickly yielded up, and Earl *Hugh* was forced to deliver up the Caſtle of *Bridg-north* himſelf, (tho he there commanded in Perſon) and moſt humbly to implore the King's mercy, who accordingly pardoned him; it not being thought adviſable to uſe greater Severities, whilſt the Government was as yet but in its Infancy, and unſettled. Nor did the King ſtop here, [4.] but (contrary to his own Charter and Agreement with King *Stephen*) he deſpoiled his Son *William* Earl of *Mortaign* and *Warren*, of the Caſtle of *Norwich*, and all the Crown-Lands his Father had given him, except only ſuch as King *Stephen* had enjoyed by the Gift of King *Henry* his Uncle.

[3.] *Id. Ib.* *Hugh Mortimer* ſtands out againſt the King. But being vigorouſly attacked by his Forces, his Caſtles were ſoon took, and he himſelf forced to ſurrender *Bridg-north*. Upon which the King pardons him.

[4] *G. N.* He takes away *Norwich* Caſtle, and all the Crown-Lands from *William*, which his Father K. *Stephen* had given him.

[5.] After *Eaſter* a General Council or Parliament was held at *Wallingford*, wherein the King cauſed the whole Kingdom to ſwear Fealty to himſelf, and his Eldeſt Son *William* an Infant, and if he died without Iſſue, then to his Second Son *Henry*, who was born in the beginning of *March* before; but *William* not long after deceaſed.

[5] *G. G. Col.* 1378. A Parliament held at *Wallingford*. Wherein Fealty was ſworn to the King and his Sons. But adjourned to *London*, and and the Laws of St. *Edward* confirmed, *&c.*

Alſo in this very Council (being I ſuppoſe for ſome Reaſons adjourned to *London*) were confirmed the Laws of St. *Edward*, and the Ancient Cuſtoms of the Kingdom; and in which alſo (in imitation of his Grandfather King *Henry* I.) he granted that * Charter of Liberties inſerted in the [1.] Second Volume of * Sir *Henry Spelman*'s Councils, that I ſhall here tranſlate from the *Latin*, which I have placed in the * *Appendix*.

[1] *P.* 51. *N.* 3. The Charter of Liberties in the 2d Vol. of Sir *H. Spelman*'s Councils, here tranſlated.

'*Henry*, by the Grace of God King of *England*, Duke of *Normandy* 'and *Aquitain*, Earl of *Anjou*, To all his Barons and faithful Subjects, '*French* and *Engliſh*, Greeting: Know ye, That for the Honour of 'God and Holy Church, and for the common Emendation of my King'dom, I have granted and reſtored, and do by theſe preſents confirm 'to God and Holy Church, and to all Earls and Barons, and all my '* Tenants, all Cuſtoms which King *Henry* my Grandfather gave and 'granted to them: Likewiſe all thoſe evil Cuſtoms which he abrogated 'and remitted, I do alſo abrogate and remit, for me and my Heirs: 'Wherefore I will and firmly Command, That Holy Church and all 'my * Tenants may have and hold thoſe Donations, Liberties, and

* *Hominibus meis.*

* *Hominis mei.*

Anno Dom. MCLV.

'Cuſtoms, freely, quietly, and fully in all points, as King *Henry* my 'Grandfather gave and granted to them, and confirmed by his Charter: 'Teſte Richardo de Luci.

William of *Newburgh*'s Account of the beginning of this King's Reign.

To this Charter, and to King *Henry*'s other Legal Proceedings, I ſuppoſe *William* of *Newburgh* refers, when he tells us in the very beginning of this King's Reign, That King *Henry* revived the Vigor of the Laws that ſeemed in King *Stephen*'s time to have been laid aſleep; and having ordain'd careful Miniſters of Juſtice in all the Borders of his Kingdom, who might either reſtrain the Boldneſs of Evil men, or do Right to thoſe that appeal'd to them, whilſt the King himſelf purſued his Pleaſures, or elſe was employed in the more weighty Affairs of State: And whenever he was informed that his Judges had acted leſs carefully or juſtly than their Duty required, he quickly remedied it by a due Correction of their Failings: Theſe hopeful beginnings of ſo Young a King were as grateful to the quiet and peaceable, as they were unpleaſant to thoſe that were wicked and injurious; who were now forced either to leave the Country, or at leaſt to ſeem honeſt, whatſoever they were in their hearts: whereby all men quietly enjoyed the Fruits of a long deſired Peace.

The King corrects the Judges for Failure in their Duties.

I will here, tho contrary to my uſual Method, ſet down a Foreign Eccleſiaſtical Affair, ſince it is not only very remarkable, but alſo ſerves to illuſtrate the following Tranſactions of this Year.

Nicholas Break-ſpear elected Pope, who took the Name of *Adrian* the *Fourth*

His Birth and Character.

Pope *Anaſtaſius* lately deceaſing, *Nicholas Break-ſpear* an *Engliſhman*, Biſhop of *Alba*, was elected in his ſtead, a little before the King came to the Crown, who took the name of *Adrian* the Fourth: He is ſaid to have been the Son of a *Villain* or *Bondman*, belonging to the Abby of St. *Albans*, and tho put to School there, yet by reaſon of his ſervile Birth was refuſed to be made a Monk of that Abby, as he himſelf and his Father deſired; upon which diſappointment he found means to go beyond the Seas, where he ſo improved in Piety and Learning, that he was not only by his Predeceſſor Pope ordained Biſhop of *Alba*, but was alſo ſent *Legate* into *Germany*, to convert the Country about the City of *Worms* to the *Chriſtian Faith*; in which Office he ſo well acquitted himſelf, that he was upon his return, made a Cardinal, and proved ſo Active and Stout a Pope, that he not only put the City of *Rome* under an Interdict, becauſe one of his Cardinals had been there wounded in a Tumult, but durſt alſo Excommunicate *William* King of *Sicily*, and made him yield to his own Terms: Yet this Pope held the Chair but four Years, and ſome odd days, and then deceaſed.

Is ordained by Pope *Anaſtaſius* Biſhop of *Alba*, and ſent Legate to *Germany*.

He puts the City of *Rome* under an Interdict, and alſo excommunicates the King of *Sicily*.

The Pope dies after four Years Reign.

[2.] About *Michaelmas* the King held a great Council at *Wincheſter*, wherein he treated with his Great Men about conquering the Kingdom of *Ireland*, and beſtowing it upon his Son *William*; which Deſign, becauſe it did not pleaſe his Mother the Empreſs, (who thought it too hazardous) was then laid aſide, but reſumed divers Years after; as you will find in due time.

[2.] G. N.

The King reſolves to ſubdue *Ireland*; but the Empreſs not approving of it, the Deſign is laid aſide.

Yet it ſeems this Project then advanced ſo far, that the King (againſt a fitting opportunity, ſhould it offer it ſelf) about [3.] this time ſent *John* of *Salisbury* (afterwards Biſhop of *Chartres*) and other Ambaſſadors to *Rome* to Pope *Adrian*, with Compliments and Congratulations, from whom they obtained a Bull, that by his Authority and Aſſent the King might reduce *Ireland* to his Obedience, for the Increaſe of the *Chriſtian Religion*, the correcting of their evil Manners, and the Propagation of Virtue among the People of that Iſland.

[3.] *Gir. Cambrenſ.* L. 2. C. 1.

Yet the King obtains a Bull from the Pope to reduce that Iſland to his Obedience.

By

By which ſpecious Pretences the Pope now claims a Temporal Power not only over *Ireland*, but all other Iſlands which have received the *Chriſtian Religion*, as of Right belonging to St. *Peter* and the *Roman* Church: Therefore he there farther commands all the People of that Iſland to receive the King honourably, and reſpect him as their Sovereign Lord, upon condition that he pay that Saint and his Succeſſors an Annual Tribute of one Penny out of each Houſe.

This Bull was not long after carried over into *Ireland*, and there publickly read in a General Synod at *Waterford*, by the ſaid *John* of *Sarisbury*, by whom alſo the Pope ſent the King a Gold Ring in token of his Inveſtiture.

I have given a more particular account of this Bull (which you may find at large in the above-cited [4.] *Giraldus Cambrenſis*, and * *Radulph de Diceto, Imagin. Hiſt.*) that you may from hence obſerve the Pope's Claim is not only to *Ireland*, but alſo to *England* and all other Iſlands, whenever he pleaſes to conceive that Religion and Good Manners are not there taught ſo well as they ought to be.

I can find nothing elſe to have happen'd this Year worth noting, [5.] but that the King, by the Advice of *Theobald* Archbiſhop of *Canterbury*, made *Thomas Becket* (then only Archdeacon of that Dioceſs) his Chancellor, which I thought fit to mention, becauſe he will ſome years hence make a great Figure in our Hiſtory. *Roger Hoveden* places this Advancement under the Year 1157. but it is a Miſtake; for (as *Mat. Paris* alſo rightly obſerves) *Thomas* was made Chancellor in the firſt Year of King *Henry*'s Reign.

[1.] King *Henry* having now ſettled all Affairs in *England* to his ſatisfaction, thought fit to leave it for a time; and a little before *Candlemaſs* paſſed over into *Normandy*, where after a Week's ſtay at *Roüen*, he had an Interview with *Lewis* King of *France*, and did him Homage for the Dutchy of *Normandy*, as alſo for *Aquitain*, *Anjou*, and *Tourain*, with their Appurtenances.

[2.] Then the King returned to *Roüen*, where *Theodoric* Earl of *Flanders*, and the Counteſs his Wife, the King's Aunt, came to make him a Viſit, as did alſo *Geoffry* the King's Brother, tho he ſtaid not long with him, becauſe he would not accept the Terms the King offered him for his Appenage; therefore he went into *Anjou*, which he would fain have kept as his own, but the King would not ſuffer it.

Who quickly after returned into *England*, yet ſtaid not long, [3.] but paſſing over again into *France*, made War upon his Brother *Geoffry*: The occaſion of which was this; *Geoffry* Earl of *Anjou* their Father, on his Death-bed left his Earldom of *Anjou* to his Eldeſt Son *Henry*, until he ſhould obtain the Crown of *England*, and then he was to deliver it up to his Brother *Geoffry*; and for a further Confirmation thereof, the late Earl made all his Great Men there preſent, to ſwear never to ſuffer his Body to be buried, until his Son Duke *Henry* had taken an Oath to perform his Laſt Will. This Oath Duke *Henry* took out of Reverence to his Father's dying Requeſt; yet as he took it unwillingly, ſo he quickly broke it; for as ſoon as he arrived in *France*, he ſent to Pope *Adrian* for a Diſpenſation of his Oath, which was preſently granted, being the firſt King of *England* who ever made uſe of ſuch a mean Evaſion. This Diſpenſation being once granted, he ſoon entred *Anjou* with an Army; and his Brother *Geoffry* not being able to make any great

Anno Dom. MCLV.

[4.] *Id. ib. Sub An.* 1154.

[5.] *C. G. Col.* 177. *Thomas Becket* is made the King's Chancellor.

[1.] *R. H. C. N.* The King goes into *Normandy* and does Homage to King *Lewis* for all his Dominions in *France*.

[2.] *C. N.* The Earl of *Flanders* and his Counteſs viſit the King, as alſo *Geoffry* his Brother, who leaves him in diſcontent.

Anno Dom. MCLVI.

[3.] *Id. Ib. C. B.* The King goes again over into *France* to make War upon his Brother *Geoffry*; and the occaſion of it. King *Henry* ſwears to perform his Father's Laſt Will, but ſoon after breaks his Oath. Pope *Adrian* giving him a Diſpenſation for ſo doing. The firſt King here that ever accepted one. Then enters *Anjou* with an Army.

Anno Dom. MCLVI.

Takes away that Earldom from his Brother *Geoffrey*, and ſeveral other Towns and Caſtles.

great Head againſt him, becauſe he wanted thoſe Forces which the King of *France* had promiſed him; he not only took from him the Earldom of *Anjou*, but alſo (through the good Conduct of *Thomas* his Chancellor,) the Towns and Caſtles of *Chinon*, *Mirabel*, and *Loſdun* alſo, which his Father had beſtowed upon him for his maintenance; (4.) ſo that being thus ouſted of all, he was forced to accept of a Penſion of a Thouſand pounds *Engliſh*; and Two thouſand pounds more of *Anjovin* Money from the King his Brother, which was indeed a great Sum in thoſe times.

(4) *M. P.* Who accepts of a Penſion from him. *Note*, One Penny of *Anjovin* Money was but a Fourth part of the value of a Penny *Engliſh*; for *Hoveden* in *R.* 1. *p.* 384. *b.* ſays, One penny *Engliſh* was to go in all Markets for four *Anjovin* pence. Princes ſeldom obſerve Oaths that are contrary to their Intereſts, *&c.*

Moſt of our Hiſtorians place this Quarrel between the King and his Brother Two years after; but I have rather choſen to follow *Gervaſe* of *Canterbury*, who, I think more truly places this War under this year; but let it have happened when it would, it affords us this Obſervation, that Princes ſeldom obſerve Oaths, when they are directly contrary to their Intereſts, much leſs when they are extorted from them by force, and againſt all Right, as this was; for it muſt be confeſſed to be a very unjuſt action in his Father, to diſinherit his Eldeſt Son of his Birth-right, only becauſe he was to have greater Dominions fall to him another way.

The King having ſtayed moſt part of this Year in *France*, and ſetled all things there to his mind, return'd again into *England*, where he ſpent the reſt of it.

The King returns to *Engl.* *Anno Dom.* MCLVII.

In the Summer following, the King having been provoked to it by the frequent Incurſions of the *Welſhmen*, (5.) was reſolved to do what he could to ſubdue *North-Wales*; and he was likewiſe prompted thereto by *Cadwallader*, Brother to *Owen* Prince of *Wales*, who had at that time baniſhed him his Country. Therefore the King having raiſed a Potent Army marched down to *Weſt-cheſter*, and Encamped near it; which when Prince *Owen* heard, he alſo got together what Forces he could, and with them went to the utmoſt Borders of his Dominions, Encamping at a place called *Dinas Baſing*, in *Engliſh*, *Baſingweark*, or Caſtle: The King thereupon chuſing the Flower of his Army, draws them out againſt the *Welſh* Prince; but as they were paſſing a Wood, (called *Coed Eulo*,) *David* and *Conan* Sons to the Prince, leading a ſtrong Body of men, fell upon the King's Forces by Surprize; who being ſtruck with the ſuddenneſs of the Aſſault, and penned up together in a narrow Streight, the *Engliſh* were put to Flight, and a great Number of them killed; And amongſt the reſt, fell *Euſtace Fitz-John*, and *Robert Curcie*, Two Barons of great Note: and though the King had eſcaped the danger, yet upon a Rumour which ran through the Army that he was Slain, it made (1.) a great Lord, *Henry de Eſſex*, who was the King's Standard Bearer by Inheritance, to fling down the Standard, and betake himſelf to Flight, which put the Army into great Confuſion; but upon the King's appearing again, it received freſh Vigour, rallied, and made a ſafe Retreat.

(5.) *W. N. M. P.* Reſolves to ſubdue *North-Wales*, for their frequent Incurſions upon him. Marches down to *Weſt cheſter* with a great Army. *Owen* with his Forces goes out to meet him. And his Two Sons ſurprizing them, killed a great Number of the *Engliſh*, and put the reſt to Flight.

Then the King being much concerned at this Defeat, removed his Camp to the Sea-ſide, intending there to give *Owen* the go by, and paſs into his Country; but the *Welſh* Prince foreſeeing this, preſently drew back to a place called *Cil Owen*, (that is in *Welſh*, the Retreat of *Owen*;) Upon which the King came back to *Ruthlan* Caſtle.

(1.) *G. B.* But upon the King's appearance they rallied, and made a ſafe Retreat.

(2.) After this there happened nothing conſiderable between the Two Armies, only *Madoc ap Meredyth*, Prince of *Powiſland*, being then

(2) Vid. Dr. *Pt.* *Chron.*

on

on the King's ſide, and Commanding a ſmall Fleet of Ships, endeavoured to Land in the Iſle of *Angleſey*; but he having ſpoiled a Church, the Iſlanders got together, ſet upon them, and ſlew all thoſe that had been ſo adventurous as to Land; but in the mean time there was a Treaty of Peace concluded between the King and Prince *Owen*, upon condition, that he ſhould pay his accuſtomed Tribute, and reſtore his Brother his Lands again; ſo the King having new-built and fortified the Caſtles of *Ruthlan* and *Baſingweark*, (where he alſo Founded a Houſe for the *Knights Templars*, to ſerve as a further Bridle upon the *Welſh*) return'd into *England* with Honour.

(3.) But ſome time after the King's return, *Henry de Eſſex* was accuſed by *Robert de Montfort*, (a Baron of great Reputation) of Treaſon, for ſo cowardly flinging away the Standard in the late Fight with the *Welſh*: Which coming to be tried by Single Combat between them, *Henry* was vanquiſhed, for which he ought by Law to have loſt his Life; but the King ſpared that, (ſeeing Courage is not always in a Man's own power) and contented himſelf with ſeizing on his vaſt Eſtate, which was thereby forfeited; and as for the man himſelf, (being now looked upon as good for nothing,) the King cauſed him to be ſhorn a Monk in the Abby of *Reading*.

(4.) This Year alſo (but whither before or after his Expedition againſt the *Welſh*, is uncertain) the King demanded the Counties of *Northumberland*, and *Cumberland* of *Malcolm* King of *Scots*, which had been ſeized by *David* his Grandfather, and alſo made over to him by the Empreſs *Mathylda*, his Neice, and confirmed by this King's own Oath, before he came to the Crown: But being now not willing to ſtand to that Agreement, he demanded them again, affirming, he could not afford to part with ſo large a ſhare of his Dominions; whereupon (5.) *Malcolm*, perceiving King *Henry* was not to be contended with in this point, was fain to ſurrender thoſe Counties into his hands, together with the Towns of *Carliſle*, *Newcaſtle* upon *Tyne*, and the ſtrong Caſtle of *Banborough*; but he permitted King *Malcolm* ſtill to retain the Earldom of *Huntington* as his Ancient Right; which, lying almoſt in the midſt of *England*, the King of *Scots* could draw no other advantage from it, than what its bare Revenues afforded.

I know divers of our Hiſtorians place this Tranſaction in the Firſt Year of this King's Reign; but I rather chuſe to follow *Roger Hoveden*, and the Chronicle of *Mailroſ*, who both agree, that *Malcolm* came this Year to the King of *England*, at *Cheſter*, and there did * *him Homage* after the ſame manner as his Grandfather had done before to King *Henry* the Firſt, with a Salvo *to all his Royal Dignities*; by which Clauſe it ſeems as if the Homage were not for the whole Kingdom of *Scotland*, but only for *Lothian*, and thoſe other Lands which were anciently held of the Kings of *England*.

(1.) This Year alſo *Richard*, the King's Second Son, was Born at his Palace at *Oxford*, then called *Beaumont*, who, after the Death of his Elder Brother *Henry*, ſucceeded his Father in the Throne.

The Beginning of this Year the (2.) King ſpent in a Progreſs through *England*, and coming to *Lincoln*, he cauſed himſelf to be again Crown'd in a Subburb (called *Wickford*,) without the Walls, being hindered by ſome Superſtitious Propheſies from wearing the Crown in the

Anno Dom. MCLVII.

Treaty of Peace concluded between the King and Prince *Owen*. The King returns to *England* with Honour.

(3.) *R. D. C. B.* *Henry de Eſſex*, the King's Standard-Bearer, charged with Treaſon by *Robert de Montford*, and is ſhorn a Monk.

(4.) *R. H.* The King demands *Northumberland*, and *Cumberland*, of *Malcolm* King of *Scots*.

(5.) *R. D. ib.* Which were ſurrendred to him, together with *Carliſle*, and *Newcaſtle* upon *Tyne*, and *Banborough* Caſtle. But *Malcolm* ſtill retains the Earldom of *Huntington*.

* *Devenit homo ſuus.* *Malcolm* comes to the King at *Cheſter*, and there pays him Homage, with a Salvo to all his Royal Dignities.

(1.) *R. D. C. B.* *Richard*, Son of K *Henry* born. *Oxford*, then called *Beaumont*.

Anno Dom. MCLVIII.

(2.) *Id. W. N.* A Royal Progreſs through *England*. King *Henry* Crowned again in a Subburb without the Walls of *Lincoln*.

Anno Dom. MCLVIII

the City it ſelf, which tho' they had been deſpiſed by King *Stephen*, (as you may obſerve in his Life) yet (it ſeems) the preſent King could not rid himſelf out of thoſe vain Apprehenſions.

(3) *G. B.* The City of *Nants* chuſe *Geoffry* the King's Brother their Lord, but he died ſoon after. Then Earl *Conan* ſeized it. But King *Henry* claims it as Heir to his Brother, and ſeizes on *Conan*'s Earldom of *Richmond*.

After wards the King's Affairs called him again beyond the Seas; for (3.) *Geoffry* his Brother having been about Three years before choſen by the Citizens of *Nants* for their Lord, in the Room of *Hoel* Earl of *Bretaigne*, whom they had expelled; he had poſſeſſed himſelf of that City, together with the Country about it; but dying the ſame Year, lived not long to enjoy it. After his Death, *Conan* Earl of *Richmond* ſeized upon it, as next Heir-Male to the former Earl *Hoel*, who died without Iſſue. But the King hearing his Brother was dead, went over into *France*, and claimed *Nants* as Heir to his Brother; and to be even with Earl *Conan*, he gave Command that his Earldom of *Richmond* ſhould be ſeized into his own hands.

(4) *Id ib.* King *Henry* goes to *Paris*. Treaty of Marriage concluded between the King's Eldeſt Son *Henry*, and the King of *France*'s Daughter *Margaret*.

After this, (4.) *Henry* took a Journey to *Paris*, where being Royally received by King *Lewis*, there was a Treaty of Marriage begun and concluded between the King's Eldeſt Son *Henry*, and the *French* King's Daughter *Margaret*, at that time both Infants; and for the greater ſecurity of this Marriage, the Young Princeſs was preſently delivered into King *Henry*'s hands, and he committed her to the Cuſtody of one of his Barons; and at the ſame time by the means of *Thomas Becket*, the King's Chancellor, he obtained of King *Lewis* (who was a man of a ſoft and eaſy Temper,) a Power or Commiſſion for King *Henry* to enter *Bretaign* as his Lieutenant, and there either by fair means or foul to bring the *Bretaigns*, (who were then engaged in a Civil War among themſelves) under his Obedience; which the King performed, and thereby reduced the City of *Nants* with its Territories under his Dominion, to which he pretended a Right as Heir to his Brother, as before was ſaid; but I ſuppoſe this City and Territory was ſome time after reſtored to Earl *Conan*, upon his Agreement with the King.

King *Henry* as the King of *France*'s Lieutenant, reduces *Bretaign*, and gets *Nants* under his Dominion. But reſtored to *Conan* upon an Agreement.

(5.) *Id ib.* King of *France* makes a Pilgrimage, and is nobly treated by King *Henry*.

(5.) After his Return from this Expedition, the King of *France*, making a Pilgrimage to St. *Michael*'s Mount in *Normandy*, was nobly received, and attended by King *Henry* during the Progreſs, who treated him as he came back in all the chief Cities of that Dutchy, with the like Ceremonies and Magnificence as had been obſerved to himſelf at *Paris*: Upon which King *Lewis* went home with great Satisfaction, and immediately after King *Henry* return'd into *England*; (1.) where he had not been long before he took a Journey into the *North*, to meet *Malcolm* King of *Scots* at *Carliſle*, (tho' our Authors tell us not for what) but they parted upon no very good Terms, and that was the reaſon why the *Scotiſh* King did not then receive the Order of Knighthood at his hands.

King *Henry*'s return into *England*,

(1) *R. H. G. M.* And Journey to the *North*, where *Malcolm* King of *Scots* meets him, but they part on ill Terms.

We have nothing further to remark under this Year, (2.) but that tho' there had been ſevere Juſtice lately Executed upon the Coiners of falſe-money, yet notwithſtanding they had ſo far Adulterated the Current Coin of the Nation, that it was all forced to be called in, and New Coined, which for ſome time proved a great loſs and inconvenience not only to the poor, but alſo to all Labourers and Farmers. This I take notice of, to ſhew, that this (though it has happen'd in our Times, yet) is no new Grievance, but what has been ſeen in the Reigns of one of the greateſt Princes that ever *England* had.

(2.) *R. H.* The Money new Coined.

This

Anno Dom. MCLIX.

[3.] This Year K. *Henry* with his Queen *Eleanor*, kept their *Chriſtmas* at *Falaiſe*, and then paſſing over into *England*, they took a Progreſs as far as the City of *Worceſter*, where he cauſed both Himſelf and Her to be ſolemnly Crown'd upon *Eaſter-Sunday*; and coming to the Oblation, they there offer'd up their Crowns at the High Altar, publickly vowing never to wear them any more ſo long as they lived; which I ſuppoſe they ſtrictly obſerved: Nor do [4.] I find many of our Kings after him to have worn their Crowns at the great Feſtivals, as they uſed to do before.

[3.] *G. N. R. H.* The King and Queen crowned at *Worceſter*. And at the High Altar offered up their Crowns, ſwearing never to wear them more.

Not long after this the King reſolved upon another Expedition into *France*; and to that end raiſed a great Army by a new and eaſy method: For his deſign being to march as far as the City of *Tholouſe*, to ſubdue it with its Territories, he at firſt ſummoned the Forces of all *England*, *Normandy*, *Aquitain*, and the other Countries ſubject to him; but yet he carried with him in this Expedition no * *Agrarian* Soldiers (the ſame with our Train'd Bands now-a-days), nor yet any Burghers or Ruſticks, but made every Knight's Fee in *Normandy* to pay Sixty *Anjovin* Shillings; and in *England* and all his other Territories what he thought fit.

[4] *G. N. Ib.* K. *Henry* reſolves upon another Expedition to *France*, to ſubdue the City and Earldom of *Tholouſe*.

* *Milites Agrarios.*

But [5.] *Gervaſe* of *Canterbury* gives us a more exact Account of what was paid in *England*, than the former Author, who was a Foreigner, could; for he ſays, The Scutage that was raiſed here for this Expedition, amounted to no leſs than One hundred twenty four thouſand Marks, and from his other Dominions ſuch a Sum as had never been heard of before; with all which he hired a vaſt Army of Mercenaries; ſo that none but his chief Barons, and ſome other principal Knights accompanied him.

He takes a great Scutage of every *Knight's* Fee in *England*, and all his other Territories, and therewith hires an Army of Mercenaries.

[5.] *Col.* 1381.

King *Malcolm* alſo, then coming to King *Henry* upon his Summons, was forced to go along with him in this Expedition: Which was politickly enough done, for by this means he not only ſecured the Kingdom from any Invaſion during his Abſence, but alſo thereby created a Miſunderſtanding betwixt that Prince and the *French* King.

[1.] So ſoon as King *Henry* arrived in *France*, he openly laid Claim to the Earldom of *Tholouſe*, in Right of the Queen his Wife; and her Title ſtood thus: Her Grandfather, *William* Earl of *Poictou*, and Duke of *Aquitain*, going to the *Holy Land*, had mortgaged that City and Earldom for a great Sum of Money to his Brother *Raymond*, Earl of St. *Giles*, which Money he never paid, but left the Debt upon his Son Duke *William*, the Father of Queen *Eleanor*; and upon Non payment thereof, *Alphonſus* the Son of *Raymond*, and after him *Raymond* Son to *Alphonſus*, held and enjoyed the City and Earldom: But the King of *France*, upon his marrying of *Eleanor*, Daughter and Heir of the deceaſed Duke *William*, claimed and was going to poſſeſs himſelf both of that City and Territory; when at laſt the King and Earl *Raymond* came to this Compoſition, That upon the tender of ſuch a Sum of Money, the Earl ſhould marry the King of *France*'s Siſter *Conſtance*, Widow to Earl *Euſtace*, Son to King *Stephen*, and thereupon ſhould be permitted quietly to enjoy the Earldom: But King *Henry* marrying this Dutcheſs after ſhe was lawfully divorced (as hath been already related) he had then the ſame Title as the King of *France* her former Husband had to this City and Earldom.

[1.] *C. N.* The Queen's Title to the Earldom of *Tholouſe*.

Anno Dom. MCLIX.

[2.] *R. H. ib. G. N.* The King of *France* putting himſelf into the City, ſecures it from being beſieg'd. *Cahors* taken.

[3.] *Col.* 1381. The Relation of this Expedition of *Gervaſe* of *Cant.* different from the other Hiſtorians.

[2.] To conquer both which, he marched through *France* without any great Oppoſition, and took many places round about that City: Earl *Raymond* being alarm'd at theſe great Preparations, implored the King of *France*'s Aſſiſtance, and in compliance to his deſires he immediately put himſelf into the City with a potent Army; but King *Henry*, for the Reſpect he bore to his Perſon, would not beſiege it, though he ſubdued the greateſt part of that Earldom: He alſo falling upon the City of *Cahors*, had it ſoon ſurrendred to him.

[3.] But *Gervaſe*'s Chronicle above-cited, quite differs from the reſt of the Hiſtorians in this Relation; (*viz.*) That King *Henry* was ſo far from declining the Siege out of any Reſpect to the King of *France*, that he beſieged it from the Nativity of St. *John Baptiſt* to that of *All-Saints*: Which though probable enough, being written by an Author who lived very near thoſe times, yet ſince he is contradicted by all the reſt except *Roger Hoveden* under this Year, who ſays expreſly, That the King beſieged the Town a long while, I ſhall not inſiſt upon the Truth of this Relation; only it lets us ſee the great Uncertainty of the Hiſtorians of thoſe times: But this is agreed on all hands, That King *Henry* being thus diſappointed in his main deſign, and having ſpent a great deal of Treaſure, and loſt a great many men to no purpoſe, beſides Winter approaching, he was forced to march away into his own Dominions, being little the better for his new Conqueſts; becauſe he gave up moſt of thoſe places to *William Trencheveil*, Earl of *Nimes*, a powerful Nobleman, from whom the Earl of St. *Giles* had before taken them.

K. *Henry* returns into *Normandy*.

Giving up moſt of his new Conqueſts to *William Trencheveil*.

Nor do I find the King to have been much the better for the Aſſiſtance of the Earl of *Barcelona*, with whom he had ſome time before entred into a Confederacy againſt the *French* King: Neither can I diſcover any thing elſe conſiderable to have happen'd during this Expedition, ſave that [4.] *William* Earl of *Boloign*, Son to King *Stephen*, with divers other Noblemen, died by the Sword in their Return: And that King *Henry*, when he came to the City of *Tours*, Knighted the King of *Scots*, in acknowledgment of his Valour and good Service.

[4] *R. D. C. M.*

At *Tours* he Knights the King of *Scots*.

But [5.] as *Fitz-Stephens* ſays, King *Henry*, having fortified *Cahors* to be as a Check upon *Tholouſe*, and recommended it to the care of *Thomas Becket* his Chancellor, and likewiſe having fixed Gariſons in all places neceſſary and convenient, returned into *Normandy*, and from thence with a great Force went into *le Beauvaiſis*, and deſtroyed the ſtrong Caſtle of *Guerberes*, and burnt ſeveral Towns and Villages thereabouts. *Simon* Earl of *Montfort* at that time delivered up to King *Henry* his places of ſtrength in *France*; (*viz.*) *Rochfort*, *Montfort*, *Eſpernon*, and the reſt; which was a great Detriment to the King of *France*; for none of his People could paſs freely from *Paris* to *Eſtampes*, or *Orleans*, for fear of being moleſted by the *Normans* whom he had put into thoſe Caſtles; and for this cauſe the *French* King thought it beſt to make a Truce or Ceſſation of Arms with King *Henry*, to be from *December* until eight days after *Whitſunday*.

[5.] *Vid. Fitz-Steph. in Vitâ Thom. Becket, in Bib. Cotton, Julius, B.*

K. *Henry* deſtroys and burns ſeveral Towns and Villages.

A Truce between the two Kings.

I cannot here omit what the ſame *Fitz-Stephens* in his Life of *Thomas Becket* reports, That in this War between the Kings of *England* and *France*, *Thomas* then Chancellor, beſides his own Retinue, maintained Seven hundred Knights or Horſemen, and alſo Twelve hundred others of leſs Quality, with Four thouſand * mercenary Footmen, for one

* *Servientes.*

one Month; every *Miles*, or Knight, receiving every day to provide for his Horſes and Eſquires, Three Shillings of that Country Money; but the Knights themſelves had their Diet from the Chancellor; and though he was a Clerk, he tilted with a Knight of *France*, named *Engelram de Trie*, and with his Lance unhorſed him, and gained his Horſe. *Anno Dom.* MCLIX.

I have taken notice of this Paſſage, to let the Reader ſee in how great Favour this man was whilſt he was Chancellor, and what a vaſt Revenue he muſt have had in Offices and Benefices, to be able to maintain ſuch a Body of Men for a Month, as I believe never a Nobleman of *England* but himſelf was then able to have done. The vaſt Revenue of *Tho. Becket.*

But the King ſtaying all the reſt of this Year in *Normandy*, there happen'd nothing conſiderable in Civil Affairs; but in Church matters it is not amiſs to take notice, [1.] That Thirty *German* Hereticks of both Sexes, called *Publicans*, (though for what reaſons I know not) came about this time into *England*, under the Conduct of one *Gerard* their Teacher, in order to preach up their Doctrine here; who being ſeized upon, and put in Priſon by the King's Command, he thereupon ordered a Council of Biſhops to be ſummoned at *Oxford*; where being examined upon the Articles of their Belief, their Teacher (who ſeemed to have ſome more knowledge of Letters than the reſt, who were wholly unlearn'd,) anſwered, That they were *Chriſtians*, and believed the Doctrine of the Apoſtles, but utterly denied Baptiſm, the Lord's Supper, and Matrimony: And when they were urged from Scripture to embrace them, they anſwered, That they believed as they were taught, and came not to diſpute concerning their Faith; and remaining ſtill obſtinate Hereticks, they were delivered over to the Secular Power to be puniſhed, which condemned them to be marked with a Red Hot Iron in the Forehead, and then whipp'd; This Puniſhment they patiently underwent, their Captain going before them, ſinging, *Bleſſed are ye, when men hate you*, &c.

[1.] *W. N.* 30 *German* Hereticks come into *England*, to preach up their Doctrine.

A Council of Biſhops ſummoned at *Oxford* to examine them.

They are delivered over to the Secular Power, and what Puniſhment they received.

[2.] After they were thus whipt, they were thruſt out of doors in the midſt of Winter, where they died with Cold and Hunger, no man daring to relieve them, it being expreſly forbid for any perſon ſo to do. I have taken notice of this, becauſe theſe were the firſt (as I can find) that ever ſuffer'd for Hereſy in *England*.

[2.] *Id. ib.*

The firſt that ever ſuffered here for Hereſy.

[3.] The ſame Year alſo happen'd a great Schiſm at *Rome*, upon the death of Pope *Adrian*; for moſt of the Cardinals aſſembling, elected Cardinal *Rowland*, Chancellor of St. *Peter*'s Church, by the name of *Alexander*; but he at firſt too modeſtly refuſing it, divers of thoſe who were averſe to his Election, thereby took occaſion to chuſe another Cardinal, called *Octavian*, who named himſelf *Victor*; He being ſupported by the Emperor *Frederic*, both theſe Anti-Popes excommunicated each other; till at laſt *Alexander* got the better, and forced the Emperor *Frederic* to ſubmit to him.

[3.] *M. P. W. N.* A great Schiſm at *Rome*, about the choice of a New Pope.

[4.] This Year K *Henry* being ſtill in *Normandy*, kept his *Chriſtmas* at *Falaiſe*; and in *May* following there was a Peace again clapt up between the Two Kings of *England* and *France*, though it did not continue long: Yet, during this Interval, in *July* King *Henry* ſummoned a Council of all the Biſhops, Abbots, and Barons of *Normandy*, at a place called *New-Market*; and King *Lewis* did the like for the Eſtates of *France* at *Beauvois*, where they both agreed on the Reception of the new Pope *Alexander*, and the Rejection of *Victor* above-mentioned. *Anno Dom.* MCLX.

[4.] *G. N.* A Peace made between the Two Kings. A *Norman* Great Council, or Parliament.

Anno Dom. MCLX.

mentioned. * In *September* Queen *Eleanor* by the King's Command return'd out of *England*, (where ſhe had been for ſome time) into *Normandy*, bringing over with her his Son *Henry*, and his Daughter *Mathilda*: And in *October* the Two Kings met again, and confirmed the former Peace, but to no great purpoſe; for preſently there aroſe a freſh Quarrel, occaſioned as you ſhall preſently hear.

* *Vid. Robert de Monte.*

[5.] C. N. B. C. Freſh Quarrels ariſe between the two Kings, and upon what occaſion.

[5.] Upon the late Contract of Marriage between their Children, the ſtrong Caſtle of *Giſors* with its Dependancies, was to remain in the Cuſtody of Three *Knights Templars*, appointed by both the Kings, until the ſaid Marriage ſhould be conſummated, and then they were all to be delivered up to King *Henry*; but he thinking the time long e're he had them in his poſſeſſion, was reſolved to get them as ſoon as he could: Therefore about the beginning of *November*, by the Authority and Allowance of the Cardinals of *Piſa* and *Papia*, then the Pope's Legates, he cauſed the Nuptials to be publickly celebrated between Prince *Henry* his Son, at that time not Seven Years of Age, and *Margaret*, Daughter of King *Lewis* by *Conſtantia* his Second Wife, who was Daughter to *Alphonſo* King of *Spain*; upon which Marriage the *Knights Templars* delivered up the Caſtle of *Giſors* with its Dependancies to King *Henry*.

Prince *Henry*, and *Margaret*, Daughter of *France*, are married.

[1.] R. H. The 3 *Knights Templars* that kept the Caſtle of *Giſors*, &c. baniſh'd *France*, but are kindly received and rewarded by the King of *England*.

[1.] At this the King of *France* was ſo enraged againſt thoſe Knights, that he baniſhed them his Country for their breach of Truſt; but however they were kindly received by King *Henry*, and highly rewarded too for it. Nor was the *French* King contented with this, but he commanded the Earls *Henry*, *Theobald*, and *Stephen*, Brothers to his new Wife *Ala*, Daughter to *Theobald* Earl of *Blois*, to fortify *Chaumont*, which belonged to the Caſtle of *Blois*, that ſo from thence they might infeſt King *Henry*'s Territories in *Touraine*: But He, ſo ſoon as he underſtood their deſign, without ſtaying for many Forces, preſently marched to diſappoint it, with thoſe he could get ready on the ſudden: The Earls hearing he was coming, left their Work, ſo he preſently took this new Fortreſs, and about a Hundred and twenty Soldiers in it, and demoliſhed it, and then fortified *Ambois* and *Freteval*, placing Gariſons in them, and went to *Mans*, where he kept his *Chriſtmaſs* with his Queen *Eleanor*.

Anno Dom. MCLXI.

[2.] C. N. The K poſſeſſes himſelf of the Caſtles in *Normandy*.

This Year he [2.] ſeized into his own hands all the Strong-holds of the Earl of *Mellent*, and the other Barons in *Normandy*, and committed them to the Care of his Confidents, and then repaired and ſtrengthned all his Caſtles on the Borders of *Normandy* toward *France*, and well manned them, eſpecially *Giſors*: But *Theobald* Earl of *Blois* did many ill Offices, creating freſh Quarrels between the Two Kings; ſo that after *Eaſter* they both drew their Armies into the Field againſt each other, to defend their Countries, firſt in *Le Veuxin*, afterwards in *Le Dunois*, every day expecting Battel; yet at length they made a Truce without any Bloodſhed.

Takes the ſtrong Caſtle of *Agen*.

From hence King *Henry* after *Midſummer* marched into *Aquitain*, and beſieged the famous Caſtle of *Agen*, ſeated upon the River *Garonne*, which was fortified as well by Nature as Art; but yet in a Week's time he made himſelf Maſter of it on St. *Lawrence*'s day, to the great Aſtoniſhment and Terror of the *Gaſcoins*.

Both Kings do honourably receive Pope *Alexander*, near the River *Loir*.

During this Truce between the Two Kings, they met together near the River *Loyr*, and honourably received Pope *Alexander*, (then lately arrived in *France*, being expelled *Italy* by *Victor* his Competitor) each of

of them performing the Office of Yeoman or Gentleman of his Stirrup, walking on foot, the one led his Horſe by the Bridle on the Right ſide, and the other on the Left, until they brought him to a *Pavilion* prepared for him; by whoſe Mediation a firm Peace was made between them. I have mentioned this, to let the Reader ſee the wonderful Reſpect that Princes paid the Pope in thoſe days of Ignorance, which is the Mother of Superſtition, rather than true Devotion.

Anno Dom. MCLXI.

And perform the Office of Yeoman of the Stirrup to him.

I find nothing conſiderable to have happen'd this Year in *England*, [3.] except the Death of *Theobald* Archbiſhop of *Canterbury*, a Prelate of great Piety, who deceaſed, and was buried at his own Church.

[3.] *R. D. C. G.* The Death of *Theobald* ABP of *Canterbury*.

The [4.] King, being ſtill detain'd in *Normandy* by his Foreign Affairs, this Year ſent over *Thomas* his Chancellor into *England*, to diſpatch the Buſineſs of the Kingdom; but chiefly with this intent, that he ſhould be now choſen Archbiſhop of *Canterbury*: But before that, he called a Council of all the Biſhops, Abbots, and other Great Men of *England*, wherein they ſwore Fealty to *Henry* the King's Son, whom the Chancellor had now brought over with him; and He firſt took the Oath, and did him Homage, *Saving the Faith which he owed the King his Father as long as he lived, and ſhould pleaſe to govern.*

Anno Dom. MCLXII.

[4.] *Ibid. Thomas* the Chancellor ſent into *Engl.* and for what. The Biſhops, Abbots, and Great Men of the Kingdom in Council ſwear Fealty to *Henry*, Son of K. *Henry*.

Not long after which, [5.] a Synod of the Clergy of the Province of *Canterbury* being aſſembled at *London*, together with the Prior and Senior Monks of *Chriſt-Church* in *Canterbury*, the Biſhops having before declared to them the King's Command to proceed to an Election of a new Archbiſhop; the ſaid Prior, together with the reſt of the Clergy there preſent, elected *Thomas* the Chancellor to be Archbiſhop, no man oppoſing it, [1.] except *Gilbert* Biſhop of *Hereford*, who ſaid, It was not fitting to make a mere Soldier, and a Secular Man, an Archbiſhop: But that weighed nothing with them; ſo he was ſoon after conſecrated on *Trinity*-Sunday, by *Henry* Biſhop of *Wincheſter*; the Archbiſhop of *York* being denied to perform that Ceremony, becauſe he and his Predeceſſors had for ſome time before refuſed to ſwear Canonical Obedience to the See of *Canterbury*.

[5.] *Ibid.* Synod of the Clergy of *Cant.* aſſembled at *London* about the choice of a new ABP.

[1.] *Fitz. Steph.* The Chancellor made ABP. and conſecrated by the BP. of *Wincheſter*.

The K. much diſappointed in him.

He reſigns his Office of Chancellor, And affects Auſterity of Life.

However, though this was a Creature of the King's own raiſing, yet he was very much diſappointed in this Choice; for whereas he expected to have found the new Archbiſhop wholly compliant to his Will, he on the contrary, immediately after his Conſecration, not only reſigned his Office of Chancellor, and returning to the King his Seal, which was then (as it is now) the Badge of that Office; but he alſo quite alter'd his former courſe of Life, from a free and Courtly, to a rigid and Monkiſh way of living, wearing Sackcloth next his Skin, and the Habit of a Monk under that of a Chanon Regular; and yet even of theſe Trifles the Monkiſh Writers make great Myſteries.

[2.] King *Henry* having ſettled all his Affairs on the other ſide the Water, at laſt left *Normandy*, having been detain'd there above a Month by contrary Winds; ſo in the beginning of *January* he landed at *Southampton*, where he was received by moſt of the Biſhops and Nobility with great Expreſſions of Joy and Reſpect; and in particular by Archbiſhop *Thomas*; of whom it was obſerved, That though the King ſaluted him with a Kiſs, yet he received him ſo coldly, that it appeared to all there preſent, that he was not much in his Favour.

[2.] *R. D.* K. comes for *England*, after he had ſettled his Affairs in *Normandy*.

Receives the ABP very coldly.

Then

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Then [3.] the King kept his *Chriſtmaſs* at *Weſtminſter*, where he held a Great Council, during which time the Body of King *Edward* the *Confeſſor* was tranſlated into a New Shrine: But I cannot find any thing of moment to have happen'd this Year, only that *Malcolm* King of *Scots*, with *Owen* and *Rees*, Princes of *North* and *South Wales*, and all the Greateſt Men of that Nation, did Homage to the King of *England* and his Son *Henry*, upon the Firſt of *July* at *Woodſtock*: The *Norman* Chronicle adds, That the *North-Welſh* Prince gave his Brother *David*, and ſome of his Baron's Sons as Pledges for his good Behaviour, or preſervation of Peace; and that the King might have ſuch of his Caſtles as he pleaſed.

[3.] *C. B. Col.* 1164. *M. P. Annales de Waverley.* The Kings of *North* & *South-Wales* do Homage to the King and his Son *Henry*.

As for Eccleſiaſtical Affairs, I find that [4.] about the end of *May* Pope *Alexander* held a General Council at *Tours*, to which *Thomas* Archbiſhop of *Canterbury* being ſummoned, appeared, and was received by the Pope with very great Honour, and ordered to ſit on his Right hand, and the Archbiſhop of *York* together with the Biſhop of *Durham* on his Left. In this Council the Pope excommunicated the Emperor *Frederick Barbaroſſa*, and *Victor* the Anti-Pope, with their Adherents.

[4.] *G. G. Col.* 1384. Pope *Alexander* holds a Gen. Council at *Tours*, and *Thom.* the AB^P is preſent at it, and what is done there.

I ſhall here, for want of Civil Occurrences, give you ſome other Church matters, which, though of no great moment in themſelves, yet ſince they were the Originals of all thoſe grand Differences and Quarrels, that after happened between the King and the Archbiſhop of *Canterbury*, it will not be amiſs to let the *Reader* underſtand them, ſeeing moſt of them hapned about this very time. And this I ſhall do from *William Fitz-Stephens*, a Monk of *Canterbury*'s *Manuſcript* Hiſtory (already cited) who was preſent at moſt of the Proceedings againſt the Archbiſhop, and wrote his Life, ſtill in Manuſcript in the *Cottonian* Library.

The Riſe of the Quarrels between the K & the AB^P firſt promoted by ſome Court Clergymen.

The firſt thing that raiſed the King's diſpleaſure againſt the Archbiſhop, was, a Jealouſy put into his Head by ſome Clergymen belonging to the Court, who having obtained Eccleſiaſtical Benefices without any great Deſert, were afraid of the Archbiſhop's Strictneſs, that he would not ſuffer them to be advanced any higher, if he let them keep what they had: Theſe men detracted what they could from him, whiſpering in the King's Ear, That if the Archbiſhop's Power proceeded too far, his Royal Dignity would be in danger; and that unleſs he took care of himſelf, the Archbiſhop would at laſt be King, as being the Perſon that the Clergy would moſt likely elect; or elſe that the King would reign precariouſly at the Archbiſhop's pleaſure: But that which chiefly incenſed all the King's Tenants or Military men of the Kingdom againſt him, was, That he endeavoured to recover the Caſtle of *Tunbridge* from the Earl of *Clare*, with that whole Honour, though long ſince aliened from the Church of *Canterbury*, becauſe (according to the Decretals) it was lawful for his Predeceſſors, as Stewards for the Church, to manage its Lands ſo as to increaſe and not to diminiſh or alienate them: [5.] Therefore he had lately ſummoned the Earl to do him Homage for that Caſtle with its Appurtenances; but he refuſed it, and alledged for his ſo doing, that he held of the King by Knights Service.

The K.'s Tenants highly incenſed againſt the AB^P for his Proceedings againſt the Earl of *Clare*.

[5.] *R. D.*

[1.] *F. S.*

[1.] In the next place the Archbiſhop challenged a Right to preſent to the vacant Churches in the Towns as well of his *Barons*, (*i. e.* thoſe who held of the Church by Knights Service) as his Monks (*viz.* of *Canterbury*) and by this Right gave the Church of *Eynesford*

Eynesford in *Kent* to one *Lawrence* a Prieſt, whereupon the Lord of the Mannor called *William de Eynesford*, moleſted the Servants of *Lawrence*, and forced them out of the Town, for which the Archbiſhop Excommunicated him: Upon this he applied himſelf to the King, who wrote to the Archbiſhop to Abſolve him; but he ſent the King word, *That it belonged not to Him to command any man to be Excommunicated, or Abſolved*; the King provoked with this ſawcy Anſwer, ſtill inſiſted upon his Royal Prerogative, That *no* Tenent in Capite *ought to be Excommunicated, without his Knowledge or Conſent*; at length the Archbiſhop, to pacify the King, did Abſolve him: But from thence-forward the King had no kindneſs for him, though not long before he had obtain'd of him a Liberty to Enjoy all the Honours and Dignities of his Church Entire, and that he might alſo ſeek to recover thoſe Lands that had been Alienated by his Predeceſſors, and were now poſſeſſed by Lay-men. Nor did he, (it ſeems,) ſpare the King himſelf, for he required of him the Caſtle of *Rocheſter*, as belonging to the See of *Canterbury*.

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The Archbiſhop pretends a Right to preſent to all vacant Benefices in all Towns both of his Barons and Monks.

He Excommunicates *William de Eynesford*, a Tenant in *Capite*.

But afterwards Abſolves him to pacify the King.

Yet he ſpares not the King himſelf.

But *Edward Ryme*, a Clerk or Chaplain to this Archbiſhop (who has written an Account of his Life and Death ſtill in Manuſcript) gives us ſomewhat a different Account of the Original of this Quarrel, between the King and the Archbiſhop, to this Effect; That the King being at *Woodſtock* with the Archbiſhop, among other Matters, a Queſtion was ſtarted concerning a certain Cuſtom which was then obſerved in *England*, viz. That out of every Hyde of Land Two Shillings were paid to thoſe Officers, who as Under-Sheriffs kept the * Counties, *i. e.* the County-Courts; which Tax or Payment the King would have added to his * Exchequer, and made a part of his own Revenues: But the Archbiſhop oppoſed this to his face, ſaying, They ought not to be exacted as Royal Revenues; neither (ſaid he) My Lord the King, by your good leave ſhall we pay it on that account; but if the Sheriffs or Inferior Miniſters of the Counties, who defend and maintain our Tenents, do worthily perform their Duty, we ſhall not be wanting to their Aſſiſtance; but the King taking the Archbiſhop's Anſwer very ill, Replied, *By God's Eyes* (his uſual Oath) *it ſhall be paid as part of my Revenue, and ſhall be* * *enter'd in my Accounts, neither is it well done of you to contradict it, when no body would unjuſtly burthen your Tenants againſt your Will*; but the Archbiſhop being very fearful, leaſt by his Connivance a Cuſtom ſhould be introduced, by which the Payment of that Tax might become a Precedent, Replied, *My Lord the King, In Reverence to thoſe Eyes, by which you have now ſworn, not one penny ſhall be raiſed on my Lands by* * *Law on that account*; Upon this the King held his peace, being confounded at the Archbiſhop's Reply; but his ſecret diſpleaſure was not the leſs againſt him; and with this Relation alſo *Quadrilogus* agrees, though it be ſomewhat ſhorter in this particular.

The Kings Anſwer.

The Archbiſhop's Reply.

[2.] But long before this, in the time of Archbiſhop *Theobald*, the King had been much incenſed through the Inſolence and Wicked Actions of divers of the Clergy, who had committed ſeveral Robberies, Adulteries, and Murders, as alſo through the irregular Proceedings of ſome Archdeacons, who had by taking Money of Offenders, turned other mens Crimes to their own Advantage; the particular Inſtances of which being many and tedious, I ſhall only extract ſome of them for

[2.] *F. S. W. Newbrig.*

But long before this the King had been incenſed againſt the Wickedneſs and Corruption of the Clergy, whom the Bp. would not ſuffer to be Tried in the Secular Courts.

* *Loco Vice-Comitum.*

* *Fiſco.*

* *In Scriptura Regis ſcribentur.*

* *De Jure.*

Anno Dom. MCLXIII.

for the Reader's ſatisfaction, that ſo he may the better judge of the Grounds of this great Quarrel between the King and the Archbiſhop.

[3.] *F. S. Ib.* One Clerk guilty of Fornication and Murder.

[3.] There was a Clerk in *Worceſterſhire*, that had Debauched an honeſt man's Daughter, and afterwards Killed her Father; this man the King would have had Tried in his Secular Court; but the Archbiſhop would not permit it, but cauſed him to be kept in the Priſon of the Biſhop of the Dioceſs, leaſt he ſhould be delivered over to the King's Juſtices.

[4.] *Id. Ib.* Another of Theft and Sacrilege.

[4.] Another Clerk had ſtole a Silver Chalice out of a Church in *London*; this man the King would likewiſe have had Tried in the Secular Court; but the Archbiſhop cauſed him to be Tried in the Eccleſiaſtical Court, where he was only Sentenced to be degraded, and, to pacify the King, to be branded in the Face with a Hot Iron.

[5.] *Id. Ib.* The King holds a great Council of Biſhops at *Weſtminſter*, to remedy theſe Enormities.

[5.] The King being much provoked by theſe and ſeveral other Enormities of the Clergy, reſolved to put a ſtop to them, and to apply a ſpeedy Remedy to ſo ſpreading a Diſeaſe; and therefore holding a Great Council at *Weſtminſter*, he demanded of the Archbiſhop, and all the reſt of the Biſhops, That by their Conſent and Allowance ſuch Clerks as were Taken in the Fact, or were Convicted, or had confeſſed any Enormous Crime, ſhould firſt be degraded, and forthwith delivered over to Secular Officers, in order to be corporally puniſhed, and not have any Protection from the Church; he demanded alſo, That when any Clerk was degraded, ſome of his Miniſters of Juſtice might be preſent to take him into Cuſtody, that ſo he might not fly, to eſcape puniſhment.

[1.] *Id. Ib.* The private Conference between the Archbiſhop and the reſt of the Biſhops, about delivering over Clerks to the Secular Power. They were for degrading, and then delivering them over, *&c.* But the Archbiſhop ſaid it was againſt the Canons. And adds, That they ought not to deſtroy the Liberties of the Church. But they were for complying for fear of loſing their Temporalities. Biſhops not to be preſent at any Sentence of Blood.

[1.] The Archbiſhop not being able to obtain leave to defer his Anſwer to theſe demands ſo much as till the next Morning, went preſently apart with the Biſhops, and Diſcourſed the Matter, who were all of Opinion, That indeed according to the Secular Law, Clerks were to be degraded, and then delivered over to the Temporal Court to be corporally puniſhed, which they proved not only by Law, but Authentick Examples out of the Old Teſtament; but the Archbiſhop, adhering to the Canons of the *Roman* Church, thought otherwiſe, aſſerting, That it was unjuſt and againſt the Laws Eccleſiaſtical, that Clergymen ſhould be ſubject to the Lay-power, but ought to be only deprived of their Orders for ſuch great Crimes, and not to be any farther puniſhed; ſince no man ſhould be doubly puniſhed by Two ſeveral Courts for the ſame Crime; adding withal, That they ought to be very careful, not to deſtroy the Liberties of the Church by their own Conſents, for which, from the Example of *Chriſt* their High-Prieſt, they were in Duty bound to contend unto the Death; the Biſhops Replied, That the Church was in no danger if they ſhould conſent to what the King demanded, and that they ought to yield to the Iniquity of the Times, (as they called it,) leaſt the King ſhould ſeize upon all their Temporalities; but the Archbiſhop perſiſted in his Opinion, and told them, They ought not to expoſe any man to Death, ſeeing they could not themſelves be preſent at a Sentence of Blood; with ſeveral other Arguments according to the Notions of that Age, too long here to be particularly related.

[2.] *Id. Ib.* The Biſhop's Anſwer to the King's demands.

[2.] The King finding himſelf not likely to prevail in this, demanded of them, if they would obſerve his Royal Cuſtoms or Prerogatives?

The

The Archbiſhop Anſwered, Yes, **Saving their Order by, and in all things**; Then the King asked the ſame thing of every other Biſhop, and they all gave him the ſame Anſwer, at which he was ſo highly provoked, that he left them, and went away ſuddenly that Night to *Woodſtock*.

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* *Salvo Ordine per omnia, & in omnibus.*

The King in anger leaves them, and goes immediately to *Woodſtock*.

They follow him, and conſent to acknowledg his Laws.

The Biſhops fearful of his Diſpleaſure, followed him; and at *Oxford*, (tho *Rog. Hoveden* makes it at *Woodſtock*) conſented to acknowledg his Laws, *without any ſaving of their Order*; yet the Archbiſhop was immoveable, ſaying, *Far be it from me, that for the fear or favour of any Mortal man, I ſhould be found to contemn God; if an Angel ſhould come from Heaven, and give me advice to make ſuch an abſolute acknowledgment, I would curſe him.* But the Author of *Quadrilogus* owns, That the Archbiſhop being at laſt overcome by the importunity and intreaties of the Biſhops of *Chicheſter* and *Hereford*, conſented to the like acknowledgment, without that **ſaving Clauſe** which had given ſo much Offence. The King at this ſeemed pacified for the preſent, however, he reſolved to have their Conſents to his Cuſtoms, ratified in a Common Council of the whole Kingdom.

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[3.] *C. G. Id. p. R. H. 282. b.* The King calls a Genetal Council at *Clarendon*, to have his Antient Regal Rights Owned and Recognized.

[3.] And to this end, that he might the better aſſert the Rights of the Crown, he called a General Council at *Clarendon*, about the Feaſt of St. *Hilary*, in which he propounded to the Biſhops and Secular Barons, many Antient Regal Cuſtoms and Laws, which he would have the Biſhops to own and Recognize, as the Antient Rights of the Crown; which Laws being commonly called the Conſtitutions or Ordinances of *Clarendon*, ſince they are printed in the Hiſtory called *Quadrilogus*, as alſo in *Chronicon Gervaſii*, and likewiſe in *Matt. Paris*, and being very long, I ſhall refer the Reader to the end of this King's Reign, where he will find them ſet down at large, with a Note under each of thoſe, that the Pope afterwards took upon him to condemn; for they are very well worth the peruſal, becauſe they contain the chief Prerogatives and Privileges that were then Claim'd, as well by the King as the Clergy.

But to return to our Hiſtory.

[4.] *Idem ib.* The Conſtitutions conſented to by all the Biſhops *ore tenus*.

[4.] Theſe Conſtitutions being openly read in the preſence of all the Biſhops, who conſented to them by word of mouth, they were then required to put to their Seals; at firſt they ſeemed willing enough to do it, but the Archbiſhop utterly refuſed it; whereupon the King ſent to him the Earls of *Cornwal* and *Leiceſter*, to perſuade him to acknowledg them; but they not prevailing, at laſt Two *Knights-Templars* (one whereof was the Maſter of the Order) throwing themſelves at his Feet with many Tears and great Importunity, ſo wrought upon him, That he promiſed without Fraud or any Reſervation or Saving, really to receive and ſubmit to the King's Antient Laws. But *Fitz-Stephens* relates more at large, That the Two laſt Meſſengers with Tears laid before him the danger he was in, and what ill conſequences his ſtanding out might produce, and that then for fear of Death, as well as to appeaſe the King, both the Archbiſhop and all the Biſhops conſented to thoſe Laws, and Recognized them under their Seals; and the King afterwards ſent them to the Pope to be Confirmed, who not only refuſed to do it, but Caſſated and Condemned them.

And at laſt the Archbiſhop and all the Biſhops Recognized them under their Seals.

[5.] *F. S.* But the Archbiſhop repents of what he had done.

[5.] Then the Archbiſhop, by the ſevere Reproof and Admonition of one of his Chaplains, ſoon repented of this Act, and made his Body ſuffer a ſevere Penance for it; nay, he thought it ſo heinous an

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an Offence, and which ſo much defiled him, that he was not fit to ſay Maſs, or to appear before the Altar; and therefore he ſuſpended himſelf from that Service for ſome Weeks, untill by his Confeſſion and Penance he thought he might be worthy the Pope's Abſolution, which he obtained without any great difficulty.

[1] *R H.* The Pope ſends the Archbiſhop of *Roüen* over from *France* to compoſe theſe differences, and what the reſult thereof.

[1.] Nor can I here omit, that during this Controverſy between the King and the Archbiſhop, the Pope, being ſtill in *France*, ſent over *Rotrod* Archbiſhop of *Roüen* on purpoſe to compoſe theſe differences, which the King would by no means hearken to, unleſs the Pope would firſt conſent to confirm his Laws by his Bull, which he refuſed; and when the King ſaw he could not obtain it, he ſent over *John* of *Oxford*, and *Geoffery-Ridel* (two of his Clerks or Chaplains) to prevail with the Pope, to conſtitute *Roger* Archbiſhop of *York* his Legate throughout all *England*, that ſo by this means he might confound the Archbiſhop of *Canterbury*; but though the Pope would not grant the King this requeſt; yet that he might ſatisfy him in part, he then ſent him a power of being Legate himſelf, provided he did thereby no injury to the Archbiſhop of *Canterbury*; which Bull or Commiſſion, when the King ſaw how little it ſignified for his purpoſe, he ſent it back again to the Pope by the ſame hands, that brought it him.

[2.] *Ib. G. D.* The Quarrell between them daily increaſed: The Archbiſhop reſolves to leave *England*, and twice attempted it, but detained by contrary winds, he goes to *Canterbury*.

[2.] The quarrel between the King and the Archbiſhop daily encreaſing, and he now deſpairing of his Friendſhip, and apprehending himſelf in much greater danger then he really was, reſolved to leave *England* privately; ſo going to *Rumney* (a Town of his own) he twice put to Sea, but either had no Wind at all, or elſe a contrary one; and therefore being forced to come again on Shoar, he went in the night to *Canterbury*; at which News the King was much pleaſed, being afraid that if he had got beyond Sea, he would have put his whole Province under an Interdict; yet was he ſo much incenſed againſt the Archbiſhop for this raſh attempt, that not long after, when he came to *Woodſtock* to ſpeak with the King about it, he would not give him admittance, ſo that the Archbiſhop receiving a repulſe, was fain to return to *Canterbury*.

Comes to ſpeak with the King at *Woodſtock*, but is denied admittance.

[3.] *Id Ib. F. S.* The King Summons the Biſhops and Great men to meet at *Northampton*.

Then the King ſuſpecting he might eſcape unpuniſhed, ſummon'd the Biſhops and Great Men to meet at *Northampton* on the 13th day of *October*. *Edward Ryme*'s Account ſays, That the King reſolving to hold a Solemn Council at the Caſtle of *Northampton*, cauſed all thoſe that held of him *in Capite* to ſummon'd thither, and the Archbiſhop in the firſt place; this was about the beginning of *October*; but the exact day is not material, nor can our Hiſtorians agree about it; only this much is certain, that the Council being then met, the King let fall the firſt Controverſy with the Archbiſhop about his refuſing to obſerve the Statutes of *Clarendon*, and fell to New Accuſations againſt him, which ſeeming to be done out of pure Revenge, afterwards gave the Archbiſhop a great advantage over Him when his cauſe came to be heard before the Pope; for firſt the King cauſed the Archbiſhop to be accuſed for denying Juſtice to one *John* the Mareſchal of the *Exchequer*, and afterwards for a Contempt in refuſing to appear at the King's Court, to ſhew cauſe why he had not done this *John* due Juſtice. The cauſe in ſhort was this; *John* had demanded of the Archbiſhop a Mannor or Farm, which (as he ſaid) the Archbiſhop unjuſtly

And brings new Accuſations againſt the Archbiſhop.

For denying Juſtice to one *John* the Mareſchal of the Exchequer, and for refuſing to appear at the King's Court.

juſtly detain'd from him, and finding he could have no Right in his Court, he brought down thither the King's Writ to remove the Cauſe into that of the King's, whither the Archbiſhop being cited to anſwer it, had fail'd to appear at the day appointed, for reaſons I ſhall give you by and by. *Anno Dom.* MCLXIV.

[4.] The King being very angry that he appeared not in perſon, at the requeſt of this *John* the Plaintiff, he appointed another day (to wit) the firſt day of the next Council, and ſent his Writ to the Sheriff of *Kent* to cite the Archbiſhop, for the King did not write to him, becauſe he would not ſalute him; nor had he any other ſolemn Summons by writ to come to the Council * *according to antient cuſtom.*

[4.] *E. R.* The King angry that he appeared not in perſon.

And is cited a new by the Sherif of *Kent*, and then appears in the K's. Court.

* *Ut antiqui moris erat.*

But it happened that the Cauſe was that day put off, by reaſon of *John*'s abſence at *London* about the King's affairs (as being an Officer in the Exchequer.) The next day the Archbiſhop was again accuſed, that he had not done Juſtice to *John* in his Suit; to which He preſently anſwer'd, That he had done him true Juſtice, and had not wilfully declined the Authority of the King's Court, becauſe *John* had not taken his Oath upon the Goſpels (as was requiſite) but upon an Old *Tropaz* or Song-Book, which he drew out from under his Coat; and that if being cited, he had not appeared in the King's Court, it was no contempt, becauſe he was then detain'd at home by Sickneſs, and had ſent Two lawful men to make his Excuſe on this account: *Fitz Stephens* repreſents the Archbiſhop to have made another kind of Plea, *viz.* that tho he came not at the day, yet he had ſent to the King Four Knights with his Letters, as alſo a Letter from the Sheriff of *Kent*; atteſting the Injury of *John*, and the imperfection of his proof, (*viz.* as I ſaid before) becauſe he had Sworn upon the *Tropaz*, and not upon the Goſpels. This is the Relation theſe Authors make of this Affair; But tho it ſeems improbable, that *John* ſhould preſume to Swear upon a Song-Book inſtead of the Goſpels, yet ſince they are only thoſe of the Archbiſhop's Party who have left us any account of theſe matters, we muſt reſt contented with what we find in them, having no other Authors to recurr to.

But the Cauſe was put off to another day.

The Archbiſhop's Anſwer to *John* the Mareſchal's complaint.

And excuſes his non-appearance by reaſon of ſickneſs.

But let the Archbiſhop's Plea have been what it would, [2.] his Crime being made no leſs than that of * *Læſæ Majeſtatis*, by which expreſſion whether is meant Treaſon, or only a High Contempt, or Miſdemeanour, I will not determine, but the King demanded Judgment upon it; and it ſeemed to all there preſent, from the Reverence due to the King's Majeſty, as alſo by the Bond of *Leige Homage*, that the Archbiſhop had made, and from the Oath of *Fidelity*, which he had Sworn to him, that he had failed in his own defence; whereupon his Plea being over-ruled, they all condemned him to be in the King's Mercy for all his moveable Goods. Upon this Judgment a ſharp Diſpute aroſe between the Biſhops and the Barons, who of them ſhould pronounce the Sentence, for Each Order excuſing themſelves, would fain have laid it upon the Other, and One of the Barons ſaid, '*You Biſhops ought to pronounce Sentence, 'for it belongs not to us, We are only Laymen, You Eccleſiaſtical perſons, 'his fellow Prieſts and fellow Biſhops*; to whom one of the Biſhop, anſwered, '*No, it is rather Your Office than Ours, for this is not an 'Eccleſiaſtical Sentence, but a Secular; We ſit not here as Biſhops but 'Barons*;

[2.] *F. S.* * *Læſæ Majeſtatis.*

The King demands Judgment upon him.

He is condemned in the King's mercy for all his Moveables.

Diſputes between the Biſhops and the Barons about pronouncing the Sentence.

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'*Barons*; *We are Barons and You are Barons*; *We are all Peers* (*or* '*Equals*) *here*; *nor can you impoſe it upon our Order, for if you have* '*reſpect to that Character in us, You ought alſo to have regard to the* '*ſame in him*; *and then as we are Biſhops we cannot Judge our Arch-*'*biſhop and Lord.*

[1.] *Id.* The Biſhop of *Wincheſter*, by the King's Order, pronounces it.

[1.] The King hearing of this Controverſie about pronouncing the Sentence, quickly decided this matter by laying it upon the Biſhop of *Wincheſter*, who, tho with great Reluctance, was forced to pronounce it; thereupon the Archbiſhop (becauſe no man might contradict a Sentence or Judgment which is a Record made in the King's Court,) by advice of the Biſhops ſubmitted to it, and by a ſeeming complyance, for the mitigation of the King's Diſpleaſure, threw himſelf upon his Mercy, as the cuſtom was: then all the Biſhops, except *Gilbert* Biſhop of *London* who refuſed it, became ſureties for him.

[2.] *Id. Ib.* The ſame day, after the Sentence, he was proſecuted for 300 *l.* His plea to it. The King demands Judgment, and the Archbiſhop gives ſecurity for the Mony.

[2.] After this the very ſame day the Archbiſhop was proſecuted for Three Hundred Pounds he had received, as he was *Caſtellan*, or Conſtable, of the Caſtles of *Eye* in *Suffolk*, and *Berkhamſtead* in *Hertfordſhire*; the Archbiſhop waved this action by pleading, that he was not cited for that matter, and further ſaid, that he had diſburſed much more money than that in the Reparations of the King's Palace at *London*, and likewiſe of thoſe Caſtles, as might be ſeen by his Accounts; yet the King would not admit of his Plea, but demanded Judgment; Hereupon the Archbiſhop, to pleaſe the King, and not being willing that ſuch a ſmall ſum of Money ſhould be the cauſe of any further difference between them, gave Security for it, by Three Laymen, (*viz.*) the Earl of *Gloceſter*, and Two others his Tenants.

[3.] *Ib. Id.* He is proſecuted for 1000. Marks more, and ſeveral other ſums he had receiv'd when Chancellour.

[3.] On the Third day after he was again proſecuted at the King's Suit for Five Hundred Marks, which had been lent him in the Army of *Tholoſe*, and for another Five Hundred, which he had borrowed of a *Jew* upon the King's Security; he was likewiſe proſecuted for all the profits of the Archbiſhoprick of *York*, and other Biſhopricks and Abbies, that were void during his Chancellorſhip, of all which he was Commanded forthwith to give an Account; the Archbiſhop replyed, He came not now prepared to anſwer theſe matters, nor was he cited there concerning them; but in due time and place he would do to his Lord the King according to Right: yet the King ſtill exacted further Security of him; upon this the Archbiſhop anſwered, He ought firſt to have the advice of his Suffragans and Clerks about it, to which the King yielded; and ſo the Archbiſhop departed from the Court, and from that day neither the Barons, nor other Knights came any more to his Houſe to viſit him, having ſufficiently underſtood the King's mind by theſe proceedings.

Deſires firſt to have the advice of his Suffragans.

[4] *Id. Ib.*

[4.] On the Fourth day all the Eccleſiaſticks came to the Archbiſhop's Houſe, where he treated with the Biſhops ſeverally and apart, and with the Abbats ſeverally and a-part; the Biſhop of *Wincheſter* adviſed him to offer a Compoſition in Money, and to try the King that way; there were 2000 Marks tender'd, tho' not accepted; in the mean while Others encourag'd him reſolutely to maintain the Liberties of the Church, he being, upon his Advancement to the Archbiſhoprick, thereby diſcharged of all Secular Demands: but moſt of

of them perſwaded him to comply with the King, and put himſelf on his Mercy: And *Edward Ryme* his Relation further adds, That the Biſhop of *Wincheſter*, out of ſeeming kindneſs told him, That in his Opinion, for the appeaſing of the King's Anger, his beſt way would be to ſurrender up the Archbiſhoprick into his hands; but the Archbiſhop proteſted with an Oath, That he would never give up his Archbiſhoprick ſo long as he could keep it; nor had he taken it on that Condition, ever to ſurrender it, whilſt he lived; yet notwithſtanding all this, he afterwards did reſign it into the Pope's hands, as you will find anon.

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They adviſe a Complyance.

Wincheſter perſwades him to ſurrender his Archbiſhoprick, but the Archbiſhop proteſts againſt that with an Oath. But afterwards reſigned it to the Pope.

On the Fifth day, [5.] being *Sunday*, 'tis ſaid the Barons ſate in a cloſe Conſultation; but the reſult of their Debates and Reſolutions are not mentioned. On the Sixth day the Archbiſhop fell ſick of the Colick, proceeding (as 'tis ſuppoſed) from the great agitation and trouble of his Mind; then the King hearing of it, ſent ſome of his Earls and Barons to viſit him, and to know his Reſolutions, Whether he would give ſecurity to render an Account of what he had received from the vacant Churches in the time of his Chancellorſhip, and ſtand to the Judgment of his Court in that matter, or not; the Archbiſhop anſwer'd by the Biſhops, That if he was not hindered by Sickneſs, he would come the next day to Court, and do what he ought in that affair.

[5.] *Id. Ib.* The King demands ſecurity of him. And to ſtand to the Judgment of his Court. The Archbiſhop ſaid, If not hindred by ſickneſs, he would.

[1.] The next day being ſomewhat better, he came thither according to his promiſe; but ſo ſoon as he enter'd the Caſtle, he took the *Croſs* from its Bearer into his own hands, in order to ſecure his Perſon from any Inſult or Violence that might be offer'd him; but when he came into the Room where they were to wait the King's pleaſure, and had ſate down with the reſt of the Biſhops, the Biſhop of *London* perſwaded him to deliver the Croſs to its uſual Bearer, leſt he might be thought to intend ſome Diſturbance in the Kingdom; but the Archbiſhop would not hearken to that Propoſition, which produc'd hard words between Him and the Biſhops of *London* and *Wincheſter*. Then the reſt of the Biſhops being call'd, they waited on the King, who was retir'd in an Inward Room, where they ſtayed with him a long time, as did alſo *Roger* Archbiſhop of *York*, who came laſt, that ſo he might not be ſuſpected to be One of the King's private Counſellors and Adviſers. In the mean time the Archbiſhop attended in the Outward Room with the Croſs ſtill in his hand, whilſt the Earls and Barons were with the King.

[1] *Id. ib. R. H.* And comes accordingly, bearing the Croſs himſelf, to ſecure his Perſon from any Inſult or Violence.

The Biſhops in this Conference inform'd the King, That the Archbiſhop, when he laſt adviſed with them, told them, They had uſed him very hardly, and that the Barons had not Sentenc'd him according to Juſtice, but after an unheard-of manner; ſince for one ſingle *Abſence, or Omiſſion, which was (at moſt) but a Default, and not a wilful Contumacy, they ought not to have inflicted ſuch a heavy Puniſhment upon him, as the forfeiture of his Moveables to the King, and to be alſo in his Mercy; and that being an Inhabitant of *Kent*, he ought to have been Sentenced and Fined according to the Law of that Country, where Forty ſhillings was a ſufficient Fine for thoſe that were Sentenc'd for ſuch a Default; and the Biſhops added further, That this very day the Archbiſhop had told them, he had now appealed to the Pope againſt that Sentence, and by his Authority forbad them

* *Superſiſam.* The Biſhops privately informed the King that the Archbiſhop was angry at the Judgment given againſt him.

And that he had appealed to the Pope.

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them for the future to Judge him in any Secular Matter he had done before he was Archbiſhop.

[2.] *Id. ib.* The K mightily diſturb'd at this Appeal.

[2.] The King was very much moved at this Relation, and ſent the Earls and Barons to know of him, whether he had indeed made this Appeal and Prohibition, or not; eſpecially ſeeing he was his Leige-man and bound to him by a particular Oath at *Clarendon*, that he would ſincerely and legally obſerve his Royal Prerogatives, amongſt which this was one, That the *Biſhops ſhould be preſent at all his Tryals or Judgments, except thoſe of Blood.* They were alſo farther to know of him, whether he would give Pledges to ſtand to the Judgment of the King's Court concerning the account of his Chancellorſhip?

He is requir'd to give Pledges to abide by the Judgment of the King's Court.

[3.] *Id.* His Anſwer to the whole Accuſation.

[3.] To all which Demands, he made anſwer to this effect, "That "he was indeed bound to the King by Leige-Homage, and Oath of Fealty, yet the Oath was chiefly Sacerdotal; and that tho in reſpect to God "he was in all due obedience and ſubjection obliged to obſerve, honour and maintain Fidelity towards him, yet it was ſtill, *ſaving "his Obedience to God, and that Epiſcopal Reſpect due to his perſon, and "that* he only declined this Suit, becauſe he was not cited to give an "account upon any other cauſe, then that of *John* the *Mareſchal*; neither was he bound to make anſwer, or hear Sentence in any other "matter: he confeſſed, he had received many Offices and Dignities from the King, in all which he had faithfully ſerved him "as well in *England* as beyond Sea, and had ſpent his own Revenues in his Service, and for the ſame had contracted many Debts; "As to his putting in Pledges or Security to render an account, that "he conceived he ought not to be compelled to, becauſe he was not "adjudged to do it, nor had he any Citation as to matter of Account, or any other except that of *John* the Mareſchal: And as to "the Appeal and Prohibition, he had that day made before the Biſhops "he did acknowledge that he told them, that for meer Abſence, "and not Contumacy, they had unjuſtly condemned him, contrary "to the Cuſtom and Example of former times; wherefore he now "Appealed, and forbad them (depending that Appeal) to Judge "him in any ſecular accuſation, concerning things done before "he was Archbiſhop; wherefore according to his Appeal he put his "Perſon and the Church of *Canterbury* under the protection of God, "and his Lord the Pope.

Puts his Perſon & Church under the Pope's protection.

[4] *Id.* The K. would have had the Biſhops, *&c.* declare the Sentence againſt the Archbiſhop.

* *Dicent Sententiam* But they fear his Prohibition.

[4.] The King having received this Anſwer, urged the Biſhops by the Homage they had done, and the Fealty they had ſworn to him, that together with the Barons they would * tell him what Sentence ought to be paſt on the Archbiſhop: But they began to excuſe themſelves by reaſon of his late Prohibition; at which the King was not ſatisfied, but ſaid, That this Prohibition ought not to hold good againſt what was done and ſworn to at *Clarendon*: they replyed, if they ſhould not obey his Prohibition, the Archbiſhop would proceed to a further Cenſure againſt them, and that for the good of the King and Kingdom, they muſt obey it; yet at length by his perſuaſion they went again to the Archbiſhop.

[5.] *Id.* The Bp of *Chicheſter* repreſents to him the Streights they were driven to by this his Prohibition.

[5.] Then the Biſhop of *Chicheſter* told him, That by this Prohibition he had reduced the Biſhops to a very great ſtreight, ſince if they did not obey it, they were guilty of diſobedience to the Pope, and if they did obey it, they were then guilty of breaking the late Conſtitutions

ſtitutions of *Clarendon*, and lay thereby expoſed to the King's diſpleaſure; for the non-obſervance of his Prerogatives, which, leaſt they might doubt what they were, he had ſhew'd them thoſe Royal Cuſtoms of which he ſpake in writing, and that they had then given their aſſent to them; the Archbiſhop himſelf firſt, and afterwards all his Suffragans by his Command; and that when the King preſſed them to Swear to what they had promiſed, and ſet to their Seals for the Confirmation of, they had anſwered, that That alone ought to ſuffice, inſtead of an Oath, that they had ſaid in the *word of Truth, in good Faith, without deceit, and according to Law, they would obſerve them*: why do you then forbid us to be preſent at that Sentence, which the King Commands us? upon this Grievance and leaſt you may add any thing to our prejudice, We alſo will appeal to the Pope, though for this time we give Obedience to your Prohibition.

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And the Promiſes they had made to the King to obſerve the Conſtitutions of *Clarendon*, even by the Archbiſhop's own Command.

"The Archbiſhop anſwered, he would be preſent at the proſecuti-
"on of the Appeal, and that there was nothing done at *Clarendon*
"either by them or himſelf, in which *their Eccleſiaſtical Honour was*
"*not ſaved*: 'Twas *true*, (he ſaid) *they had promiſed in good Faith,*
"*without Deceit, and according to law, to obſerve thoſe Decrees, yet by*
"*thoſe general words the Dignities of their Churches, which they held*
"*by the Pontifical or Cannon Law, were ſafe*, for whatſoever was a-
"gainſt the true Faith of the Church, and againſt the Laws of God,
"could not in good faith, or, according to Law, be obſerved. Alſo
"that a Chriſtian King had no Prerogative, by the Exerciſe whereof
"the Liberties of the Church (which he had ſworn to maintain)
"might receive any prejudice. Moreover thoſe, which they called
"*Royal Prerogatives*, being ſent to the Pope to be confirmed, were
"brought back rather diſapproved, for but few of them were allow-
"ed by him; and that he had thereby ſhewn them what they
"ought to do, in being ready to receive the Decrees of the *Roman*
"Church, and to refuſe whatever ſhe refuſed: yet further, if they had
"failed in any thing at *Clarendon*, (ſince the fleſh is weak) they
"ought to take freſh courage, and by vertue of the Holy Spirit
"to ſtrive againſt the old Enemy, who endeavours, that he who
"ſtands may fall, and that he who hath fallen may not riſe again:
"If therefore they had promiſed any unjuſt things there, or con-
"firmed them in the Word of Truth, they knew ſuch unlawful Sti-
"pulations do not oblige.

The Archbiſhop's Anſwer to his Remonſtrance.

Notes.

This is the Sum of that Speech which our Author tells us the Archbiſhop made in his own behalf: but to come again to the Hiſtory.

[1.] The Biſhops return'd to the King well ſatisfied, as being excuſed from Judging the Archbiſhop: and ſo they ſate apart from the Barons concern'd in that affair. Then certain Sheriffs and antient *Barons of a Second Rank or Dignity were call'd forth, that being added to the former, they might alſo ſit in Judgment upon him. And after a little while, the Earl of *Leiceſter* preſſed ſome of them to pronounce the Sentence, but they all refuſed it; whereupon he began to repeat the buſineſs of *Clarendon* very particularly, (as the Biſhop of *Chicheſter* had done before,) and would have made the Archbiſhop guilty of Treaſon, and Breach of the Faith he had given *in verbo Veritatis*; and then deſir'd the Archbiſhop to hear his Sentence, he being now preſent.

[1.] *Id.* The Biſhops excuſed from pronouncing Sentence.

* *Barones Secunda Dignitatis*; theſe ſeem to have been the leſſer Tenents *in Capite*.

The E. of *Leiceſter* takes it upon himſelf.

[4.] But

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[2] *Id.* But the Archbiſhop refuſes to hear it.

[2.] But the Archbiſhop could not forbear any longer, but ſaid, "*What is it ye mean to do? Come ye hither to Judge me? ye know ye ought not to do it. Judgment is a Sentence given after the Controverſy or Tryal; I have ſaid nothing this day in the Cauſe:* I have been cited for no Cauſe but that of *John* the Mareſchal, who durſt not try it with me, and therefore you cannot Judge me: I am your Spiritual Father, ye are Noblemen of the King's Court, and meer Laymen, I will not hear your Judgment: So the Noblemen withdrew, and the Archbiſhop went his way to the Monaſtery of St. *Andrews* in *Northampton*, (a Houſe of Chanons Regular) and one *Herbert* and our Author *William Fitz-Stephens* then waited on him as his Clerks or Chaplains.

And goes to his Lodging at the Monaſtery of St. *Andrews*.

And this is the Account that he gives us of theſe Tranſactions between King *Henry* and the Archbiſhop at this Meeting; which tho' they are very particular in Some points, yet are they defective in Others, which are alſo as fit to be taken notice of: For [3.] *Roger Hoveden* and *Edward Ryme*, in his Manuſcript Hiſtory, further relates, That the Archbiſhop being privately advertiſed by his Friends, that ſome deſigned his Death, or at leaſt to do him a conſiderable miſchief, the day before his departure from *Northampton*, being that morning to go to Court, he firſt ſung a Maſs at the Altar of St. *Stephen*, to implore the Aſſiſtance of that Saint, as if himſelf expected Martyrdom; and that when he had done, laying aſide his *Mitre* and *Pal*, and putting on a Hood with a black Canonical Gown, he went to Court. And the latter of theſe Authors, after the Account of his taking the Croſs from the Bearer, and carrying it himſelf, adds, That when the Biſhops, who waited for his coming, ſaw this, they much admir'd at it, and would needs have taken it (as out of Reverence) to hold it for him, leſt he ſhould provoke the King's Anger againſt him, by thus entring after an unuſual manner with that Spiritual Weapon into his Preſence; but the Biſhops of *London* and *Hereford* both ſtriving to wreſt it out of his hand, the Archbiſhop was ſo far from delivering it, that he held it the faſter, which produced ſome hard words between the Biſhop of *London* and him; then *Roger* Archbiſhop of *York* reproved him very ſharply, that he ſhould preſume to come to Court thus armed with his Croſs, ſaying, *That notwithſtanding he would find that the King carried much the ſharper Weapon of the Two*, and therefore gave him advice to lay aſide his Croſs; but the Archbiſhop would not hearken to it, but told him, *That though the King's Weapon might kill the Body, yet his own* (*viz.* that of *Excommunication*) *could deſtroy the Soul, and ſend it to Hell.*

[3] *P.* 283.

The Archbiſhop privately informed, that ſome conſiderable Miſchief was deſigned him.

[4.] *Col.* 1392.

[4.] *Gervaſe* alſo gives a much fuller Account than any of the Reſt of what paſſed between the King and the Biſhops, concerning this Affair of the Archbiſhop, and their Reſolutions upon it; and likewiſe of the Proceedings that followed them, to this effect: That the King, being in the next Room, and hearing what had happen'd, was much incens'd at it, and preſently retired into an Inner Chamber with the Biſhops and Lords, whilſt the Archbiſhop, and thoſe few that attended him, remained without; then the King highly complained to the Biſhops and Lords of the Archbiſhop's proceedings, in coming thus armed into his Court; upon which the Biſhop's Enemies going out, conſulted together in what manner they might deal with him; who when

The K. complains to the Biſhops and Temporal Lords of Him.

when they had all agreed, returned, and told the King, That they were now reſolved to bring an Appeal againſt him before the Pope, and being there convicted, he would certainly be depoſed, which pleaſed the King very well. Upon this they all went out to the Archbiſhop, and *Hilary*, Biſhop of *Chicheſter*, being bolder and more eloquent than the reſt, ſpoke to him to this effect: "That being their "Archbiſhop, they had been hitherto bound to obey him; yet ſince "he had ſworn Fealty to his Lord the King to preſerve his Life and "Royal Dignity, and to maintain thoſe Cuſtoms or Prerogatives he "required, which he (the Archbiſhop) then endeavoured to deſtroy, They therefore pronounced him guilty of Perjury, and for the future thought themſelves not obliged to obey a perjur'd Archbiſhop; wherefore putting themſelves under the protection of the Pope, they cited him to his Preſence, there to anſwer concerning theſe Matters; to whom the Archbiſhop ſaid no more than this, *I hear what you ſay.*

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They reſolve to appeal to the Pope, in order to get him depoſed.

The Biſhop of *Chicheſter's* Speech to him.

Who, in the Name of the reſt of the Biſhops, pronounces him guilty of Perjury.

And they appeal to the Pope.

Then the Archbiſhop retired, and ſate down over-againſt them in great Silence, whilſt in the mean time the King, with the Great Men of the Kingdom, ſate in Council concerning him: the Reſult of which was, That the King, by ſome of his Knights, commanded him without any delay to appear and give a full Account of whatſoever he had received of the Revenues of the Crown, whilſt he was Chancellor, and in particular of Thirty thouſand Pounds of Silver; to which the Archbiſhop replyed, "The King himſelf knew that he had already given "an account of all thoſe Summs which he had now demanded, be"fore he was Elected Archbiſhop: and that upon his Election *Henry*, "the King's Son, with all the Barons of the Exchequer, and *Richard* "*de Lucy*, Juſtitiary of *England*, had pronounced him clear and ac"quitted before God, of all Receipts and Accounts whatſoever due "to the King; and ſo being free and diſcharged, he was Elected to "the Adminiſtration of his Office; therefore he refuſed to make any "other Plea to thoſe demands. But when the King was inform'd of this Anſwer, he ſpake thus to his Barons: *Do me ſpeedy Juſtice upon him, for he is my Liege-man, and yet refuſes to ſtand to the Judgment of my* [a] Court; thereupon they all going out, *Judged him worthy to be ſeized, and committed to Priſon.* After this Sentence, the King ſent *Reginald* Earl of *Cornwall*, and *Robert* E. of *Leiceſter*, to acquaint him with the Judgment that had been paſſed upon him; but when they deſired him to hear his Sentence read, "he forbad them under the pain of an "*Anathema* to pronounce Judgment againſt him, becauſe he had ap"pealed to his Lord the Pope; and further told the Earl of *Leiceſter*, "That by the Power committed to himſelf by God, he commanded "him as a Son of the Church, not to preſume to give Judgment "againſt him as being his Spiritual Father." But whilſt theſe Earls returned to the King with his Anſwer, the Archbiſhop went out of the Room through the midſt of the Company, to his Horſe, and mounting upon it, left the Court, though all that ſtood without cried after him, ſaying, *Traytor, whither goeſt thou? ſtay, and hear thy Judgment.* When he came to the Outward Gates, and found them ſhut againſt him, he was afraid then he ſhould be ſeized; but One of his Servants perceiving the Keys hanging near the Door, ſnatched them up, and opened the Gate, and ſo the Archbiſhop got away, whilſt the

The King and Great Men conſult what to do to him.

He is commanded to give Account of his Receipts whilſt Chancellor, and particularly of 30000 *l.*

His Anſwer, That he had given it already, and was diſcharged upon his Election.

[a] *Curia.*

The Barons adjudg him to Priſon.

The A. Bp. forbids them under *Anathema* to pronounce Judgment.

And leaves the Court.

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Door-keeper ſtood amazed, ſaying never a word, or (as *Gervaſe* reports, which is moſt likely) whilſt the Porter was otherways imployed in beating a Boy.

[5.] *Hiſt. Quadriloga.* Goes to the Abby of St. *Andrews.*

[5.] Then the Archbiſhop return'd to the Abbey above-mention'd, attended by a vaſt Crowd of ordinary People; and ſo ſoon as he got home, he Commanded Supper to be ſet upon the Table, and all the Poor who were before the Gate to be brought in, with whom He and his Family did eat; whilſt he was at Meat, the Biſhop of *London* and *Chicheſter* coming to him (out of ſeeming good-will) told him, They had now found out a way how he might make his Peace with the King, and being asked by the Archbiſhop *what it was?* they anſwered, "That if he would make over to the King (for a time only by way "of Mortgage) his Two Mannors of *Otford* and *Wengham* in *Kent*, "the King would be pacified, and remit all the Money he claimed "from him, and would alſo the ſooner reſtore him to his Favour: "But the Archbiſhop replyed, That he would rather venture the Loſs "of his Head (which he then touched with his hand) than part with "any of the Lands of the Church to buy his own Peace; whereupon "the Biſhops went away much diſcontented, and this Refuſal aggravated the King's diſpleaſure againſt him.

Bps. of *London* and *Chicheſter* go thither, and propoſe an Expedient to him how he may be reconciled to the King.

But the A. Bp. would rather venture his Head, than ſo buy his Peace.

[1.] *Id. p. 8.*

[1.] As ſoon as the Biſhops were gone, Two Noblemen of good Intereſt and Favour came to him privately, and told him, they were inform'd, that ſome Men of Quality had conſpired his Death, and bound themſelves by Oath to ſee it executed; which he believing, reſolved, if he could, to defeat their deſign, and preſerve himſelf by a ſpeedy Flight, ſince he perceived he could ſtay no longer with any ſafety: But whether this Information were true or no, God knows; for the King had abſolutely forbid any Injury to be done him, yet it ſeemed a good Pretence for him thus to ſteal away; [2.] for that Evening he ſent the Biſhop of *Rocheſter* with Two other Biſhops to the King, deſiring his leave to go beyond Sea; but he being then at Supper, ſent him word, that he would propoſe it to the Council the next day, and then return him an anſwer.

He receives private Notice, that ſome had conſpir'd, and ſworn his Death.

[2.] *Ib.*

Sends the Bp. of *Rocheſter*, &c. to the K. to beg his leave to go beyond Sea.

The K. would firſt adviſe with his Council about it.

But the Archbiſhop not thinking it ſafe for him to ſtay any longer, reſolved to be gone; but the better to conceal his Intentions, he ordered his Bed to be made in the Church behind the Altar, pretending as if he would have made it his Sanctuary; yet about midnight, taking with him Two Friers of the *Ciſtercian* Order (one of whom knew the way very well) he with no more beſides than One Servant, left the Town, and Travelling all Night, reached *Lincoln* the next Day, where the Archbiſhop changed his Habit, together with his Name, calling himſelf *Bereman*; and then paſſing through the Fens, and being ſeen by few, he at laſt got as far as *Canterbury*; and only paſſing through it by Night, ſtayed at a Village belonging to the Monks, called *Eſtrey*, ſomewhat beyond it, in order to go to the Sea-ſide, where he remain'd private for ſome days (no more than one Clerk being acquainted with his being there) till he found he could have a Veſſel provided to carry him over into *Flanders*; in the mean time let us look back and ſee what was done at *Northampton* after his departure.

He privately thereupon ſteals away at midnight, and near *Canterbury* gets a Veſſel that carried him over to *Graveline.*

Fitz-Stephens ſays, That ſo ſoon as the King heard of the Archbiſhop's Eſcape, he cauſed a Proclamation to be made throughout the Town, That no Man ſhould give him, or his Retinue, any ill lan-

The K. after he heard of the A. Bp's Eſcape, forbids any ill Words to be given either to him, or his.

guage,

guage, or offer any ways to injure or moleſt them; the next day, when his Flight was certainly known, the King and all the Council conſidered what was fitteſt to be done, and at laſt reſolved to ſend over to the Pope ſeveral great Perſons Embaſſadors, as well of the Clergy as Laiety, about this great Affair of the Archbiſhop; their Names we will give you by and by; yet the Archbiſhop was permitted to enjoy for ſome time all the Revenues of his Church of *Canterbury*, becauſe both Parties had appealed to the Pope. The reſt of that day was ſpent about Raiſing ſome Foot-Souldiers to be ſent againſt *Reeſe* King of *Wales*; and there was (at the King's deſire) a certain number ſubſcribed by every Eccleſiaſtick and Lay-perſon there preſent for his Aſſiſtance, and ſo the Council was diſſolved.

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The K. and his Council agree to ſend to the Pope.

And to raiſe a Number of Foot-Souldiers againſt *Reeſ*, Prince of *Wales*.

[3.] Then the King ſent after the Archbiſhop with all ſpeed, thinking to have ſtopt his paſſage at *Dover*, and other Ports; but it was all in vain, for he lay ſtill all day at certain Abbeys, or elſe at Friend's Houſes, and Travell'd only by Night. So that it was from the *Quindene* of *Michaelmas* till the 2d of *November*, before he took Shipping at *Sandwich*; and then Landing at *Graveline*, he Travell'd partly on Foot, and partly on Horſeback, on a ſorry Jade to St. *Omers*, where he was joyfully received at the Abby of St. *Bertin*; and there indeed he was furniſh'd with all things neceſſary for a Prelate of his High Dignity, till he went from thence into *France*.

[3.] *F. S. Ed. Ryme.*

How he got to St. *Omers*.

And from thence to *France*.

Whilſt he tarried at St. *Omers*, *Richard de Lucy*, the King's Juſticiary, (being a little before come over on a private Meſſage to the Earl of *Flanders*) ſaw him, and would fain have perſwaded Him to go back along with him into *England*, and reconcile himſelf to the King; but the Archbiſhop fearing the King's implacable Temper, when once throughly incens'd, would by no means conſent to the Propoſal. *Ed. Ryme* alſo differs ſomewhat from *Fitz-Stephen*'s Account of the Archbiſhop's Reception by the Earl of *Flanders*, as that he not only refus'd the Archbiſhop's ſafe Conduct, but threatned him; ſo that he ſtole away privately into *France*, with whom the Author of *Quadrilogus* agrees; ſaying, That he durſt not truſt the Earl, becauſe his Brother the Earl of *Boloign* had by the King's means Married King *Stephen*'s Daughter, who had been an Abbeſs, and that contrary to *Thomas Becket*'s Advice; who, being then Chancellor, openly declar'd againſt it; which made that Earl his Enemy ever after.

At St. *Omers* the K's Juſticiary would fain have prevailed with him to return to *England*, and be reconciled to the King.

But he would not yield to him.

Ed. Ryme's Account of his Reception by the Earl of *Flanders*.

[4.] So ſoon as the King knew that the Archbiſhop was gone beyond Sea, to prevent his being received by the King of *France*, he ſent *Gilbert Foliot*, Biſhop of *London*, and *William* Earl of *Arundel*, Ambaſſadors, not only to diſſwade him from receiving the Archbiſhop, but alſo to ſend to the Pope, to deſire him (out of reſpect to King *Henry*) not to receive him neither into his Favour; but by how much the more the King of *England*'s Meſſengers labour'd, that the Archbiſhop might be expell'd *France*, by ſo much the more that King maintain'd his Cauſe; and beſides, ſent his Almoner to Pope *Alexander* then at *Sens*, deſiring him, That as he loved the Honour of the *Roman* Church, and the Advantage of the Kingdom of *France*, ſo in all things he would maintain THOMAS Archbiſhop of *Canterbury*, and his Cauſe againſt the Tyrant of *England*; and from that time forward the Pope receiv'd him into greater favour.

[4.] *R. H.*

The K. ſends the Bp. of *London* and E. of *Arundel* to the K. of *France* not to receive him.

But *France* ſends to the Pope, deſiring him to maintain the A. Bp. and his Cauſe againſt the K. of *England*.

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[5] Yet, to prevent this, the King ſent to the Pope *Roger* Archbiſhop of *York*, *Henry* Biſhop of *Wincheſter*, *Gilbert* Biſhop of *London*, *Hilary* Biſhop of *Cheſter*, and *Bartholomew* Biſhop of *Exeter*: *Wido*, *Rufus*, *Richard*, *Ivelceſter*, and *John de Oxford*, Clerks: and of the Laiety, *William* Earl of *Arundel*, *Hugh de Gundevile*, *Bernard* of St. *Walery*, and *Henry Fitz-Gerald*, who found the Pope at *Sens*; where (as *Hoveden* relates) they ſaid many falſe and evil things againſt the Archbiſhop: and *Gervaſe* of *Canterbury* has given us all their Speeches at large; which becauſe they would be too tedious to repeat, I ſhall only give you the Subſtance of them.

[5] *R. H. p. 284. a.* *K. Henry* beſides ſends to the Pope ſeveral Bps, and Great Laymen.

Who alledged many falſe and evil Things againſt him.

[1] The Pope being ſeated in his Conſiſtory with his Cardinals, the Biſhop of *London* firſt began, and remonſtrated to the Pope, that there had lately been a ſharp Contention in *England* between the Clergy and Laiety from a ſmall Occaſion, which might eaſily have been remedy'd, if due moderation had been uſed: But becauſe his Lordſhip of *Canterbury* following his own particular Opinion, and not their Advice, without any conſideration of the Iniquity of the times, and what prejudice might happen for ſuch Heats of Paſſion, had thereby laid Snares for Himſelf and his Fellow-Brethren: "So that if they had "given their Conſents to his deſigns, things had turn'd to a much "worſe ſtate than they now were; but becauſe he could not have "their Conſents (as indeed he ought not) to thoſe things which he "propoſed, he endeavour'd to lay all the fault, which proceeded from "his own raſhneſs, upon the King, and the reſt of the Biſhops; nay, "and upon the whole Kingdom; therefore to blacken their Credits "as much as poſſible, the Archbiſhop had fled away, no man threatening "or offering him any Violence, according as it is written, *The "wicked flee, when no man purſues.*

[1] *C. G.* The ſubſtance of their Speeches.

Firſt, the Bp. of *London*'s.

[2] To which the Pope ſaid no more, but *parce, Frater*, ſpare Brother: then the Biſhop reply'd, *Holy Father, I will ſpare him*; the Pope return'd, *I do not mean him, but your ſelf, Brother*; at which the Biſhop being confounded, held his peace. Then *Hilary* Biſhop of *Chicheſter*, truſting more to his Eloquence, than to the Goodneſs of his Cauſe, made likewiſe a ſhort Speech; wherein he told the Pope, "That it "was his *Beatitude*'s Intereſt to reſtore whatever had been done in "prejudice to the Publick, to the former ſtate of Peace and Concord, "leſt one man's immoderate Preſumption might procure the deſtruction of many, beſides a Schiſm in the Catholick Church; "which the Archbiſhop of *Canterbury* little regarded; ſince ſlighting "more mature advice, he only conſulted himſelf, that ſo he might "not only bring great Troubles upon himſelf, but upon the King "and whole Kingdom, which did not become ſo Great a Man; "neither ought his Friends to have given their aſſents to it. This is the Summ of that Biſhop's Speech, though, as this Author words it, (making him run from one thing to another) it appear'd ſo ridiculous, that all thoſe that were preſent fell a Laughing, which put the poor Biſhop to ſilence.

[2] *Id. ib.* The Pope's Reply.

The Bp. of *Chicheſter*'s.

The Archbiſhop of *York*, ſeeing the ill ſucceſs of thoſe that ſpoke before him, reſolv'd to moderate his Paſſion, and only told the Pope, "That he very well knew my Lord of *Canterbury*'s Temper, that "whatever Opinion he once embraced, he was ſcarce ever to be removed from it; and therefore it was eaſy to be believed, that he

The A. Bp. of *York*'s.

"was

" was fallen into this Obſtinacy only for want of Judgment, and that " there was no other way left for his Amendment, but that his Ho- " lineſs would interpoſe his Diſcretion and good Advice, to put a ſtop " to it. *Anno Dom.* MCLXIV.

" The Biſhop of *Exeter* ſpoke more to the purpoſe, and told the " Pope, he would not dwell long upon thoſe matters, but ſince this " Buſineſs could not be decided but in the Abſence of the Archbiſhop: " therefore he deſired that Legates might be appointed, who ſhould " hear and decide the Difference between the King and the Arch- " biſhop: and ſo held his Peace; neither did any of the Biſhops add any thing farther; which the Earl of *Arundel* obſerving, He then ſtood up at the Head of a great Number of Knights and Laymen, and made the Pope a very handſome and modeſt Speech in his own Language, to this effect; " That what the Biſhops had ſpoken (in La- " tine) they being Laymen, did not all underſtand; yet however it " was their Duty to expreſs how they might beſt diſcharge themſelves " of the Affair they were now intruſted with; therefore it was not " his Buſineſs to caſt reproaches upon any man in the preſence of ſo " great a Perſon, to whoſe Authority the whole World ought to ſub- " mit, but rather to ſet forth before his *Beatitude* the King his Ma- " ſter's Love and Devotion towards him, ſince he had now ſent the " Greateſt and moſt Noble Perſons of all Orders and Degrees, as his " Ambaſſadors; and then proceeded to mention that Great Fidelity " and Devotion the King had ſhewn him upon his firſt Advancement " to the Papal See: So that there was no Prince more Faithful and " Devout, nor more deſirous to preſerve Peace than the King; and " tho' the Lord Archbiſhop was alſo very well inſtructed in all things " relating to his Order, and was alſo very vigilant in thoſe matters " which belong'd to his Charge, yet he ſeemed in ſome things too " ſharp and ſevere; but yet were it not for the preſent difference " between the King and Him, both the Clergy and Laiety might " live in mutual Concord under ſo good a Prince, and ſo excellent a " Paſtor; and therefore their preſent Requeſt was, That his *Beatitude* " would take due care to remove this Diſſention, and renew the for- " mer Peace and Charity between them.

The Bp. of *Exeter's*.

The E. of *Arundel's* ſhort Speech.

When the Earl had ended his Speech, (which it ſeems was interpreted to the Pope) tho' he ſaid little to the Biſhop's: yet he anſwer'd His to this effect; " That he very well remember'd with how " great Devotion the King of *England* had beſtow'd many and large " Benefits upon him, which he was willing as far as lay in his power " to return, when any fit Opportunity offer'd, but ſince they had de- " ſired Legates they ſhould have them. Then when they had kiſſed the Pope's Feet, the Biſhop of *London* asked Him (on purpoſe) with what Powers thoſe Legates ſhould come? To which he anſwer'd, *With due Powers: Yes, Sir*, reply'd the Biſhop; *we deſire they may de- cide this Cauſe without any Appeal*: To which the Pope ſharply return'd, " *I will not give my Glory to another*; and certainly when the Arch- " biſhop is Judged, it ſhall be by our Selves, for there is no manner of " reaſon that we ſhould ſend him into *England* to be Judged by his " Adverſaries; he alſo added, That they ſhould ſtay a little for the " Archbiſhop's coming, without whoſe Preſence He could deter- " mine nothing: but when the Ambaſſadors ſaid, That they had a

The Pope's Anſwer to the Earl's laſt Speech.

Legates promiſed to be ſent with due Powers.

But the final Deciſion ſhould be by the Pope.

" time

Anno Dom. MCLXIV.

The Ambaſſadors Return home.

" time prefix'd by the King for their Return; and finding they could " obtain none of thoſe things they deſir'd, they took their Leaves, and " ſo departed.

[3.] P. 284. a. The Pope at length would not ſend any Legates into *England*, for fear they ſhould be corrupted.

[3.] *Rog. Hoveden* tells us the reaſon why the Pope declin'd ſending any Legates into *England*, (tho' the Ambaſſadors deſir'd it) *becauſe he well knew the King to be mighty in Word and Deed*, and that the Legates might eaſily be corrupted, as Men loving Money more than Juſtice and Equity. *Fitz-Stephens* farther ſays, That the Earl of *Arundel*, in a private Audience with the Pope, offer'd him, That if he would depoſe the Archbiſhop, the King his Maſter would not only confirm *Peter-pence* for ever, but alſo grant it to be paid out of every Houſe that made a Fire both in Cities and Towns, as well as in the Country, which would have increaſed that Revenue above a Thouſand Pound *per Ann.* But the Pope was too ſenſible of his own Intereſt, to give ear to any thing of this nature.

What the E. of *Arundel* promiſes the Pope, to depoſe the A. Bp.

[4.] *P. S.*

The A. Bp. removes from St. *Bertin* to *Soiſſons* in *France*.

[4.] In the mean time the Archbiſhop having ſtayed ſome days at the Monaſtery of St. *Bertin* near St. *Omers*, and fearing the great Friendſhip that then was between the King and the Earl of *Flanders*, he removed from thence to *Soiſſons* in *France*; the next day after his Arrival, King *Lewis* came in Perſon to the Archbiſhop's Lodgings, and not only offer'd him his Protection, but Maintenance both for Himſelf and Followers out of his own Treaſury; to whom the Archbiſhop return'd Thanks for ſo great a Favour, but yet at preſent modeſtly refuſed it: and ſo went with the King's good leave to the Pope, who was then, as I ſaid before, at *Sens*, by whom he was honourably received.

K. *Lewis* his great Offers to him.

His Honourable reception by the Pope at *Sens*.

Sometime after his arrival, being admitted to a private Audience in the Pope's Chamber, and having proſtrated himſelf at his Feet, he was Commanded to riſe; and when he would have ſtood, he was ordered by the Pope to ſit down: So ſoon as he was ſeated, he made a ſhort Speech to this purpoſe; " That although he was not very wiſe, " yet he was never ſo fooliſh as to leave his King, Friends, and Eſtate, " for nothing; and that if he could have complied with his Will in " all things, there was no Man in his Kingdom who would have been " prouder to obey him: but that he had refuſed all upon the Conditions propoſed, and having taken a contrary courſe, the King had " quite withdrawn his former kindneſs; nay, if he would yet comply, he needed no body's interceſſion to recover his Favour: Yet " ſince the Church of *Canterbury* was uſed to be as it were the *Weſtern Sun*, whoſe brightneſs was now obſcur'd, he was reſolved to " endure any Torments, nay a Thouſand kinds of Deaths, rather than " to diſſemble the Evils it now ſuffer'd; and leſt he ſhould ſeem to " have undertaken theſe things needleſly, and out of pure vain Glory, " he thought it beſt to ſatisfy all there preſent by an Ocular demonſtration. Then producing the Writing, wherein were contain'd thoſe Cuſtoms or Prerogatives, about which the preſent difference aroſe, he ſaid with Tears, *Here, ſee, Holy Father! what the King of* England *has ordain'd againſt the Liberty of the Catholick Religion, or if it be lawful to diſſemble theſe things without danger of one's Soul, ſay ye to it.* Which Conſtitutions being read, it not only moved them to Tears; but the Pope, before all the Cardinals there preſent, declar'd, That he for ever condemn'd them, and anathematiz'd all thoſe that kept,

The A. Bp's Speech to the Pope.

kept, or any way favour'd them. This is *Hoveden*'s account of the Iſſue of this affair, and that the Pope ſolemnly publiſh'd a * Bull to the ſame effect. *Anno Dom.* MCLXIV.

* See it in *Speed*'s Chronicle at large.

[5.] But *Gervaſe* of *Canterbury* proceeds to tell us, That the Archbiſhop being not long after this admitted into the Pope's Chamber, ſpoke to him and the Cardinals there preſent to this effect; "That "he himſelf ought not to lye before God; therefore willingly, yet "with Grief, muſt confeſs, ſince it was his own fault that had brought "theſe Troubles upon the *Engliſh* Church, that he had enter'd Chriſt's "ſheepfold not by the door, nor by any Canonical Election, but was "One whom the Terror of a Lay-power had obtruded into it; and "tho' he had undertaken that charge unwillingly, yet ſince it was "not a Divine, but Humane Will which had beſtow'd it upon him, "What wonder was it then, if it had ſucceeded no better with him? "Yet if for the King's Threats he ſhould have preſently renounced "his Epiſcopal Dignity, as ſome of his Brethren the Biſhops perſwa-"ded him to do, he ſhould have left a pernicious Example of ſub-"jecting the Church to the pleaſure of Secular Princes: therefore he "had deferr'd it till he could come to his Holineſs's Preſence; but "now being convinc'd, that his entrance into the Church was not "Canonical, and fearing the ill Events that might proceed from "thence, and being alſo ſenſible that his ſtrength was not ſufficient "for ſo great a charge, leſt he might prove a Ruine, rather than a "Benefit to his Flock, he now reſign'd his Archbiſhoprick into his "Holineſs's hands.

[5.] *G. C. Col.* 1397.

An Account of the Speech the A. Biſhop made in Private to the Pope.

Then immediately taking off his Epiſcopal Ring from his Finger (as a token of his Reſignation) he deliver'd it into the hands of the Pope; then concluding his Speech with Tears, he made the Pope and his Cardinals ſympathize with him. Then he withdrawing, whilſt the Pope and his Cardinals began to conſult what was to be done in this affair; at firſt it ſeem'd very eaſy to appeaſe the King's Anger by accepting the Archbiſhop's Reſignation, and beſtowing ſome other Dignity upon him, to put another into his Place: but then they plainly ſaw, that this would be very ungrateful in reſpect of one who had ſacrific'd his Authority, Riches and Quiet, (nay expos'd his very Life) for the Liberty of the Church; and that if he were now deprived to pleaſe the King, no Man for the future would venture to contradict the Will of the Prince in any thing, whereby the Church not only ſhould be in great danger, but the Authority of the Pope would ſignify nothing: therefore all the Cardinals agreed it was beſt to reſtore this Man to his Charge, (tho' he ſhould be unwilling to receive it) ſince he had venter'd ſo much for the Church, rather than to nominate another; which Opinion pleas'd the Pope and all there preſent.

He reſigns his A. Biſhoprick into the Pope's hands.

The Pope and Cardinals conſulting what was beſt to be done in this caſe, reſolved at laſt not to accept of the Reſignation, but to reſtore him again to his Office.

[1.] Then the Archbiſhop being call'd in again, the Pope reſtor'd to him his Archbiſhoprick, and promiſed him the utmoſt aſſiſtance of the *Roman* See: To which *R. Hoveden* further adds, That either at this or ſome other Audience not long after, the Archbiſhop deliver'd into the Pope's hand a Tranſcript of the Laws of *England*, (that is, the late Statutes of *Clarendon*) which the King call'd antient Cuſtoms; which when the Pope had cauſed to be read before the Cardinals and others there

[1.] *Id. Col.* 1398.

Upon which he is reſtored. The A. Bp. delivers the Pope a Tranſcript of the Conſtitutions of *Clarendon*.

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Which he damns, and iſſues out his *Anathema* againſt all that obſerve them.

there preſent, He damn'd them for ever, and iſſued his *Anathema* againſt all thoſe who ſhould for the future dare to obſerve them; and not long after He iſſued out his Bull to that purpoſe, a Copy of which *Speed* has given us in his Chronicle from an Original then in the *Cotton.* Library.

[2.] *Id. ib.* The Pope recommends him to the Care of the Abbot of *Pontigny*, who provided for him for two years.

[2.] Theſe things being thus tranſacted, the Pope recommended the Archbiſhop to the care of the Abbot of *Pontigny* in *Burgundy*, (who was then preſent) to provide for him, not ſplendidly, but according to what was fitting for one who was baniſh'd for *Chriſt*'s ſake, (as it was then eſteem'd) ſo the Archbiſhop going along with that Abbot was by him provided, with all things neceſſary for the ſpace of two Years enſuing. But it is now time to look back and ſee, what the King did in *England* the mean while.

[3.] *Id. ib.* K. *Henry* ſeizes the A. Bp's Revenues.

[3.] The King being very angry that his Ambaſſadors had receiv'd a repulſe in his deſires, both from the Pope and the King of *France*, to be revenged on the Archbiſhop, ſeized upon the Revenues of the Archbiſhoprick, but did not as yet convert them to his own uſe, and ſo things remain'd all the reſt of this Year.

[4.] *Dr. P's Chr.* The *South-Welſh* under the Conduct of Prince *Rees*, invaded the Lands of the E. of *Gloceſter*.

Took great ſtore of Plunder from the *Flemmings*.

And reſolved to caſt off the *Norman* Yoke.

[4.] I find nothing elſe to have happened in *England* worth noting, only that the *South Welſh* encouraged (as I ſuppoſe) by theſe Domeſtick diſturbances, under the Conduct of their Prince *Reeſe* or *Ryſe*, invaded the Lands of *Roger de Clare*, Earl of *Gloceſter*, (becauſe by his means the Prince's Nephew *Eneon* had been lately murther'd) and took divers Caſtles, and razed them to the ground, and ſo in ſhort time he brought all *Caerdigan* under his ſubjection; from thence he made many Inroads againſt the *Flemmings*, and got great ſtore of Plunder in their Country: then all *Wales* reſolv'd to agree to caſt off the *Norman* Yoke (as they call'd their Subjection to the King of *England*) and only to obey Princes of their own Nation: But tho' King *Henry* was ſufficiently incens'd at this Rebellion, yet it being now late in the Year, he was forc'd to defer his Revenge till the next Spring.

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[5.] *G. G. Col.* 1398. The K. baniſhes all the A. Bp's Kindred and Friends.

But they are well receiv'd in *France*.

[5.] The King began this Year with a very ſevere (if not cruel) proceeding, for he now baniſh'd out of *England* all the Relations and Friends of the Archbiſhop of *Canterbury*, ſending them over to him into *France*, even ſo much as the old Men, Women, and Infants; but He was thereby ſo far from ſtraightening the Archbiſhop, that they were all there kindly received, and found Quarters either in the Monaſteries, or elſe with People of the beſt Quality. *Roger Hoveden* places this Action under the enſuing Year, but I rather chuſe to follow *Gervaſe*'s Chronicle, whom I look upon to be more exact in his account of this matter.

[1.] *R. D. Reginald* A. Bp. of *Cologne*, as Ambaſſador from the Emperor *Barbaroſſa*, deſires *Mathilda*, the King's Eldeſt Daughter in Marriage for the D. of *Saxony*

The E. of *Leiceſter* refuſes him the Kiſs, and why.

[1.] About this time the King continuing ſtill at *Weſtminſter*, *Reginald* Archbiſhop of *Coloign* arrived in *England* as Ambaſſador from the Emperor *Frederic Barbaroſſa*, to deſire *Mathilda* the King's Eldeſt Daughter in Marriage for the Duke of *Saxony*, who was then highly in the Emperor's favour: But when all the Great Men of *England* ſolemnly receiv'd the ſaid Archbiſhop, *Robert* Earl of *Leiceſter*, the King's Juſticiary, was the only Perſon who refuſed to afford him the Kiſs, (the common Salutation among the Great Men in thoſe times) becauſe he was then, as well as the Emperor his Maſter, excommunicated by the Pope; and after his departure out of *England*, all the

Altars

Altars on which either He or his Chaplains had celebrated Maſs, were demoliſhed; ſo great an influence had the Pope's Authority then in *England:* but this Match between the Duke of *Saxony* and this Princeſs was not conſummated until two or three years after; for ſhe being now but 11 years old, was not thought mature enough for it. *Anno Dom.* MCLXV.

[3.] In *Lent* the King paſſed over into *Normandy*, and preſently after *Eaſter* went as far as *Giſors*, and there had a Treaty with the King of *France*, concerning divers matters of moment; the particulars of which are not (as I find) ſpecified. [3] *Id. Chron. Nic. Trivet.* K *Henry* goes as far as *Giſors*, and had a Treaty there with the K of *France*.

[4.] Not long after this, the King, being allarm'd by the Inſurrections of the *Welſh*, who, taking advantage of his abſence, preſumed to invade *England*, *David ap Owen* Prince of *North-Wales* having deſtroyed all *Flintſhire*, then part of the King's Dominions, and carried all the People and Cattle away with him to *Dyffryn Cluyd* (now call'd *Ruthyn*;) the King, I ſay, return'd out of *Normandy*, and levied an Army with all ſpeed, and came to their ſuccour as far as *Ruthlan* Caſtle; and after he had lain before it Three days, and ſaw he could do no good, he return'd to *England*, where he gather'd another Army of choſen Men through all his Dominions in *England* and *France*, ſending for Succors from *Flanders* and *Bretaigne*, and then march'd towards *North Wales*, reſolving utterly to deſtroy all the People he could meet with; and coming to *Croes Oſwalt*, (now call'd *Oſwaldſtre*) he there encamp'd: On the other ſide, Prince *Owen* and his Brother *Cadwalladar*, with all the Power of *North-Wales*, and the Lord *Rees* with the Power of *South-Wales*, and *Owen Cyuelioc*, and the Sons of *Madoc ap Ednerth* with the People betwixt *Wye* and *Severne* gather'd together, and came to *Corwen* in *Edeyrneon*, reſolving to defend their Country. [4] *Dr Powel Chr.* The K. upon the News of the *Welſh* Inſurrection, & deſtroying of *Flintſhire*, returns out of *Normandy*. And comes with an Army to ſuccour his People as far as *Ruthlan* Caſtle. Then goes into *England* and raiſes another Army, and with that marches towards *North-Wales*. The Princes of *North* and *South-Wales* with their Forces reſolve to defend themſelves and Country.

[5.] But the King underſtanding that they were ſo nigh, and being mighty deſirous of a Battle, came to the River *Ceireoc*, and cauſed the Woods to be cut down; whereupon a great number of *Welſh men* well knowing the Paſſage, met with the King's Out-Guards, (who were there placed) being the Flower of all his Army, and began a hot Skirmiſh with them, where divers Brave Men were ſlain on both ſides: But in the end the King gained the Paſſage, and came to the Mountain of *Berwyn*, where he lay encamped for ſome days; and ſo both the Armies ſtood in awe each of other, for the King kept the open Plains, and was afraid of being caught in the Straits of the Mountains; but the *Welſhmen* watched for the advantage of the Place, and kept the King in ſo narrowly, that neither Forage nor Victuals could be brought to his Camp, neither durſt any Souldier ſtir abroad; and to augment theſe Miſeries, there fell ſuch great Rains, that the King's Souldiers could ſcarce ſtand on their Feet upon thoſe ſlippery Hills: In Concluſion, the King was forced to return home ingloriouſly with vaſt Loſs both of Men and Munition, beſides his Charges: therefore in a great Rage he cauſed the Hoſtages to be gelt, and their Eyes put out: which were *Rees* and *Cadwalhon*, the Sons of *Owen*, and *Cynwric* and *Meredyth*, the Sons of *Rees*, and others. [5] *Id. ib.* A hot diſpute on both ſides, but at laſt the K. gains the Paſs, and encamps by the Mountains of *Berwyn*. The *Welſh* ſtraiten the K. ſo cloſe, that no Forage or Victuals could be brought to his Camp. And ſo he was forc'd to return ingloriouſly home. He cauſes thereupon the Hoſtages to be gelt, and their Eyes put out.

This Action, tho' perhaps juſtifiable by the Laws of War, was certainly one of the moſt cruel of this King's Reign, ſince it is always counted a great piece of Cruelty to exerciſe the utmoſt ſeverity upon innocent Perſons, eſpecially Women and Infants. This, one of the Cruelleſt Actions of his Reign.

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The K. in the Skirmiſh had been ſhot, if the Conſtab. of *Colcheſter* had not come between, and ſaved his Life, with the loſs of his own.

The K's gratitude to his Daughters for his Loyalty.

But I cannot omit a paſſage, which tho' related only by *Ralph* of *Cogſhal*, yet ſeems very likely to be true; which is, That in the abovemention'd Expedition, the King in a Skirmiſh near a Bridge was in great danger of his Life; for one of the *Welſhmen* ſhooting directly at him, had pierc'd him through the Body, if *Hubert de St. Clere*, Conſtable of *Colcheſter*, perceiving the Arrow coming, had not caſt himſelf between the King and it; whereby, tho' like a Loyal Subject he ſaved the King's life, yet he loſt his own: but the King in gratitude highly preferr'd his Daughters, by marrying them to Men of great Eſtates.

[1.] *C. M.*

The Death of *Malcolm* K. of *Scotland*, who is ſucceeded by his Brother *Alexander*.

I find nothing elſe conſiderable to have happen'd this Year on this ſide of the Sea, [1.] but that *MALCOLM* King of *Scotland*, a Prince of great Virtue and Chaſtity, died unmarried, as having vowed perpetual Continence, and was thence called the Maiden: and *Alexander*, his Brother, a Prince of great Valour, ſucceeded him.

[2.] *R. H. p.* 284. *b.*

The K's ſevere Edict againſt the Pope and the A. Bp.

[2.] The Eccleſiaſtical Affairs of this Year do alſo deſerve our Notice; for the King, ſo ſoon as he arrived in *Normandy*, made a very grievous Edict againſt the Pope and Archbiſhop: the Contents whereof were theſe.

[3.] *Id. ib.*

The Contents of it.

1. If any one [3.] ſhould be found bringing Letters or Mandates from the Pope or Archbiſhop, containing an Interdict of Chriſtianity, (that, is the Uſe of the Service, Sacraments and Holy Rites) into *England*, he ſhould be taken, and ſpeedy Juſtice executed upon him, as a Traytor to the Kingdom.

2. Alſo no Clerk, Monk, or other Religious Perſon, ſhould be permitted to paſs beyond Sea, or return into *England*, unleſs he had a Paſs-port from the Juſtices for his going out, and the King's Letters for his return; and if any one did otherwiſe, he ſhould be taken and impriſoned.

3. Alſo all Men were thereby prohibited from bringing any Command or Meſſage from the Pope or Archbiſhop; And whoever did, was to be taken and detain'd in Priſon: Alſo it was forbidden in general, That any Man ſhould appeal to the Pope or Archbiſhop; or for the future ſhould receive any Meſſage or Commands from them, or hold any Plea by their Order or Command; and if any Man did contrary to this Prohibition, he was to be taken and impriſoned.

4. Alſo all Biſhops, Abbots, Prieſts, Monks, Clerks, or Laymen, that ſhould comply with, or ſubmit to the Sentence of an Interdict, they and their Kindred ſhould forthwith be baniſhed the Nation, and not ſuffered to carry any thing along with them, but their Goods and Eſtates ſhould be taken into the King's hands.

5. Likewiſe all Clerks that had Rents and Eſtates in *England* ſhould be ſummon'd to Return to them within Three months; and if they did not, their Goods and Poſſeſſions ſhould be ſeiz'd to the King's uſe.

6. Alſo that the Biſhops of *London* and *Norwich* ſhould be Summon'd before the King's Juſtices to make ſatisfaction; for that contrary to the Statutes of the Realm, they had Interdicted the Lands of *Hugh*, Earl of *Cheſter*, and pronounced Sentence againſt him.

7. And laſtly, That the *Peter-pence* ſhould be gather'd, and ſafely kept for the King's uſe, and no longer paid to the Pope.

When

When the Archbiſhop found the King thus reſolute, and that his Patron the Pope could by no means prevail with him to revoke the Statutes of *Clarendon*, and recall him from his Baniſhment, he was forced then to ſpend his time in writing of Letters, either to the King or the Biſhops of *England*; ſome of which are of great moment for the better underſtanding of what had already paſſed between them.

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The A. Bp perceiving the K's reſoluteneſs not to revoke the Statutes of *Clarendon*, is forc'd to write Letters to him and the Biſhops here.

[4.] For the King now holding a great Council of his Biſhops at *Chinon* in *Tourain*, the Archbiſhop wrote the King a long Epiſtle.

[4] *R. H. p.* 285. *a.*

But before I give you any Account of its Contents; give me leave to obſerve, That [5] tho' *Roger Hoveden* repreſents it as a Speech made there by the Archbiſhop to the King, yet it plainly appears from *Rad. de Diceto* (with whom alſo *Quadrilogus* agrees) that he was all that Time at *Pontigny*, and ſent the King (who was then at *Chinon*) the above-mention'd Epiſtle, to this effect.

[5.] *Id. ib. p.* 586.

[1.] " Firſt he ſets forth the diſtinction between the Eccleſiaſtical " and Civil State, with the ſeveral Orders and Degrees in both; then " he lays down this as a Fundamental Principle of the Papal Power " (which was now at its full Growth;) that becauſe it was certain, " that Kings receive their Power from the Church, and not the Church " from them, but from Chriſt, therefore he had nothing to do to " command Biſhops to Excommunicate or Abſolve any one, or to " force Clerks into Secular Courts, or Judicatures, to Judge of Tithes, " of Churches, to prohibit Biſhops that they ſhould not intermeddle " with Tranſgreſſion, or Breach of Faith, or Oath; and many other " things, which were written to this effect, among thoſe late Cuſtoms " which the King calls antient. And then after a Citation of Scripture " out of the Prophets, *Wo be to thoſe that make unjuſt Laws*, &c. He " proceeds to adviſe him to have no familiarity for the future with " **Schiſmaticks*; and then putting him in mind how devoutly he had " receiv'd Pope *Alexander*, and how much he had honour'd him in " all things, he deſir'd him, as he wiſh'd the health of his Soul, not " to ſubſtract any ways from the Church that belong'd to it, but that " he would let her enjoy the ſame Liberties in his Kingdom, as ſhe " did in others; That he would be mindful of the Oath or Profeſſion " he had made before the Altar at *Weſtminſter*, when he was Anointed " King; That he would reſtore to the Church of *Canterbury* the State " and Dignity ſhe enjoy'd in the Times of his Predeceſſors, and alſo " reſtore wholly to himſelf the Poſſeſſions and Lands which belong'd " to the Church, which the King had given away to Others at his " pleaſure; and laſtly, that if he would permit him freely and in " peace to return to his See, then he would be ready moſt faithfully, " and with all reſpect to ſerve him as his moſt dear Lord and King in " all things he could, *ſaving the Honour of God, and the* Roman *Church, " and his own Order*; or that otherwiſe the King would certainly feel " the Divine Severity and Vengeance.

[1.] *Id. ib. R. D. Col.* 541, 542. In his Epiſtle to the King, the A. Bp. declares that Ks. receive their Power from the Church, and not the Church from them.

And tells him in what things he had nothing to do.

* That is, *Frederic* the Emperor, and ſuch as adhered to Pope *Victor*, and rejected *Alexander*.

[2.] " About the ſame time alſo he ſent another Epiſtle to his Suffragans in *England*, directed to the Biſhop of *London*; wherein he " blames them, that they had not joyn'd with him in oppoſing the " King, and reclaiming him from his perverſe Purpoſes; yet that " having firſt invoked the Grace of the Holy Spirit, he had not only

[2.] *Id. ib. p.* 286 *a.* His Epiſtle to his Suffragans. Wherein he blames them that they had not joined with him in oppoſing the King, *&c.*

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He caſſates the K's Laws, and Excommunicates all the Obſervers of them.

As alſo ſeveral Others by name for particular matters.

" condemn'd that Writing, in which the King had publiſh'd his Cuſtoms, or rather *Pravities* (as he call'd them,) but had alſo Excommunicated all the Obſervers, Adviſers and Defenders of them, and abſolved all his Suffragans, by God's, and his own Authority, from the Obſervation of them; alſo that he had Excommunicated *John* of *Oxford* (afterwards made Dean of *Salisbury*) and *Richard* of *Ilcester*, for joyning with Archbiſhop *Reginald*, and the *Germans*, (as has been ſaid before;) as likewiſe *Richard de Lucie* and *Jocelin de Bailol*, and *Rainulph de Broc*; the Two former for the Reaſons already ſet down; and the latter, becauſe they were Partakers with *Hugh de Clare*, and *Robert Fitz Bernard*, in taking and detaining the Goods of the Church without his conſent, as alſo for divers other Cauſes, needleſs here to be repeated.

And tells his Suffragans that he had hitherto deferr'd pronouncing Sentence againſt the K's Perſon, and why; but was ready to do it.

" Laſtly, He further ſignified to them, that he had hitherto deferr'd pronouncing Sentence againſt the King's Perſon, to ſee whether he would repent or not; which if he did not quickly, he was ready to do it, and commanded their Fraternity, by virtue of their Obedience, That they ſhould eſteem as Excommunicated, the before-mention'd perſons, and cauſe them to be denounced ſuch, injoyning the Biſhop of *London* to ſhow this Epiſtle to all his Brethren and fellow Biſhops of his Province: and ſo takes his leave as becomes an Archiepiſcopal Metropolitan.

I thought fit to give you the ſubſtance of theſe Letters, becauſe it ſhews the Arrogance and Preſumption of this Haughty Clergyman, who ſtill took upon him to do as much as the Pope himſelf could pretend to.

[2.] *Id.* The K. ſends a ſevere Edict into *England* to have the Ports watch'd.

[3.] Upon theſe high Proceedings of the Archbiſhop, King *Henry*, being ſtill in *Normandy*, ſent his Precept or Edict into *England*, that all the Ports ſhould be moſt ſtrictly watched, leſt Letters of Interdict ſhould by any means be brought in; and if any one brought them, he commanded that his Feet ſhould be cut off; but if he was a Clerk, no leſs than his Eyes and Genitals; if a Laick, to be hang'd; if a Leper, to be burnt; and if any Biſhop fearing ſuch Interdict, would depart the Nation, he ſhould carry nothing with him but his Staff. He alſo order'd, that all Scholars ſhould return into *England*, or be deprived of their Benefices; and ſuch as remained abroad, ſhould never return. The Prieſts likewiſe that would not chant or ſing Maſs, he order'd to be gelt; and all ſuch as were Rebels to him, were to looſe their Fees or Livelihoods.

And what to do with any that ſhould bring in Letters of Interdict, *&c.*

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William K. of *Scots* comes into *England*, and did his Homage to K. *Henry*.

Theſe are the Heads of this Edict which *Hoveden* has given us in ſhort; but the Author of *Quadrilogus* hath it more at large, and thither I refer my Reader, if he pleaſe to conſult it.

About the beginning of this Year (as *Buchanan* and *Polydore* relate) *William* King of the *Scots* came into *England*, and did his Homage to King *Henry*, (as his Anceſtors had done before;) but when he demanded *Northumberland* of the King as his antient Right, his Anſwer was, That he could not alienate it without the conſent of the Great Men of his Kingdom, and ſo put him off to the next Common-Council; which the *Scottiſh* King not able to contradict, was forced to comply with: But we do not find that ever that County was reſtored to him by King *Henry*; and therefore having no Authority from any of our *Engliſh* Writers concerning this matter, I leave the Reader to deter-

Upon the demanding *Northumberland* as his antient Right, the K. anſwer'd, It could not be aliened without the Conſent of his Great Men.

determine as he thinks beſt about it: Yet thus much is certain, [4.] that King *William* not long after followed the King into *Normandy* upon his Summons; and the Chronicle of *Mailroſs* ſays, That it was about the great Affairs of King *Henry* his Lord; and having ſhewn his Courage in certain Martial Atchievements, he then return'd home. *Anno Dom.* MCLXVI.

[4.] *C. M.* K. *William* follows the K. into *Normandy* upon his Summons.

But [5.] King *Henry* (it ſeems) ſtayed longer in thoſe Parts to ſettle his own affairs; and there alſo at the requeſt of the King of *France* he agreed to grant Four pence upon every Hyde of plough'd Land throughout all *England* towards the Relief of the *Holy Land*.

[5.] *C. G.* K. *Henry* grants 4 *d* upon every Hyde of plowed Land, for the Relief of the *Holy Land*.

But notwithſtanding this pious Act of the King's, Archbiſhop *Becket* was highly incens'd that the King had ſeized upon his Temporalities, and ſtill put in execution the Statutes of *Clarendon*; but tho' He would not hitherto pronounce any Sentence againſt the King's Perſon, [1.] yet he did againſt ſeveral of thoſe about him; for now going from the Abbey of *Pontigny*, to the City of *Vizelay*, upon Aſcenſion-day, there getting up into the Pulpit, he, in the preſence of a Great Aſſembly, Excommunicated with lighted Candles all the Obſervers, Defenders, and Promoters of thoſe Cuſtoms which in *England* were call'd Antient; as by name *Richard* of *Poictou*, *Jocelin de Bailleol*, *Alan de Nevil*, and divers Others; but they being abſent, and neither cited nor convicted, upon the News hereof, ſent Meſſengers to the Archbiſhop to appeal from his Sentence to the Pope, and in the mean time did not refrain coming to Church.

Thomas Becket highly incenſed againſt the K. for ſeizing his Temporalities.

[1.] *R. H. Id.* He ſolemnly Excommunicates all thoſe that obſerved the Statutes of *Clarendon*, and ſuch and ſuch by name.

But they ſent to let him know that they appealed from his Sentence to the Pope.

[2.] Not long after this, the Pope remaining ſtill in *France*, (tho' he return'd not long after into *Italy*) ſent Two Cardinals, *William* of *Pavia*, and *John* of *Naples*, as his Legates, who cited the King and the Archbiſhop to meet them at *Montmiral* in *Champaigne*, which they both did accordingly; and tho' the Archbiſhop found them more favourable to the King's ſide than he would have had them, yet he conſented to ſubmit to their Judgment on this condition, That there ſhould be firſt an entire Reſtitution made both to Himſelf and his Followers of all that had been taken away from them; to which when the King would not agree, nor the Archbiſhop (being the loſer) would not upon other terms ſubmit, and they having no power to compel him, left this buſineſs undiſpatched, and ſo returned to *Rome*, having only abſolved thoſe, whom the Archbiſhop had before Excommunicated; and indeed the Archbiſhop ſhewed himſelf very ſubtile in this Tranſaction, for could he have gain'd the point of Reſtitution, he had made the King confeſs himſelf in the wrong, and yield up the Cauſe before it came to be heard: But to return to Civil affairs.

[2.] *Id. ib.* The Pope ſends Two Cardinals as his Legates, to make up the buſineſs between the K. and the A Bp.

But they not being able to reconcile them, return'd to *Rome*, after having abſolved thoſe whom the A. Bp. had Excommunicated.

[3.] King *Henry* finding the Nobility of *Main* and *Bretaign* diſobedient to the Orders of Queen *Eleanor*, (whom he had left Regent in his abſence) and ſhowing ſome inclinations to rebell, he was reſolved to humble them; and therefore marching into thoſe Parts with an Army, he took in their Caſtles as he pleaſed, and demoliſhed the ſtrong One of *Fulgers*, for that, it ſeems, had made a more obſtinate Reſiſtance than any of the Other.

[3.] *Id. ib. N.T.* K. *Henry* marches into *Bretaign*, and reduces the Country to his Obedience.

Then [4.] *Conan* Earl of *Bretaign* and *Richmond*, being not able any longer to withſtand the King's Power, thought it beſt to make his peace with him as well as he could; and therefore agreed that his only Daughter *Conſtance* (tho' not as yet old enough for Marriage) ſhould be betrothed to *Geoffry* the King's third Son, ſettling upon them the Earl-

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Earldoms of *Bretaign* and *Richmond*, reſerving only to himſelf *Guingamp*, which deſcended to him by Earl *Stephen* his Grandfather; King *Henry* highly approving of this Match, preſently took poſſeſſion of the Country, and went a Progreſs to the Cities and Caſtles of the chief Barons and Knights.

I have been the more particular in this Tranſaction, becauſe tho' it be mention'd by *Nicholas Trivet*, yet it is omitted by *R. Hoveden*: But *Walter Hemingford* and *Brompton*'s Chronicle do both give ſome account of this matter, however they falſely ſuppoſe this Match not to have been made till after the Death of Earl *Conan*, who ſurvived indeed divers years, as you will find hereafter; but the Authority of theſe Writers hath (as I ſuppoſe) led *Polidore Virgil*, *Daniel*, and Dr. *Brady*, into the ſame miſtake.

[4] *Id. ib.* *Conan* makes Peace with him, by offering *Conſtance* his only Daughter to be betrothed to *Geoffrey* the K's 3d Son, ſettling on them the Earldoms of *Britain* and *Richmond*.

[5.] When King *Henry* had met with this good ſucceſs, he return'd into *England*, and ſoon after his Arrival iſſued forth a ſevere Edict, whereby he baniſhed all the Kindred and Relations of Archbiſhop *Becket* out of all his Dominions, not excepting Women, Sucking Infants, or Aged perſons; but they going over into *France*, were all there kindly received, and by the King's Order, quarter'd with ſuch Noblemen, Biſhops and Religious Houſes, as were willing to receive them, where they were plentifully maintained till the Archbiſhop's return into *England*; nor did the King's ſeverity ſtop here, but he alſo forbad all perſons to aſſiſt the ſaid Archbiſhop with Money, or to hold Correſpondence with him by Letters, or ſo much as to pray for him in the Churches; all which had only that ſucceſs, as ſuch ſevere and cruel Actions commonly meet with, to render the King more odious both at Home and Abroad.

[5.] K. *Henry* returns to *England*, and by his Edict baniſhes all the A. Bp's Relations. Who go over into *France*, and are there hoſpitably received. The K. forbids all perſons to hold any correſpondence with, or ſo much as to pray for the A. Biſhop.

[1.] And to be further revenged of the Archbiſhop, who had been now ſcarce Two years at the Abby of *Pontigny* (in the Confines of *Champaign* and *Burgundy*) with Abbot *Warin* and his Monks, to whom Pope *Alexander* had recommended him; King *Henry* ſent word to that Abbot, That if he ſhelter'd any longer the Archbiſhop of *Canterbury* in his Monaſtery, he would forthwith baniſh all the Monks of his * Order out of *England*; which the King of *France* hearing, came of himſelf to *Pontigny*; and leſt any thing might be done by King *Henry* to the prejudice of the *Ciſtertian* Order, he took the Archbiſhop along with him as far as *Sens*, and from thence ſent him to the Abby of St. *Columbe* not far off, where he allowed him a handſome Maintenance, and paid him frequent Viſits, till he return'd into *England*.

[1] *F. S. G. C.* And forces him to leave the Monaſtery of *Pontigny*.

* *i. e. Ciſtertian.*

The K. of *France* thereupon ſends him to the Abby of St. *Columbe*, and honourably maintains him there.

[2.] Nothing further remarkable happen'd this year, but the Birth of Earl *John*, the King's youngeſt Son call'd at firſt in Raillery *Sans Terre*, becauſe his Father ſettled no Lands, nor Principalities upon him, as he had done upon his three Elder Brethren; yet he was afterwards created King of *Ireland*, and Earl of *Mortaign*, and after the Death of his Elder Brother King *Richard*, ſucceeded to the Crown of *England*.

[2] *R. D. Col.* 544. The Birth of Earl *John*, the K's youngeſt Son.

As to the Archbiſhop's concerns, I find nothing more done this year, only ſometime after his removal from *Pontigny*, [3.] *R. Hoveden* gives us a choice Collection of Letters written by the Pope to the *Engliſh* Biſhops, and alſo by the Archbiſhop himſelf: That which Pope *Alexander* wrote to King *Henry* on the behalf of the Archbiſhop of *Canterbury*, is to this effect: "That as Seculars were diſtinguiſhed "in their way of Life and Habit from Clerks or Eccleſiaſticks, ſo "their

[3] *P.* 286. The Subſtance of the Pope's Letter to K *Henry*, in favour of the A. Bp.

" their *Courts* were quite *different*; yet that the King had perverted " this courſe by his prepoſterous Orders, having uſurped thoſe things " which belong to Chriſt, by making new Laws according to his " own Will, to the Oppreſſion of his Church; and then exhorts him " to permit every Body to enjoy their own Rights and Liberties, and " to leave Eccleſiaſtical Matters, eſpecially ſuch as were Criminal, " about Breach of Faith, or Oath; as alſo thoſe Cauſes that concern " the Goods and Poſſeſſions of Churches, to be diſcuſs'd by Eccleſia- " ſtical Perſons, becauſe it was neither expedient, nor became his " *Serenity* thus to * confound the Secular and Eccleſiaſtical Govern- " ment.

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Adviſing him not to confound the Eccleſiaſtical & Secular Power and Rights.

* *Regnum & Sacerdotium confundere.*

[4.] " The Pope alſo about the ſame time wrote to *Gilbert* Biſhop " of *London*, to perſwade the King to be kind to the Church, and " receive the Archbiſhop into favour.

[4] *R. H. p.* 287. *a.*

The Pope writes another Letter to the Bp. of *London* in behalf of the A. Bp. and the Church.

[5.] " Then follows the Biſhop of *London*'s Anſwer to the Pope, " wherein he lets him know, That he had taken to his aſſiſtance " *Richard* Biſhop of *Hereford*, and they had both urged the King ac- " cording to the Inſtructions already received from his *Holineſs*, in " this as well as in other Epiſtles, and told him, The King received " his Reproofs very thankfully, and with great temper of Mind, mo- " deſtly anſwering to every point.

[5.] *Id. ib. b.* The Bp's Anſwer to the Pope.

Telling him how thankfully the K. receiv'd his Reproofs.

" As firſt, That he had no averſion to his Holineſs's Perſon; but " that, on the contrary, whilſt he ſhewed him his paternal Grace and " Favour, the King would love him as his Father, and honour and " cheriſh the *Roman* Church as his Mother, and would humbly obey " his Commands, *ſaving his own Regal Dignity, and that of his King-* " *dom.* That if at any time he had been deficient in his Reverence " towards him, it was becauſe his *Holineſs* had given a denial to every " one of his Requeſts, notwithſtanding when his *Holineſs* was in the " greateſt ſtreights, he had cordially eſpouſed his Intereſt; That He " would hinder no man from Appealing to his *Holineſs*, yet affirm'd, " that in all Appeals, according to the antient Conſtitutions of his " Kingdom, no Clerk ought for any Civil Cauſe to go out of his " Kingdom, before he had tried whither by his Authority and Pre- " cept he could obtain Juſtice, or no; which not being granted, any " one might and ſhould Appeal to him; in which Act, if he did any " ways prejudice his *Holineſs*'s Right or Dignity, he would amend it by " advice of the Church of his own Kingdom: He farther aſſerts, That " he never baniſh'd the Archbiſhop out of his Kingdom, but as he " went of his own accord, ſo he might freely return again to his " Church whenever he pleaſed; on condition to obſerve thoſe Royal " Prerogatives he had ſworn to, tho' now he calls them *wicked and un-* " *juſt*; and that if any Church or Eccleſiaſtical Perſon could ſhew " themſelves grieved by him, or any of his, he was ready to make ſa- " tisfaction according to the Judgment of the whole Church.

And what complyance he yielded to all his Propoſals.

" Theſe (they ſaid) were the King's Anſwers, and therefore they " beſeech his *Sublimity* to conſider, what iſſue this affair was like to " have, ſince the King ſeemed only ſo much to juſtify himſelf, as " that he ſubmits in all things to the Counſel and Judgment of the " Church of his Kingdom, whether the Archbiſhop might return up- " on the Conditions before expreſſed; and ſo they ſupplicate his Ex- " cellency (as they term him) to act mildly, and not to pronounce

" ſen-

Anno Dom. MCLXVI.

The K's Mother and the A. Biſhop of *Roüen* write to the K. to be reconcil'd to *Tho. Becket*.

His Anſwer to them.

" ſentence of Interdict or Excommunication againſt the King, leſt he " ſhould force Him, and with Him much People, and innumerable " Churches from his Obedience.

About this time alſo (according to the Author of *Quadrilogus*) the King's Mother and the Archbiſhop of *Roüen* wrote to him to be reconciled to the Archbiſhop; but all the Anſwer he would return, was, That as he had gone away of himſelf, no body forcing him, ſo he might return as he came, if he pleaſed: but it ſeems this general Anſwer did not ſatisfy; for by being reconciled, was meant, that the King ſhould yield to all the Archbiſhop's demands, as he was at laſt forced to do, tho' much againſt his will.

[1.] *F. S.* Bp. of *Salisbury* beſtows the Deanry of that Church on *John* of *Oxford*, againſt the Pope's Prohibition.

[1.] This year alſo the King having been diſpleaſed with *Jocelin* Biſhop of *Salisbury*, he, to regain his Favour, beſtow'd the Deanery of that Church upon one *John* of *Oxford* the King's Chaplain, altho' he had been by the Pope's Letters forbidden ſo to do without the conſent of his Chanons, moſt of whom were now in Exile with the Archbiſhop, who thereupon by the Pope's Command excommunicated the Biſhop, with divers others, without ſo much as hearing what they had to ſay for themſelves.

Upon which the A Bp. Excommunicates the Bp. with divers others.

[2.] *R. H. p.* 291. *a*

The Bps. of the Province of *Canterbury* write to the A. Bp. in favour of the K.

Telling him, the K. cauſed him to be elected A. Bp. contrary to his Mother's advice, & the Opinion of the whole Kingdom.

And that he only inſiſted to have thoſe Prerogatives allowed him, which his Predeceſſors had enjoyed.

They demand of him by what Right he could thus thus oppoſe the King.

Or ſuſpend & condemn the Bp. of *Salisbury*, without firſt hearing him.

[2] Whereupon all the Biſhops of his Province now wrote to the Archbiſhop a large Epiſtle, which was to this effect; " That they " had hopes that thoſe things which by his unexpected departure " were put into confuſion, might by his prudence have been reduced " to their former peaceable condition; but that to their great grief " they heard, he threatned the King with an *Interdict*, and to cut him " off from the Church; then they urged to him the Inconveniences " of ſuch proceedings, and the Conveniences of a peaceable and quiet " Temper; and deſir'd him to remember, that the King, contrary " to the Advice of his Mother, and the Opinion of the whole King- " dom, cauſed him to be elected Archbiſhop, in hopes He might Reign " happily, and enjoy greater quiet and ſecurity by his Council and " Aſſiſtance. They told him farther, That the King being appointed " by God to that end, had provided for the Peace of his Subjects in " all things, and preſerved it to the Churches and People committed " to his Charge; That he only inſiſted on the Prerogatives which " were his due, at leaſt which were yielded to all Kings before him, " that thoſe might be allowed and yielded to him: about which, if " there were any Controverſy between the King and himſelf; yet " when he was lately admoniſhed by the Biſhops of *London* and *He-* " *reford*, by Directions from the Pope, he had anſwer'd humbly and " meekly, (as has been already related) and that in very Deed he was " then ready to perform, and give ſatisfaction for any injury done. " Then they demand of him by what Right, Law, or Canon, he could " thus oppoſe the King, or how he could cut him off from the Church. " Then they gently reprove him for ſeveral prepoſterous, new and un- " warrantable Actions, as condemning and ſuſpending the Biſhop of " *Salisbury*, before he was accuſed, or heard; which new way of Judg- " ing, to condemn firſt, and hearing the Cauſe afterwards, they " hoped was not to be found amongſt the Eccleſiaſtical Canons; yet " leſt he might attempt to exerciſe and extend it againſt their Lord " the King, or his Kingdom, or againſt them and the Churches com- " mitted to them, to the Prejudice of the Pope, and the Diſgrace and

" Detri-

" Detriment of the Holy *Roman* Church, and the Increaſe of his own " Confuſion; they oppoſed againſt him the Remedy of an Appeal, " and now Appeal'd the Second time to the Pope in writing, and " aſſign'd next Aſcention day for the time of proſecuting this Ap- " peal. *Anno Dom.* MCLXVI.

And leſt this power might be extended againſt the K. &c. they appeal a Second time againſt him to the Pope.

" [3.] Much ſuch another Epiſtle, and to the ſame effect, the ſaid " Biſhops alſo wrote to the Pope in behalf of the King, in which they " excuſe him as before, and commend his compliance and obedi- " ence, and inform the Pope, that was no need of an Interdict, " Threatnings or Curſe, to force him to make ſatisfaction. Then " they aſſign for the ground and cauſe of this Controverſy, the Ex- " travagancies and Exceſſes of certain inſolent Clerks, and the manner " and place of puniſhing their grievous Crimes and Enormities: " They blame the Archbiſhop for threatning to excommunicate, and " Interdict the Nation; and ſay, it was neither like the Devotion or " Patience of a Father, or Archbiſhop: They farther acquaint the " Pope, that he had excommunicated (and that without any Citation, " or hearing their Defence) ſome of the King's Servants, and Chief " Men of the Kingdom, by whoſe ſpecial Aſſiſtance and Councel " the great affairs of the Kingdom were mainly directed; and this " (as they ſaid) without proofs of guilt, or being convicted, or ha- " ving confeſſed any fault; And then laying before him the Incon- " veniences and ill conſequences of ſuch his extravagant actions, " they make their Appeal to the Pope, and propound the day of Ap- " peal as before.

[3] *Id. p.* 292. *b.* 295. *a.*

They write to the ſame effect to the Pope in behalf of the King.

And aſſign for the ground and cauſe of this Controverſy, the Extravagancies and Exceſſes of Inſolent Clerks, and the manner of puniſhing their Crimes.

" Not long after Archbiſhop *Becket* wrote an Anſwer to the for- " mer Epiſtle, ſent him by his Suffragan Biſhops which being very " long, I ſhall refer the Reader to it as it ſtands in *Quadrilogus*; " yet will give you the Sum of it from [4.] Dr. *Brady*'s Hiſtory. In " the firſt place, he indeavours through the whole to draw a paralel " between the Sufferings of our Saviour Chriſt and himſelf; tells them " they wrote not that Epiſtle by common advice and prudence, it con- " taining more of Sharpneſs and Diſobedience than Comfort or Cha- " rity; and after that wonders why they ſhould be ſo unkind to him " who never did them any Injury; and exhorts them to lay down " their lives with him to free the Church from the yoke of ſecular " Servitude. Next he affirms the injury done to himſelf, the Church " of God, and that of *Canterbury*, was the cauſe of his Appeal, and " That the Cauſe of his Receſs. He accuſeth the Biſhop of *London*, " Archbiſhop of *York*, and *Rich. de Ivelceſter*, for dictating the Sen- " tence againſt him; and particularly the Biſhop of *London*, for re- " ceiving the Money of the Church of *Canterbury*, and applying it " to the uſe of his own Cathedral. He affirms, he ought not to fear " any puniſhment or ill conſequences, for ſtanding out againſt the " King: He alſo exhorts the Biſhops not to confound the Rights of " the Church and Kingdom which were diſtinct powers, of which " the one received its Authority from the other. He farther ſays, " the Biſhop of *Salisbury* admitted *John* of *Oxford* to be Dean of *Salis-* " *bury* againſt the Pope's and his Prohibition, which was a manifeſt " diſobedience, and therefore there was no Solemnity required in the " Proceſs againſt him, and cites ſome Canons to make good his Aſ- " ſertion. Then he argues againſt their Appeal; and aſſerts that le-

The Archbiſhop's Anſwer to this Epiſtle of the Biſhops.

[4] *p.* 399. See it in Latin in his Appendix. N. 56.

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" gally and Canonically they could not Appeal ; and affirms, it " would be no Injury to the King, to ſmite him with Excommuni- " cation ; and as for his being made Archbiſhop againſt the opinion " and good liking of the Kingdom, he appeals to the form and man- " ner of his Election, and endeavours to make what they ſay im- " probable, from the number and quality of the Perſons there preſent; " and for that the King himſelf wrote for his Pall ; So that his Election " was made without any contradiction. He then takes notice, that " they had reported him an inconſiderable fellow, and of mean Pa- " rentage ; his Anſwer was, *That though he deſcended not from Kings,* " *yet he choſe rather by the greatneſs of his mind, to Raiſe a Family,* " *than by his negligence to render one Degenerate.* He tells them they " talk of the Danger of the *Roman* Church, and the fear of the " King's and his People's receſs from it, as alſo of his own danger, " and of thoſe that belonged to him ; but they thought not all this " while of the loſs of Souls. Laſtly, that the Suffragans of his Church " ought all to be of his opinion, and to ſuffer and dye with him.

The Archbiſhop certainly miſtaken in affirming, that his Election was without contradiction.

This Epiſtle, though long, is very well worth reading, ſince the Archbiſhop hath therein exerted his utmoſt Skill and Eloquence, according to the way of writing in thoſe times ; yet however he was certainly miſtaken, (whither wilfully, or through forgetfulneſs, I will not determine) when he there tells the Biſhops that this Election was without contradiction ; for the Author of *Quadrilogus* owns, that the Prior and Monks of *Canterbury* were at firſt much againſt chuſing a meer ſecular and military Man for Archbiſhop ; and the Biſhop of *London* oppoſed it to the laſt. I have been more particular in the Extracts of theſe Letters, becauſe they are the moſt exact pieces of Hiſtory in their kind ; and ſhew us more of the Inſide of Affairs than any other Relations.

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[5.] *G.N.* 1166. Prince *Henry* goes from *England* to his Father in *Poictou.*

[5.] About *Chriſtmas* this year Prince *Henry* the King's Son went from *England* to his Father in *Poictou* ; then after *Eaſter* the King marched with an Army into *Auvergne,* and waſted the Lands of Earl *William,* who thereupon engaged his Faith to ſtand to the King's Arbitrement in relation to his Nephew the young Earl of *Auvergne,* whom he had diſinherited ; but he broke his Faith, and went over to the King of *France,* and raiſed new Diſcords between them.

The King marches with an Army to *Auvergne,* to aſſert the Right of his diſinherited Nephew.

[1.] *G. G. Col.* 402. The War is again renew'd between the Kings of *England* & *France,* and on what Occaſion.

[1.] So that now the Peace was again broke, and the old Quarrel renew'd between the Kings of *France* and *England* about the City of *Tholoſe,* and other matters ; but chiefly (as it was believed) becauſe of Archbiſhop *Becket,* (whoſe Quarrel King *Lewis* now eſpouſed): then the County of *Eu* and the *Veuxin* were miſerably harraſs'd by Plundering and Burning ; for the *French* King invading *Normandy* on that ſide, ſtay'd there with his Army four days ; in the mean time *England* was much alarmed by reaſon of a Report, that *Matthew* Earl of *Bologne,* being highly diſpleaſed at the King, becauſe he had ſtopt certain Revenues he received from hence, had furniſht his Brother the Earl of *Flanders,* with 600 Veſſels to invade this Kingdom ; and preſumed the more, becauſe the King was now engaged in a War with *France* ; But all the Earl's endeavours were fruſtrated by the care of *Richard de Lucy,* Juſtitiary of *England,* who guarded it ſo well with its own Militia, that no Foreigners durſt approach. From whence we may obſerve, that in thoſe days, the Militia of *England* conſiſting of *Tenants*

England is much alarm'd at the News of an Invaſion from *Flanders.*

But being well defended by its Militia, thoſe deſigns come to nothing.

by

by Knights ſervice, as alſo by other Tenures, was ſo conſiderable, that without any ſtanding Army, it was able to be a Terrour to its Neighbours: But to return to *France.* *Anno Dom.* MCLXVII

[2.] On Trinity Sunday the Two Kings meet in the French *Vexzin*, where they treated of a Peace; but the Noble Men of *France* exaſperating their King againſt King *Henry*, nothing was done at that time; whereupon both ſides fortified their Caſtles, and brought together what forces they could. Then King *Lewis* burnt many Villages between *Mante* and *Pacey*, at which King *Henry* was much provoked, and in requital burnt the ſtrong and Noble Caſtle of *Chaumont* near *Giſors*, (which was the K. of *France* his Magazine for Arms, and other warlike proviſions, and where alſo lodged his Money to pay his Soldiers) and likewiſe divers Villages thereabouts. This ſo inraged King *Lewis*, that he marched ſtraight into *Normandy*, and burnt ſeveral Towns and Villages, and among others the good Town of *Andeli Sur Seine*, which belonged to the Archbiſhop of *Roüen*, with divers other places; and all that King *Henry* was able to do, in the mean while was to take a ſtrong Caſtle called *Finnel* by ſtorm. [2.] *C. N.* The two Kings treat of peace but without any effect; whereupon they burn each others Towns and Caſtles.

This is the ſame Action that *Hoveden* places under the Year following, but not truly; for both *Gervaſe* and the *Norman* Chronicle place it more rightly under this.

In *Auguſt* there was a Truce made, and Sworn to by both Kings to continue until *Eaſter*. Then King *Henry* went into *Bretaign*, and brought under his Subjection all the *Bretaigns*, and thoſe of St. *Paul de Leon*; for *Guihomar*, Son to *Henry*, Viſcount of that Town, gave pledges, and ſubmitted to the King, being much ſurpriz'd to ſee his ſtrongeſt Caſtle burnt, and his other beſt places either eaſily taken, or as eaſily ſurrender'd. *Id. ib.* A Truce made between the Two Kings. K. *Henry* ſubdues *Britain.*

While the King was thus buſied in *Bretaign*, a Meſſenger came to him with the news of the deceaſe of his Mother the Empreſs, who dyed the 10th of *December* at *Roüen*, and was buried at the Abby of *Bec*. Her Son diſtributed her Treaſure (which was very great) to Churches, Monaſteries, Lepers, and other poor people, for the good of her Soul; ſhe herſelf had built three Monaſteries in *Normandy*, and given a great Summ of Money towards building the Stone-bridge at *Roüen*, which ſhe had already begun. *Id. ib.* *Maud* the Empreſs, her Death. Her vaſt Treaſure diſtributed to Monaſteries, *&c.*

Now it may not be amiſs here to give ſome Character of this Princeſs, who being the Daughter of a Great King, and the Mother of a Greater, was of a Maſculine, but haughty and turbulent Spirit: for thinking the Earl of *Anjou*, her Second Husband, too mean a match for her, ſhe had at firſt frequent Diſputes with him, which ran ſo high that they parted; but being again reconciled, ſhe had ſeveral Children; yet with ſo little fondneſs on his ſide, that ſhe continued four Years in *England* without his ever ſeeing her, though he had been often deſir'd to come over. She was alſo very ambitious of Governing, as appears by her indefatigable pains to obtain the Crown of *England*, and very vigorous in ſetting up arbitrary power, which loſt her the hearts of the *Londoners*, and of the reſt of the Kingdom; and which made them ſo afraid of a Female Government, that in the Agreement between King *Stephen* and her Son *Henry*, ſhe was wholly put aſide, and the Crown ſettled upon him immediately after the Death of that Prince: ſo that (laying down that pompous Title of her being Lady of the *Engliſh*) ſhe remain'd in a private condition Her Character.

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until the day of her Death: This Character we may gather from her Actions, for I do not find any given of her by the Hiſtorians of that Age.

As for the Archbiſhop's affairs, this Year produced no great Alteration in them, and therefore he chiefly ſpent his Time in writing Letters to the Pope and the King, as alſo to *Gilbert* Biſhop of "*London*; in the laſt of which he laid to his charge the long abuſe of "his patience, and the refuſal both of the Pope's and his own admo- "nition, and pronounced him excommunicated, and cut off from the "Body of the Church; commanding him by virtue of his Canonical "Obedience, that he ſhould abſtain from all Communication with faith- "ful believers, till he had made ſufficient ſatisfaction, [3.] but the Biſhops and the others of the Clergy for the preſent eluded the force of this Excommunication, by appealing to the Pope, and ſo prolonged the matter for near a year longer.

R. H. p. 289. b. 293. b.

The A Bp. ſpends moſt of his time in writing Letters to the Pope, the K. and Bp. of *London*, and at laſt Excommunicates him.

[3.] *F. S.*

But the Bps. and reſt of the Clergy eluded it, by appealing to the Pope.

[4.] He wrote alſo to the Dean and Arch-Deacon and Clergy of the "Dioceſs of *London*, that by vertue of their Obedience, and as they "tender'd their Salvation, and Order, they ſhould avoid the Com- "pany of their Biſhops, and likewiſe of all other perſons excommuni- "cated; and there he named at the end of this Epiſtle, *Jocelin* Biſhop of *Salisbury*, Earl *Hugh* (I ſuppoſe of *Cheſter*,) with divers others, who need not be here ſet down; and then farther informed them that on *Aſcention day* enſuing he would Excommunicate divers others, whom he had cited, if in the mean time they did not make ſatisfaction; namely *Gilbert*, Arch-Deacon of *Canterbury*, and *Robert* his Vicar, *Richard de Lucy*, with ſeveral others, and all ſuch as by the King's mandate, or their own raſhneſs, had ſeized his Goods, or thoſe of his Clerks; alſo thoſe by whoſe aſſiſtance or advice the King's mind was ſet againſt the Liberty of the Church, and by whoſe Inſtigation he had proſcribed, and ſpoiled the Innocent; and laſtly, all thoſe who had hindered the Pope's Commiſſioners and his from perſuing the Buſineſs of the Church.

R. H. p. 293 b.

And commands the Dean and Clergy of his Dioceſs to avoid the Company of all thoſe he had excommunicated.

And informs that at ſuch a time he would excommunicate others, if in the mean time they made not ſatisfaction.

[5.] He then alſo gave *Robert* Biſhop of *Hereford* notice by another Epiſtle, that he had excommunicated the Biſhop of *London*, and *Gilbert* Arch-Deacon of *Canterbury*, with the reſt of the Perſons already mention'd in his laſt Letter to the Clergy of *London*; and thoſe who had received Eccleſiaſtical Offices or Benefices from the hands of Laymen, contrary to the Canons, or had uſurped them by their own Authority, *&c.* And then he commanded him by the Pope's Authority, and his Own, that they ſhould be declared excommunicate throughout his Dioceſs.

[5.] *Id. p. 294. a.*

In another Letter he gives the Bp. of *Hereford* notice of all thoſe whom he had excommunicated.

And alſo all thoſe who had receiv'd Eccleſiaſtical Benefices from Laymen's hands.

Not long after the Biſhop of *London*, (although (in the opinion of ſome) he was thought ſafe from the above ſaid Excommunication of the Archbiſhop by the late Appeal, which he had made to the Pope, yet, it ſeems) his Heart now failed him, and ſo patiently ſubmitting to it, he forbore entring into any Church, till he was abſolved. *Roger* of *Hoveden* hath placed theſe Letters under the following Year, but I rather chooſe to follow [1.] *Rad. de Diceto*, who ſets them down under this, and that in my Judgment with much greater reaſon; for it is not likely, that the Archbiſhop would let all this Time ſlip without doing any thing againſt the Biſhops that oppoſed him, and who ſtill perſiſted in doing ſo after the Pope's and his Admonitions to the contrary.

Upon this the Bp. of *London* declines entring into any Church, till he was abſolved.

[1.] *Series cauſa inter Hen. Regem & Thom. Archiep. Dec. Scriptor. c 716.*

Nor

Nor can I here omit, what the Author of *Quadrilogus* relates to have been done this Year, (*viz.*) That the King ſent *John* of *Oxford* and *Richard* of *Ivelceſter* his Ambaſſadors to the Emperor, with offers to join with him in the Renouncing of Pope *Alexander*; and that they on the King's behalf actually join'd with the Emperor, and the Archbiſhop of *Cologne* in the Abjuration of that Pope's Authority, and in the acknowledging the Anti-Pope, whom the Emperor had then ſet up againſt him; and that upon the return of theſe Ambaſſadors, King *Henry* made all the People of *England* abjure Pope *Alexander*; now this is a falſe and malicious Repreſentation of this matter. For all that the King did then (as *Matt. Paris* relates) was to ſend his Letters to the Archbiſhop of *Cologn*, ſetting forth, "That he had "for a long time waited for an occaſion to quit Pope *Alexander*, and "his perfidious Cardinals, who had preſumed to maintain that Traytor *Thomas* of *Canterbury* againſt him; and therefore that by the "advice of the Biſhops and Barons of his Kingdom, to wit, the "Archbiſhop of *York* and others there named, he was reſolved to "ſend to *Rome* to let the Pope know from him, that he ſhould no "longer uphold his Traytor againſt him; but rid his hands of him, "that ſo he might by his Clergy's conſent appoint another for the "Church of *Canterbury*, and that he ſhould confirm his antient Laws "and Prerogatives; which if he refuſed to do, neither himſelf, his Barons, nor Clergy, ſhould yield him for the future any Canonical Obedience; and further, that he would openly reſiſt him and all that belonged to him; and whoever ſhould be found adhering to the Pope, "ſhould be expel'd the Kingdom; and then deſires him to ſend "*Arnald* a Kight Hoſpitalar with all ſpeed, who ſhould have the "Emperor's and the King's ſafe conduct. This is all I can find the King acted in relation to the renouncing Pope *Alexander*, that the Author of the *Quadrilogus*, either ignorantly, or wilfully, miſtakes for the King's abſolute Renunciation of him; which I muſt confeſs I cannot find the King ever did: *Matt. Paris* indeed places this Letter under the next Year, in which perhaps it was ſent, tho it might be written in this.

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The K ſends Ambaſſadors to the Emperor, offering to join with him in renouncing Pope *Alexander*.

And they actually join with him and the Bp. of *Cologne* in Abjuring that Pope's Authority, & acknowledging the Anti-pope.

All the people of *England* abjure *Alexander*.

But *Matt. Paris* gives a quite different relation of this matter.

[2] *R. D. Col.* 548.

[2.] I find nothing during this Truce between the two Kings to have happen'd conſiderable in *France*, only *Conan* Earl of *Bretaigne* deceaſed and left his only Daughter *Conſtantia* his Heir, whom he had by the Siſter of the King of *Scots*; this young Lady was not long after married to *Geoffery* ſecond Son to King *Henry*, who being now deſirous to keep that Province in Peace, gain'd the Affections both of the Clergy and Laiety, by gracious and popular Actions.

Conan Earl of *Bretaign* dies, leaving one Daughter, whom the K. married to his Son *Geoffery*.

[3] *C. G. Col.* 1402.

I do not find any thing done farther this year, concerning the Archbiſhop's affairs, [3.] more than that the Pope ſent Two Legates, (*viz.*) *William* of *Pavia*, and one *Otto*, into *France* to conſult with the Archbiſhop of *Sens*, how to procure peace between the Archbiſhop of *Canterbury* and the King; They attended on him indeed, but to no purpoſe, for they found him obſtinate in his firſt Reſolutions: yet that they might do their utmoſt, they alſo met the Archbiſhop of *Canterbury* between *Giſors* and *Try*, where diſcourſing with him, and ſounding his mind by divers queſtions for the peace of the Church, as whither he would renounce his Archbiſhoprick, if the King would give up his Cuſtoms? he refuſed that offer, ſaying, *That the King*

The Pope ſends two new Legates to the A. Bp. of *Sens*, to ſee how to reconcile the K. and A. Bp. but all to no purpoſe. They meeting with the A. Bp. found him about Renouncing his A. Biſhoprick, if the K. would give up his Cuſtoms; but he refuſes that offer.

was

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was bound for the good of his Soul to renounce thoſe cuſtoms, but he could not renounce his Archbiſhoprick, without betraying the honour of his Church; ſince it was never heard, that any of his Predeceſſors had ever done ſo; therefore the Legates finding him wholly immoveable, and not at all willing to agree with the King upon the Terms they propoſed, as being thought ſubdolous and inſnaring, they return'd again to *Rome*.

And ſo they return to *Rome*.

Having thus put together all that concerns the affair of Archbiſhop *Becket*, and which was tranſacted this Year in *Normandy*, I ſhall now take notice of what was done in *Ireland*, which about this Time began to be invaded, and in part conquer'd by the *Engliſh*, under the Authority of a general Order or Commiſſion from King *Henry*: I have already given the Reader an account of the King's Title and pretence to that Kingdom, and the great deſire he had from his firſt coming to the Crown to add *Ireland* by force of Arms to the reſt of his Dominions; and that the better to countenance and ſtrengthen his claim, he had near fifteen Years ſince, obtain'd the Pope's Bull for the total Conqueſt thereof under his Obedience, as has been before related.

The firſt Occaſion of the Conqueſt of *Ireland*.

But though King *Henry* thought it not fit then to make uſe of this Grant from the Pope, yet about this time a fair Opportunity offer'd it ſelf of bringing the *Engliſh* into *Ireland*, which this King and his Son *John* improved, to the reducing good part of that Iſland under their Dominion, tho I confeſs, a larger ſhare long after remain'd under the Government of its own Princes: which was the reaſon why none of our Kings, till *Henry* the VIII. ſtiled themſelves by any higher Title than Lords of *Ireland*.

A fit opportunity is now offer'd for that deſign, which was afterwards improved by K. *Henry* and K. *John*.

As to the State of the Iſland at this time, [4.] *Giraldus Cambrenſis* tells us, that there were then no leſs than five petty Dominions in it, the Princes of which were often ſtiled Kings, though they were all as it were Feudataries under one Supreme King, or Lord, who was at that time named *Rodoric* K. of *Connaught*; [5.] one of thoſe five Princes called *Dermot Mac-Morrogh* (in *Iriſh*) or *Fitz-Murchard* (in *French*) was then Prince, or King of *Leinſter*, who from his firſt coming to his Kingdom, was an Oppreſſor of the Nobility, and a cruel Tyrant over his other Subjects: To this ill Treatment of his People, he alſo added another crime, for taking advantage of the abſence of his next Neighbour, *Ororic* Prince of *Methe*, who was then gone on progreſs to the farther Parts of his Kingdom, and had left his Wife *Omachla* behind him, ſafe as he thought in an Iſland, within a Bog; but *Dermot* and this Princeſs having before held a ſecret Correſpondence, he came ſpeedily thither, and not only debauched her, but carried her away by her own conſent.

[4.] *Hiber. Expug. l. 2. c. 1.* Five petty Dominions in it under one Supreme Lord.

[5.] *Id. ib. Annal. Hib. ad fin. Camdeni Britan. Dermot. Mac-Morrogh* Prince of *Leinſter*, a cruel Tyrant.

Debauches the Wife of *Ororic* Prince of *Methe*, in his abſence, and carries her away with her own conſent.

[1.] Prince *Ororic* (as he had reaſon) being highly provoked at this outrageous Indignity, reſolved to revenge it; and gathering together what Forces he could, brought alſo *Rodoric* King of *Connaught* to his aſſiſtance; whereupon the People of *Leinſter*, conſidering to what ſtreight their Prince was now reduced, began to diſcover their private Reſentments for the Injuries they had received at his hands, and both the great Men as well as the Common people left him, and joined with his Enemies. *Dermot* finding himſelf thus forſaken by them, after many conflicts with unequal force, having been always worſted, took

[1.] *Id. ibid.*

Ororic, by the Aſſiſtance of the K. of *Connaught*, makes *Dermot* fly to K. *Henry* then in *France*.

took ſhipping, and fled to King *Henry* of *England* then in *France*, engaged in reducing *Aquitain* to his Obedience. King *Henry* received him kindly, and having heard the cauſe of his Exile, and coming to him, after he had taken an Oath to be his faithful Vaſſal (though unable at preſent otherwiſe to aſſiſt him) he granted "him his Letters Patents, whereby he gave notice to all his Loving "Subjects, *Engliſh*, *Normans*, *Welſh* and *Scots*, and to all Nations "under his Dominions, that having received *Dermot* Prince of *Lein-* "*ſter* into his Protection, whoſoever would had free licence to "aid and aſſiſt the ſaid Prince for the reſtoring him to his King-"dom.

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K. *Henry* receives him kindly; and having firſt taken his Oath to be his faithful Vaſſal, gives him his Letters Patents for all his Subjects that would, to aſſiſt him to recover his Kingdom.

[2.] Having obtain'd theſe Letters, he went for *England*, and ſtayed ſome time at *Briſtol*, where he could receive the beſt Intelligence of the ſtate of his Affairs at home; and during his ſtay there, he often cauſed the King's Letters to be read before the People of that City and the Neighbouring places that reſorted thither, but all in vain, till at length *Richard* Earl of *Striguil* (now *Chepſtow* in *Monmouthſhire*) Sirnamed *Strong-Bow* came thither, to ſee and diſcourſe with him; and it was at laſt agreed between them, that the Earl ſhould next Spring aſſiſt him in the recovery of his Country, and that *Dermot* ſhould give unto him his Eldeſt Daughter in Marriage, with his Kingdom after his Deceaſe.

[2.] *Ibid. Cap.* 2. *Dermot* goes for *England*, lands, & ſtays at *Briſtol* for ſome time, where he cauſed theſe Letters to be read, but all to no purpoſe.

[3.] This Agreement being thus concluded, *Dermot* was very deſirous to ſee his native Country, and forthwith went to St. *Davids* in *South-Wales*, which was the neareſt paſſage into *Leinſter*, where Prince *Rice* or *Reeſe ap Griffin* then governed, as Feudatary to King *Henry*; and *David* the 2d was then Biſhop of St. *Davids*; theſe both commiſerated his condition, but either would not, or could not do him any other ſervice at this time, than by permitting *Robert*, Sirnamed *Fitz Stephen*, Conſtable of *Abertivie*, (now *Caerdigan*) Cozen German to Prince *Reeſe* by *Neſta* his Father's Siſter, to go along with him, who, being ſome years before taken Priſoner, had been lately releaſed by his Cozen Prince *Reeſe*, upon condition that he ſhould take up Arms with him againſt King *Henry*; but *Robert*, having no mind to fight againſt his own Prince, deſired rather to make his fortunes abroad; therefore by the Mediation of his Half-Brothers, the Biſhop of St. *David*'s and *Maurice Fitz Gerald*, he obtained a licence of *Rees* or *Rice*, to go over into *Ireland*; whereupon by their Mediation he made a Contract with King *Dermot*, That provided he would grant the City of *Wexford* in Fee, with two Cantreds (or Hundreds) adjoining, to himſelf and to *Maurice Fitz-Gerald* his Brother, they would both aſſiſt him with Men the next Spring; which being agreed on, King *Dermot* ſoon after embarking at St. *Davids*, arrived in *Ireland*, and coming to *Ferns*, (not far from *Wexford*,) remained there Incognito with the Clergy of that place all that Winter, which he ſpent in privately carrying on his intended deſign of recovering his loſt Dominions.

At length *Richard Strongbow* agrees to aſſiſt him in the following Spring, and *Dermot* to give him in marriage his Eldeſt Daughter, with his Kingdom after his Death.

[3.] *Id ibid.* *Dermot* goes to St. *Davids* in *South-Wales*, the neareſt paſſage into his own Country.

Prince *Rees* & *David* the Bp. there, pity his condition.

Fitz-Stephen has leave to go into *Ireland* to aſſiſt K. *Dermot* rather than fight againſt K. *Henry*.

But I find nothing to have been done in *England* this Year worth our noting; [4.] unleſs that the King being ſollicited to ſend his Daughter *Mathilda* to her Husband the Duke of *Saxony* (to whom ſhe had been affianced near Two years before;) to this end wrote for the Queen his Wife, and ſaid Daughter, to come over into *Normandy*, which order they immediately obey'd.

[4] *R. D. Col.* 547. *G. N.* The K. ſends for his Queen and Daughter into *Normandy*.

[5.] The

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[5.] *G.N. Ia.ib.*

[5.] The King now kept his *Chriſtmas* in his new Hall, or Palace at *Roüen*, and then he ſent his ſaid Daughter with a Numerous Retinue and great Portion to the Duke of *Saxony* her Husband, the Earls of *Arundel* and *Striguil*, and ſeveral other Noble Men attending her: tho' it is improbable the Marriage was then conſummated, ſhe being as yet too young, not full Eleven Years of Age.

[1.] Dr *Powel's* Chron.

The Princes of *North* and *South-Wales* bring an Army into *Powis-Land* againſt *Owen Cyvelioc*, and win all his Lands.

Owen Cyvelioc in ſome time after beſieges *Caerneon*, takes it, and burns it to the ground.

Owen and *Rees* beſiege *Ruthland*, and take it; as alſo *Preſtatyn*, and bring all *Tigengel* under *Owen's* Subjection.

But before I return to the War in *France*, give me leave to look back into *England*, where all things continued quiet, [1.] except in *Wales*, where *Owen* Prince of *North-Wales*, *Cadwalladar* his Brother, and *Rees* Prince of *South-Wales*, brought an Army into *Powis-Land* againſt *Owen Cyvelioc*, Lord of that Territory, and won all his Country, and drove him out of it, and gave a great part of it, called *Caerneon* to *Owen Vachan*, the Son of *Madoc ap Meredyth*, to hold of Prince *Owen*; and the Lord *Rees* had *Walweren*, becauſe it ſtood within his Territories; but in a little while after, *Owen Cyvelioc* returned with a great number of *Normans* and *Engliſhmen* to recover his Country, and laid Seige to the Caſtle of *Caerneon*, and taking the ſame, burnt it to the ground. Alſo the ſame Year the aforeſaid Princes *Owen*, *Rees*, and *Cadwalladar* laid Seige to the Caſtle of *Ruthland*, which King *Henry* had lately built, and fortified; and though the Garriſon defended it ſtoutly for a long time, yet theſe Princes would not depart until they had taken it, which was after Two Month's Siege, and then razed it; they got likewiſe the Caſtle of *Preſtatin*, and deſtroyed it, and brought all *Tigengel* under Prince *Owen's* Subjection; who then return'd into his Country with Great honour.

[2.] *G.C.Ib.c* 3. Annal. Hiber.

Robert Fitz-Stephen goes into *Ireland* to aſſiſt King *Dermt.*

I ſhall now proceed to relate the mighty Succeſs of a handful of *Engliſh* this Year in *Ireland*: [2.] for about this time *Robert Fitz-Stephen* being not unmindful of his late engagement to King *Dermot*, to come over to his Aſſiſtance, embarked with Thirty Knights, Sixty Eſquires (or Men of Arms) on Horſeback, and Three Hundred Archers on Foot, in three Ships, and landed about the firſt of *May* this Year at *Bannough-Bay*, not far from *Waterford*, and the next day *Maurice de Prendergraſt*, a Brave Souldier, following *Fitz-Stephen* on the ſame deſign, ſet ſail from *Milford-Haven*, and landed at the ſame place, with Ten Knights and a great number of Bow men, whom he tranſported in two Ships; but not thinking themſelves ſafe in the ſmall Iſle of *Bannough* where they lay, their landing being now known to the Country; they preſently diſpatched Meſſengers to King *Dermot*, who forthwith ſent his natural Son *Donald* with Five Hundred Men to receive them, and follow'd him in perſon with all ſpeed; where, renewing their former Agreement, and confirming it with their Oaths, they join'd their Forces, and marched towards *Wexford* about Twelve Miles from *Bannough*. Upon their approach the Town's-Men, to the Number of about Two Thouſand, marched forth with an Intention to give them Battle; but when they ſaw the unexpected Numbers, with the Order and Diſcipline of the *Engliſh* Forces, ſuch as they had never known before, they were greatly diſmaid, and burning the Subburbs, retir'd into the Town.

Fitz-Stephen aſſaults *Wexford*, but is repulſed.

Upon this *Fitz-Stephen* prepar'd to ſtorm it, and having cauſed the Ditches to be filled, his men made a vigorous aſſault, but being repulſed by the Citizens, they were forced for the the preſent to ſound a Retreat.

But

[3.] But when they ſaw that he was preparing for another Aſſault the day following, they deſpaired of defending their City, and ſo deſired a Treaty; the Iſſue whereof was, the Surrendering of the Town, and the delivery of four Hoſtages to King *Dermot* for their future Fidelity; who ſo ſoon as he was poſſeſſed of the City, gave it, with the whole Territory, to *Robert Fitz Stephen*, and *Maurice Fitz-Gerald*, according to the Agreement he had before made with them. *Anno Dom.* MCLXVIII.

[3] *Id. ib.* But the *Wexfordians*, upon his preparing for another Aſſault, ſurrender'd the Town, giving four Hoſtages to *Dermot* for their future Fidelity.

Wexford being thus reduced, King *Dermot*, by the addition of many of the Inhabitants of that Place, [4.] now made up an Army of about Three thouſand Men, with whom he marched againſt *Donald* King, or Prince, of *Offery*, who of all his late Vaſſals, was now his greateſt Enemy. This Army advancing to the Skirts of the Country, entred a little way into it; but finding the Paſſages through the Woods and Bogs ſo well fortified, and ſtoutly defended by the Natives, that they could not without great hazard aſſault them, King *Dermot* retreated into the Plains; and this ſo encouraged the *Offerians*, thinking their Enemies had turned their backs through fear, that they ſallied out of their Faſtneſſes, and perſued them into the Champaign Country.

[4.] *Ibid cap.4.* *Dermot* marches to *Offery*.

But finding the Paſſages ſo well fortified againſt him, he makes a Retreat.

[5.] Upon this *Robert Fitz-Stephen* taking the advantage, faced about with his Horſe, and charged them furiouſly, and making a great ſlaughter of them with his Lances, totally routed them; and then entring into the moſt inward Parts of the Country, he ruined it all with Slaughter, Rapine and Burning: So that the Prince of *Offery*, by advice of his Council, deſired Peace, gave Hoſtages, and again ſwore Fidelity to King *Dermot*.

[5.] *Id. ib.* *Fitz-Stephen* totally Routs the *Offerians* with his Horſe.

And the Pr. of *Offery* ſwears Fidelity to *Dermot*.

[1.] The *Engliſh* Confederates becoming formidable by this Succeſs through the whole Iſland, *Roderic* King of *Connaught*, and Monarch of *Ireland*, by his Meſſengers called together all the Princes or Chief Men of the whole Nation; who upon conſultation unanimouſly agreed to riſe againſt *Dermot*, and to that end brought vaſt Forces into the Province of *Leinſter*, whereupon moſt of his pretended Friends forſook him, not regarding their Promiſes or Oaths; only *Fitz-Stephen* and his Men, with ſome few others, ſtuck cloſe to him; and in a place not far from *Ferns*, ſurrounded with thick Woods, Steep Mountains and Bogs, (by Nature and Scituation almoſt inacceſſible,) they ſecur'd themſelves by cutting down Trees, and therewith making ſuch a Fort as was capable to receive their Friends, and keep out their Enemies.

[1.] *Id.ib.cap.5.* *Roderic*, by advice of his Council, reſolves with all his Force to oppoſe *Dermot*.

[2.] King *Roderic* thereupon ſent to *Fitz-Stephen*, and endeavour'd to perſwade him by great Promiſes and Gifts to depart the Country, but could not prevail; the Meſſengers then turning to King *Dermot*, endeavour'd to perſwade him to join his Arms, and drive out the Strangers, with a full aſſurance, that he ſhould peaceably enjoy all *Leinſter*, with the friendſhip of *Roderic* his Sovereign Prince; but he would not hearken to any ſuch Overtures.

[2.] *Ib. Cap.6.* *Roderic* ſollicits *Fitz-Stephen* to leave the Country, but could not prevail.

[3.] Yet at length, by the Mediation of Friends, a Peace was made on theſe Conditions; That *Dermot* ſhould quietly enjoy *Leinſter*, acknowledging *Roderic* as Chief King and Monarch over all *Ireland*; and, that it might remain firm and laſting, he delivered his Son *Cnute* to him as an Hoſtage. This Agreement was publiſh'd and confirm'd by mutual Oaths; and it was further privately agreed between them,

[3.] *Id.ib. c.10.* A Peace concluded between *Dermot* and *Roderic*.

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That *Dermot* ſhould call no more Strangers into *Ireland*, and that ſuch as were there ſhould be ſent away.

[4.] *Ib. Cap.* 11. *Maurice Fitz-Gerald* Lands at *Wexford* with a great Force.

[4.] Immediately after this Agreement *Maurice Fitz-Gerald* (above mention'd) Half-Brother to *Fitz-Stephen*, a Perſon of great Courage and Conduct, came with Ten Knights, Thirty Horſemen, and a Hundred Archers of Foot, in two Ships, into *Ireland*, and Landed at *Wexford*. *Dermot* was ſo enraged at his Arrival, that forthwith raiſing an Army, he marched toward *Dublin*, which was then in Rebellion, *Maurice* being made General, (while *Fitz-Stephen* was buſied in building a Caſtle upon a Rock called *Karrec*,) and in a little time the whole Territory adjoyning to the City was almoſt deſtroyed with Fire and Sword; whereupon the Citizens deſiring a Peace, ſurrender'd the Town, and gave good Security to their Prince for their future Fidelity.

Dermot marches towards *Dublin*, and deſtroys almoſt the whole Country with Fire and Sword.

[5.] *Id. ib. Roderic* invades *Limrick* upon a Quarrel between Him, and *Donald* its Prince. But is vanquiſhed, and forced to withdraw with diſgrace.

[5.] In the mean time there happen'd a Quarrel between *Roderic* King of *Connaught*, and *Donald* Prince of *Limerick*; Whereupon *Roderic* with an Army invading the Country of *Limerick*, *Dermot* ſent *Fitz-Stephen* with his Troops to the Aid of his Son-in-Law, Prince *Donald*, by whoſe Aſſiſtance he obtained the better over them in every Conflict; inſomuch that *Roderic* withdrew himſelf from his Government with diſgrace. King *Dermot* being encouraged by this Succeſs, and having now regain'd his Country, propounded to himſelf nothing leſs than the ſubduing of all *Connaught*, and thereby obtaining the Sovereignty of *Ireland*; which Secret he imparted to *Maurice* and *Fitz-Stephen*, who thought it might be eaſily accompliſh'd if he could procure ſome greater number of *Engliſh* Forces, and therefore earneſtly deſired him to ſend for them; whereupon he wrote to *Richard* Earl of *Striguil* to mind him of his Promiſe, and to let him know, that the Year was already near ſpent without ſeeing him, or receiving any aſſiſtance from him; and therefore deſired him to make good his Agreement lately made in *England*.

Dermot projects the obtaining the Sovereignty of *Ireland*, and imparts the Secret to *Maurice* and *Fitz-Stephen*. They think it eaſy to effect, if they could get more Forces from *England*.

Dermot writes to the E. of *Striguil* to make good his Agreement.

[1.] *Id. ib.* E. *Striguil* goes to K. *Henry*, and deſires him either to give him his Eſtate again, or let him go ſeek his Fortune abroad.

[1.] The Earl upon receipt of theſe Letters went to King *Henry*, then in *Normandy*, and earneſtly intreated him, either to reſtore his Hereditary Eſtate, which he had formerly taken from him, or give him leave to make his Fortune in ſome other Nation. Then he having received from the King a ſeeming, rather than a Real Licence, (and that by word of mouth only) reſolved on an Expedition into *Ireland* ſo ſoon as he could raiſe ſufficient Forces for that purpoſe, and in the mean time would ſend thither a ſmall Body of Men (to keep up their ſpirits) till his Arrival, which he promiſed to be the Spring following, as you will find under the next Year.

He ſends ſome Forces firſt into *Ireland*, to keep up their Spirits till he could follow them.

But it is now time to look back into *France*, and ſee what has been doing there all this while, where I find no great Action; only that this

[2.] *C. N. Ib. Poitou* and *Aquitain* rebel againſt K. *Hen.*

[2.] Year great part of *Poictou* and *Aquitain* roſe up in Rebellion againſt King *Henry*, being headed by the Earl of *Angoleſme*, *Aumery de Luſignan*, and others. So that he was thereupon forced to march into their Country, where he deſtroyed their Towns and Villages, took their Caſtles, and put Gariſons into them; then leaving thoſe Countries to the Care of his Queen, and *Patrick* E. of *Salisbury*, he went to meet the King of *France*, eight days after *Eaſter*, between *Mante* and *Pacey*, to expoſtu-

late

late with him concerning the Injuries he had lately received at his hands; for the *Poictovins* had now applied to the King of *France*, and put themſelves under his Protection, and given Pledges for their Fidelity, notwithſtanding they were King *Henry*'s proper Subjects. The two Kings had a long and ſharp Debate about this matter; however the King of *France* would not deliver up his Hoſtages, though they were received contrary to Juſtice; and therefore the Truce was only prolonged until eight days after *Midſummer*, and then the War broke out afreſh between them.

[3.] About this time alſo *Patrick* Earl of *Salisbury* was ſlain by the Treachery of the *Poictovins*, or rather of Earl *Guy* of *Leziniam*, who murther'd him in his return from a Pilgrimage he had made to St. *James*'s in *Spain*; but Earl *Guy* for this Offence was driven by King *Henry* out of *Poictou*; and ſo he went from thence into the *Holy-Land*, where he died Governor, during the minority of King *Baldwin* the Younger, whoſe Mother he had married.

[4.] In the mean while (I ſuppoſe towards the end of this Year) the Duke of *Saxony* (the King's new Son-in-Law) with the Archbiſhops of *Mentz* and *Cologne*, and Biſhop of *Leige* (all Chief Princes of the Empire) came to the King (being then in *Normandy*) on an Ambaſſy from the Emperor; the Intent of which was, To promiſe the King a powerful Aſſiſtance againſt *France*, yet with a deſign (on that Condition) to draw him in to joyn with them in their preſent Schiſm againſt the Pope; but the King not being reſolved wholly to break with him, though he received theſe Ambaſſadors with great outward Reſpect, yet he put them off with fair Words and general Promiſes, and ſo ſent them away well enough ſatisfied with the noble Preſents he made them, notwithſtanding he did not comply with their deſires.

[5.] About the ſame time alſo ſome of the Nobility of *Bretaign* rebelled, againſt whom King *Henry* preſently marched; and beginning with the Head of them, (*viz.*) *Eudo* Viſcount of *Brogaret*, or *Porhoët*, took his chief Caſtle, which he preſently burnt; and waſting all his Territories, deſpoiled him of the whole Country of *Brogaret*, (from whence He had his Title) together with the City of *Vannes*, its Metropolis. After this he marched into the Country of *Dinan*, and took that, and all the Fortreſſes round about it into his poſſeſſion.

[1.] Then eight days after *Midſummer* the Two Kings met again at *Ferte Bernard* (a Caſtle in *Main* near the Edge of *Perche*) to treat of Peace, but ſtill, as before, parted without Succeſs; for the *Bretaigns* and *Poictovins* when they gave Hoſtages to the King of *France*, he Covenanted with them, that he would make no Peace with the King of *England* without their conſent. Hereupon both ſides fortified their Borders, and continued Skirmiſhing in ſmall Parties until *Advent*, (*i. e.* until a Month before *Chriſtmas*) when King *Henry*, by the Aſſiſtance of *Matthew* Earl of *Boloign*, march'd into the Country of *John* Earl of *Ponthieu*, and burnt above Forty of his Towns and Villages, becauſe he had refuſed Earl *Matthew*'s Forcesa paſſage through his Country; ſo that he was obliged to convey them into *Normandy* by Sea. In the mean while the *French* King burnt the Caſtle of *Brueroles*, and waſted almoſt the whole Country of *Perche*.

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He meets the K. of *France* to treat with him about the Injuries he had received at his hands.

For the *Poictovins* had apply'd themſelves to that King.

Tho they were K. *H.* Subjects.

The Truce prolong'd till 8 days after *Midſummer*.

[3.] *R. H. p.* 294 *b.* *Patrick* E. of *Salisbury* ſlain by the *Poictovins*, or rather by *Guy* E. of *Leziniam*.

But *Guy* was for it driven out of *Poictou*, and governed for ſome time in the *Holy-Land*.

[4.] *C. G. Col.* 1403. The Emperor ſends divers Noble Ambaſſadors to K. *Hen.* who does not think fit to comply with their Propoſals.

[5.] *C. N. ib.* The Nobility of *Bretaign* rebel againſt K. *Henry*.

He reduces them by Fire and Sword.

[1.] *Id. ib.* Another Treaty between the Two Kings, but without Effect.

They both fortify their Borders.

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[2.] G. G. Col. 1404.

A Peace agreed on between the two Kings, by the Mediation of certain Religious Men, friends to them both.

Which is concluded at *Mont-Mirail.*

[3.] G. N. ib.

Prince *Henry* does Homage to the K. of *France* for the Earldoms of *Anjou* & *Main.*

He is made Seneſchal of *France.*

And at *Paris* waits on the K. at his Table by virtue of that Office.

[4.] Id. ib.

Prince *Richard* is affianced to *Alice*, the K. of *France* his Daughter, and does him Homage for the Dutchy of *Aquitain.*

The *Poictovins* and *Bretaigns* comprized in this Peace.

[5.] G. G. Col. 1405.

K. *Henry* and the A. Biſhop brought together in the Preſence of the K. of *France*, and the A. Bp. offered to put the Controverſy to the Arbitration of that King, ſaving the Honour due to God.

This Salvo mightily incenſes the K. Yet makes a fair Offer to the A. Bp.

[2.] Thus the War continued very ſharp between the Two Kings till near *Chriſtmas*, and then by the Interceſſion of certain Religious Men, who wiſh'd well to both Parties, there was a Peace agreed upon; for the confirmation of which, an Enterview alſo was appointed at the Feaſt of *Epiphany* then next enſuing.

At which time the Two Kings, with the Great Men of both Kingdoms, met at *Mont-Mirail* to conclude the aforeſaid Peace; and it being at length finiſhed, King *Henry* ſpoke thus to the King of *France*: *My Lord the King, This being the Day on which the Three Kings offer'd Gifts to the King of Kings, I likewiſe commend my Sons and Territories to your Protection.* To whom the King of *France* thus anſwer'd; *Since the King of Kings did now, as on this day, graciouſly receive thoſe Gifts, let your Sons afford us their Preſence, and they ſhall from us receive the Territories they would poſſeſs.* [3.] Then came *Henry* the King's Eldeſt Son, and received from the King of *France* the Earldoms of *Anjou* and *Main*, doing him Homage for them; but as for the Dukedom of *Normandy*, he had done Homage before.

At the ſame time alſo King *Lewis* his Father-in-Law made him Seneſchal of *France*, which Office had long before belong'd to the Earldom of *Anjou*; and at *Candlemas* following, Prince *Henry* went to *Paris*, and there waited on the King of *France* at his Table, by virtue likewiſe of that Office.

[4.] Some ſhort time after, *Richard* the King's Second Son was affianced to *Alice*, Second Daughter of the King of *France*, and being then by him Inveſted with the Dutchy of *Aquitain*, did him Homage for it: the *Poictovins* and *Bretaigns*, who had taken part with the King of *France*, were alſo comprized in this Peace, and all ſeemingly reconciled to the King.

[5.] Not long after this Enterview, the King and Archbiſhop *Thomas* were brought together in the Preſence of King *Lewis*, when the Archbiſhop offer'd to put the whole Controverſy between them to that King's Arbitration, *ſaving the Honour that was due to God:* Which laſt words, when K. *Henry* heard, he was very angry at, and reproached him for them; to whom the Archbiſhop anſwer'd very calmly and gently; but the King obſerving that he gained upon the Auditory, interrupted him, and ſaid to the King of *France*; *Pray ſee, Sir, the cunning Evaſions of this Man; for whatever diſpleaſes him, he preſently cries, 'Tis contrary to the Honour due to God; under which pretence he would diſpoſſeſs me of all my Rights.* Yet that he might not ſeem to derogate from the Honour of God, He ſaid, "That *there had been many Kings* "*of* England *before him, ſome of greater, and others of leſs Power than* "*himſelf*; and that there had been alſo many Archbiſhops of *Canter-*"*bury* before *Thomas Becket*, Great and Holy Men; Let him there-"fore (ſays he) do what the greateſt and moſt Holy of his Prede-"ceſſors did to the leaſt of mine, and I will acquieſce in it; and added, *That He drove him not from the Kingdom, but he himſelf fled away privately, no man compelling him:* Yet he now inſinuates to the King of *France* and his Nobility, that he only defended the Cauſe of God's Church; as for his own part, he always deſired, and now granted, that the Archbiſhop ſhould enjoy his Church, and Govern it with the ſame Liberty that any of his Predeceſſors had done before.

[5.] Then

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[1.] Then it was agreed by all there preſent, that the King had yielded ſufficiently, and the King of *France* himſelf ſeeming much moved againſt the Archbiſhop, asked him, "Whither he would be "greater than the Saints, or better than St. *Peter?* The Archbiſhop "replied, He would willingly enjoy his Church in the ſame Liberty "his Predeceſſors had done; but thoſe Cuſtoms, which were contrary "to the Inſtitutions of the Holy Fathers, he would never receive; "the Mediators then adviſed him to ſubmit to the King, and give "him his due Honour: He replied, *Our Fathers ſuffer'd, becauſe they "would not deny the Name of Chriſt, and ſhould I for the Favour of Man "ſuppreſs the Honour of God?*

[1.] *Id. ib.* Which was approved by the K. of *France.*

[2.] At which all the Great Men of both Kingdoms roſe up unanimouſly againſt him, ſaying, His Arrogance was the main Obſtacle of Peace; and becauſe he ſo obſtinately oppoſed the Pleaſure of both Kings, he was unworthy of the Aſſiſtance of either of them; and being baniſh'd *England,* he ought not to be received in *France.* King *Henry*'s Courtiers further told him to his face, *That he was always Proud, and only wiſe in his own Conceit.* Hereupon the King of *France*'s Countenance ſeem'd changed towards him for ſome days, and did not viſit him as he was wont, nor afford him his uſual Supplies. Though this fit did not laſt very long, for he ſent again for him; and when he came, he found the King ſitting with a melancholy Countenance, not riſing up to him as he uſed to do; but on a ſudden, fetching a deep Sigh, he threw himſelf at the Archbiſhop's Feet, ſaying, *Thou only haſt a diſcerning Spirit*; and repeating thoſe words with a Sigh, *Verily Thou only haſt a diſcerning Spirit, we were all blind who Counſelled thee againſt God, and that for the favour of Man thou ſhouldeſt be ſilent in a matter ſo nearly concerning God's Honour: I repent, I repent; Father, pardon me, I beſeech you, and abſolve me from this fault; and from this hour I offer you my Self and Kingdom.* Then the Archbiſhop raiſed up the King and Abſolved him.

[2.] *Id. ib.* The Great Men both of *England* and *France* riſe up againſt him, condemning his Arrogance.

The King of *France* altered towards him for a while, but it was all Trick and Hypocriſy.

The *Monkiſh* Writers of this Man's Life make this ſudden Change of the *French* King's Mind a wonderful Miracle; but though the true Cauſe thereof be not expreſsly mention'd by them, yet we may gueſs by Circumſtances at the Reaſon of it; for it ſeems very likely that the Archbiſhop had given King *Lewis* private notice, how but a few days before, King *Henry* had broken all the Articles of the Agreement which he had made with the *Poictovins* and *Bretaigns* in the Treaty of *Mount-Mirail* by his Mediation; whereupon [3.] *Gervaſe* tells us, that at the publick Receipt of this News, he again highly magnified Archbiſhop *Becket*'s foreſight of what he had told him concerning the King of *England*; who now hearing what had happen'd, ſent to him to let him know, "That he much wonder'd he ſhould keep the Archbiſhop "in his Country, who had ſo contumaciouſly refuſed the Peace and "Reconciliation lately offer'd unto him: but the King of *France* bad "his Envoys tell their Maſter, That ſeeing he ſtood ſo much upon "thoſe *Cuſtoms*, (which he called Antient) he would not abate any "thing of that Old Liberty the Kings of *France* had always taken, "which was, To relieve all oppreſſed and exil'd perſons, eſpecially "Eccleſiaſticks.

The Deſign diſcover'd.

[3.] *Col.* 1407.

Thus

Anno Dom. MCLXIX.

Thus we ſee this cunning Prince either frown'd, or ſmil'd upon the Archbiſhop, as he found it moſt conducing to his own preſent Intereſt, and the perplexing of King *Henry*'s Affairs, and then pretended a divine Impulſe for it.

[4] *R. H. p. 295. a.*

[4.] About this time the King finding that moſt of thoſe about him ſtood *Excommunicated* by the Archbiſhop, with the Pope's leave, and at the Intreaty of ſome of the Biſhops, as well as of the Chief Men of the Kingdom, who were afraid of being involved in the like Sentence, He appealed again and again from the Archbiſhop to the Pope; and not able to endure the Condemnation of thoſe about him, ſent two Arch-Deacons to *Rome* to complain of the Injury done him, and to deſire that Legates might come forthwith to Abſolve his *Excommunicated* Servants, and to ſettle Peace, leſt he ſhould be otherwiſe compell'd to provide for his own Honour and Security by ſome other way.

K. *Henry* again and again Appeals from the A. Bp. to the Pope.

And ſent two Arch-deacons to *Rome*, deſiring that Legates might come hither to Abſolve his *Excommunicated* Servants and to ſettle Peace.

This Requeſt of the King, the Pope preſently complied with, and prohibited the Archbiſhop from iſſuing out any Sentence of *Excommunication* againſt Him or his Servants, whom he alſo promiſed to Abſolve by his Legates, as appears by his Letter to the King in the ſame Author. And, although the Archbiſhop ſent his Meſſengers to oppoſe and obviate the King's deſigns, yet at laſt it was agreed at *Rome*, that *Gratian*, the late Pope *Eugenius* his Nephew, and *Vivian*, an Advocate of the *Roman* Court, Perſons of great Wiſdom and Eloquence, ſhould be ſent to the King to perſwade him to be reconciled to the Archbiſhop; and they ſoon after coming into *Normandy*, and diſcourſing with him about it, he readily conſented that the Archbiſhop might return into *England*, and enjoy his Archbiſhoprick in peace, *ſaving to the King the Honour of his Kingdom*. Hereupon they being overjoyed with theſe Conceſſions, reſolved, that *Vivian* ſhould go over into *England*, and there Abſolve the *Excommunicated* Biſhops, whilſt *Gratian* ſhould ſtay behind to perfect this Reconciliation. But the next day, when the King was gone away, they fear'd there was ſome fallacy hidden under his fair promiſes, and therefore they would not ſtand to theirs, but ſent after him, *Peter* Arch-Deacon of *Pavia*, to Sound him further. This ſo provoked the King, that the Arch-Deacon narrowly eſcaped very hard Uſage; therefore *Gratian*, who was a briſker Man, and more ſevere to the King than his Colleague *Vivian*, ceaſed not moſt confidently to importune, nay even to reprove Him about the Archbiſhop, and, deſpiſing all the Preſents he offer'd him, return'd in great haſte to *Rome*, leaving *Vivian* behind him.

'Tis agreed at *Rome*, that two Legates ſhould be ſent to the King.

They fear a fallacy in the King's Promiſes, and therefore would not be oblig'd to ſtand to theirs.

The Arch-deacon of *Pavia* narrowly eſcapes hard Uſage from the King.

Gratian in haſte returns to *Rome*, and leaves *Vivian* behind him.

[5.] *Id ib.* K. *Henry*, to appeaſe the K. of *France*, pretends to be reconciled to the A. Bp.

Therefore goes in Perſon to *France* under pretence of a Pilgrimage, and there a Peace is mediated for the A. Bp.

[5.] But the King grew very Jealous of this ſudden Departure of the Legate, and perceiving the King of *France* highly provoked by the late Breach of the Articles of Peace, he began to conſider by what means he might appeaſe him; therefore thought beſt to ſeem, as if he deſired to be throughly reconciled to the Archbiſhop, leſt he ſhould be compelled to it againſt his Will; whereupon he ſeemed very ſorry that he had not ſooner granted the Archbiſhop what he had ſo long required: So that without deſiring any further Enterview with King *Lewis*, he ſo far condeſcended, as to go into *France* in Perſon, under a pretence of a Pilgrimage to the Shrine of St. *Denis*; and being there honourably received, the Two Kings met again at *Mount-Martre* near *Paris*, and diſcourſed concerning the reſtoring of the Archbiſhop; who though he did not appear in Perſon, yet was not far off.

[5.] But

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[1.] But when it had been long debated concerning the beſt means of making a Reconciliation between them; and that it ſeem'd hard to find out an Expedient how to do it, without injuring the Rights of the Church on the one hand, or thoſe of the King on the other: At laſt it was agreed by the Advice of the King of *France*, as alſo of his Biſhops and Nobility, That the Archbiſhop ſhould reduce his Demands into writing, and deliver them to King *Henry*; which was done accordingly, being to this effect.

[1.] *R. D. Col.* 550.

The King orders the Archbiſhop to put his Demands into writing.

1. He deſired, that the King, for the good of his Soul, would receive him again into his Favour according to the Pope's Command.

2. That he would grant him, and all thoſe who were baniſh'd the Kingdom on his account, Peace and Security for themſelves and their Eſtates, without any evil (or ſiniſter) meaning.

3. That he ſhould reſtore to him the Church of *Canterbury*, and all the Poſſeſſions thereto belonging, in the ſame State of Freedom and Liberty as he had ever enjoy'd them, ſince he was promoted to the Archbiſhoprick.

4. Laſtly, That the King ſhould permit him to diſpoſe of all Benefices and Prebends thereunto belonging, and that had became vacant, ſince his leaving the Kingdom, as he ſhould think fit.

[2.] The King would not give his Aſſent to two of theſe Articles, for he did not think it agreeable to his Royal Dignity to allow the Archbiſhop any thing by way of Reſtitution, ſince He had not driven him out of the Kingdom; neither would He make void the Grants he had made of the vacant Benefices; but that he might ſhew himſelf a Prince * obliged to Laws, he there publickly declared before the King of *France*, That he was ready to ſatisfy the Archbiſhop in all things, and would ſtand to the Judgment either of the Great Men of *France* in the Court at *Paris*, or elſe of the *Gallican* Church, if ſhe would interpoſe her Self; if not, to ſuch learned Men of divers Provinces, who would impartially examine this Affair: So the King who before had raiſed the Hatred of moſt Men againſt him, regain'd their Favour, by this ſo reaſonable and fair an Offer.

[2.] *Id. ib.*

* *Legibus alligatum.*

[3.] Yet, in the concluſion, the King offer'd, that the Archbiſhop ſhould return, and enjoy his Archbiſhoprick with the ſame Rights and Liberties that any of his Predeceſſors had enjoy'd it; and beſides, promiſed to give him a Thouſand Marks towards the Expences of his Journey home; but he demanded Thirty Thouſand for his Loſſes, ſaying, That unleſs the King fully reſtored what he had taken away, his Sins could not be remitted. Upon this the King of *France* and the Great Men of both Kingdoms perſwaded him to quit ſome part of his Demands, which he at laſt agreed to; then the Archbiſhop (by the Pope's Command, as he ſaid) required of the King ſufficient Security for the true Obſervation of the Peace.

[3.] *G. G. ib.*

The K. promiſed to give him 1000 Marks towards his Expences.

But the Archbiſhop demands 30000 Marks.

All things at length are agreed.

[4.] Then all there preſent ſaid, That Caution or Security was not to be exacted from a King, and that his Word, with the Kiſs of Peace, was ſufficient. This being intimated by the King of *France* to King *Henry*, he ſaid he would never willingly grant that, becauſe in a paſſion he had once publickly ſworn, he would never Kiſs the Archbiſhop, although he ſhould be reconciled to him, and receive him into favour; yet

[4.] *Id. ib.*

Oſculum Pacis, a Ceremony then uſed.

But K. *Henry* denied to give him the Kiſs of Peace.

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yet however he would not retain the leaſt Rancor or Malice againſt him.

This wilful humour of the Kings proved a great prejudice to his Affairs, as you will find anon. But [5.] *Fitz-Stephen* gives us ſomewhat a different Account of this Meeting, as that the Archbiſhop being now again interrogated about the Articles propoſed at the laſt Meeting, ſtill kept to his former Anſwer, without any alteration; whereupon King *Henry*, to ſatisfy the Audience, offer'd to refer all Differences between them to the Judgment of the Clergy of *France*, or elſe to that of the Univerſity of *Paris*, but ſaid not a word of making that Reſtitution which the Archbiſhop had hitherto inſiſted on: ſo when the King had made this Offer, he left the Aſſembly, and went to *Paris* to viſit the Queen and the Young Prince *Philip*: and upon this denial the Treaty breaking off abruptly, the Archbiſhop went away with higher Reſentments than ever againſt the King.

Fitz-Stephen gives a different account of this meeting.

[5.] *In vita Archiepiſcopi MSS.*

The K. offer'd to refer all Differences between him and the A Bp. to the Judgment of the Clergy of *France*, or to that of the Univerſity of *Paris*.

From whence we may obſerve the great Obſtinacy of this Prelate, who would not refer his Cauſe to ſo impartial Judges, nor would be contented with leſs than all his Demands.

And by this [1.] Author it appears farther, that the King of *France* and other Mediators ſuſpecting ſome hidden Reſerve under the King's fair Words, only reported them to the Archbiſhop, without perſwading him one way or other; but He would not accept of any Terms, unleſs they were confirmed by the Kiſs; whereupon all Parties went their ways without concluding any Peace, and that only for want of this Ceremony: [2.] Then the King of *France* ſent his Letters and Meſſengers (together with thoſe of the Archbiſhop) to the Pope, beſeeching him that he would no longer delay the Sentence againſt King *Henry*; nay, the Biſhop of *Sens* went in Perſon to prevail with the Pope to iſſue out his * *Interdict* upon *England*, unleſs Peace was ſpeedily reſtor'd to the Church: But King *Henry* having notice of it, ſent into *England* a ſevere Edict, or Precept, againſt bringing any Letters, or Mandates from the Pope or Archbiſhop, making all Perſons ſwear to the Obſervation of every Article therein contained; which ſince they are long, I ſhall here abridge.

[1.] *Id. ib.* But the A. Bp. would not accept the terms without the Kiſs.

[2.] C. G. *Col.* 1408, 1409. The King of *France* and A. Bp. of *Sens* excite the Pope againſt King *Henry*, and the latter goes in Perſon to *Rome* to ſollicit to have *England* under an *Interdict*.

* *i. e.* of the Sacraments & Divine Service.

The [3.] Firſt Injunction was, That if any perſon whatſoever, after the Feaſt of St. *Denis*, was found bringing over, or publiſhing the Pope's, or the Archbiſhop of *Canterbury's* Letters, or any Command on their behalf, containing an *Interdict*, he ſhould be ſeized, and Juſtice done upon him as *a Traytor to the King and Kingdom*.

Upon which K. *Henry* ſends a ſevere Edict into *England* againſt bringing any Letters of Interdict from either the Pope or A Bp. and that all perſons ſhould Swear to obſerve every Article.

2. If any Biſhops or Abbots, or any Clerk or Layman, ſhould obſerve the Sentence of this *Interdict*, they and all their Kindred ſhould be immediately baniſhed the Land, and all their Chattels and Eſtates confiſcated to the King's uſe; and that all Clerks, who had Eſtates either within *England* or without, ſhould be Summon'd through all Counties, That if they return'd not by the Feaſt of St. *Hilary*, all their Revenues ſhould be ſeized into the King's hand.

[3.] *Id. Col.* 1409.

3. No Appeal was to be made to the Pope, nor the Archbiſhop of *Canterbury*, nor any Plea to be held by their Command; and if any one after the Feaſt of St. *Denis* ſhould be found guilty of this Offence, he

he ſhould be ſecur'd, and all his Chattels and Poſſeſſions taken into the King's hand, of what Order or Condition ſoever he were. *Anno Dom.* MCLXIX.

4. If any Clerk, Chanon or Monk of any Order whatſoever, came from beyond Sea, he ſhould be ſearched; and though nothing were found upon him, unleſs he have the King's Paſs, he ſhould not go any farther, but return as ſoon as poſſible; and if any ſuch forbidden thing as aforeſaid were found about him, he ſhould be taken and impriſon'd.

5. The Fifth abſolutely Prohibits all Clergymen from coming over into *England* without the King's Paſs.

6. If any *Welſh* Clerk Landed in *England* without the King's Paſs, he was to be ſeiz'd and put in Priſon, and all *Welſhmen* in *Engliſh* Schools (or Univerſities) were to be baniſh'd.

Further, the Sheriffs of *England* were to Summon all Knights and Free-Holders, and all thoſe of Fifteen years old, in their ſeveral Counties, to appear at the County-Court, to be there Sworn to the ſaid Articles; as alſo throughout all Cities and Burroughs, that they ſhould keep all theſe Injunctions on pain of Life and Members; and that ſending their Officers over all the Villages of *England*, they ſhould make all thoſe Swear, who did not come to the County-Court, to obſerve theſe Articles, as well as others; Whereupon all Perſons throughout *England*, from the very Boy to the Old Man, were forced to renounce their Obedience to Pope *Alexander* and the Archbiſhop of *Canterbury*, (as our Author calls the King's Aſſertion of his Right, in order to his own Preſervation.) But the Biſhops being aſſembled, and asked to confirm this Oath of the People by their own Authority, utterly refuſed it, being reſtrain'd through meer Shame, as *R. Hoveden* will have it.

I ſhall conclude this Year with an Account of the further ſucceſs of the *Engliſh* Arms in *Ireland*: I told you under the laſt, that *Richard* Earl of *Striguil*, looking upon himſelf as ſufficiently authorized by the King's verbal Licenſe, or Commiſſion, reſolved to go over into *Ireland* the next Summer; in order to which [4.] about the beginning of *May*, he ſent over a young Gentleman of his Retinue called *Raymond*, Nephew to *Maurice* and *Fitz-Stephen* by their Elder Brother, who with Ten Knights, or Men at Arms, and 70 Archers, Landed in *Ireland* under a Rock called *Dundolf*, four Miles from *Waterford*, where they built a ſmall Caſtle of Wood and Turf.

[4] *G. C. & J. 13. Annal. Hib.* *Raymond* ſent by *E. Richard* with Forces into *Ireland.*

This news the Citizens of *Waterford* no ſooner underſtood, but gathering together a Body of Three Thouſand Men, they paſſed the the River *Swere*, and marched towards the Fort, with a deſign to aſſault it; at whoſe coming *Raymond* was ſo far from being daunted, that he and his Men ſallied out upon them; but being oppreſſed with their Numbers, they were forced back to the Caſtle, and their Enemies purſuing, enter'd with them: *Raymond* ſeeing in what danger he was in, by a lucky preſence of mind boldly faced about upon them, and with his Sword cut them down one by one as they entred, and then with a great Outcry calling back his Men to his Defence, he ſtruck ſuch a Damp and Terror into his Enemies, that they gave way, and fled in ſo great confuſion and diſorder, that *Raymond* and his Men in the perſuit killed above Five Hundred of them.

He obtains a great Victory over the *Iriſh.*

Anno Dom. MCLXIX.

Several of the Citizens of *Waterford* taken Priſoners,

And are barbarouſly deſtroyed.

By this Victory they had taken Seventy of the Chief Citizens of *Waterford* Priſoners, for whom they might have had very conſiderable Ranſoms, or perhaps have obtain'd the City it ſelf. But, contrary to the opinion of *Raymond*, by the advice of *Harvey* of *Mount Maurice*, (who had brought in with him a few Men at his firſt Landing) they rather choſe to ſatisfy his cruel humour, and ſo caſt them headlong into the Sea, which was certainly a horrid piece of Barbarity: but our Author excuſes it by telling us, that *Harvey* did this to ſtrike a Terror into the *Iriſh*; ſo that though they were many more in number, yet ſhould not dare for the future to oppoſe them: and he gives us two long Speeches, which he ſuppoſes *Raymond* and *Harvey* to have made on this occaſion.

[5.] *Id. ib. Annal. Hib.* Earl *Richard* lands near *Waterford.*

But I wiſh he had rather told us, what theſe *Engliſhmen* did for two or three Months following; [5.] till about the end of *Auguſt*, when Earl *Richard* (commonly called *Strongbow*) Landed near *Waterford* with 200 Horſemen or Men at Arms, and about 1000 Others, and within Two days after aſſaulted the Town; but though they were twice repuls'd by the Citizens, yet upon the Third Attack they enter'd and killed very many in the Streets, and obtained a Bloody Victory: they took *Mac Laghlin* Prince of *Ophaly*, and one *Reginald*, Priſoners; but by the Mediation of King *Dermot* they had their Lives ſaved: with him came *Maurice Fitz Gerard*, *Robert Fitz-Stephen* and *Raymond*, who joined their Forces with Earl *Richard*, to whom *Dermot* then gave his Daughter *Eva* in Marriage, according to the contract formerly made between them.

Obtains a Bloody Victory, and takes *Mac Laghlin*, Pr. of *Ophaly* Priſoner.

Dermot, according to the Contract gives *Eva* his D. in Marriage to E. *Richard.*

[1.] *Ibid. Dublin* aſſaulted and taken.

This [1.] Solemnity being over, they all marched together in a Body to beſiege *Dublin*, and had not long ſat down before it, but *Raymond* and *Miles Cogan*, with a ſelect *Company* of Valiant young Men aſſaulted, and ſoon made themſelves Maſters of it, and kill'd many Citizens therein: But the Governor, *Haſculf* (a *Norwegian*) with the better part of the Garriſon and Inhabitants (taking with them all their Money) got out of the other ſide of the City, and recovered their Ships then lying in the Road, and ſo ſailed to the *Northern Iſles*. *Roger Hoveden* puts this Expedition of Earl *Richard Strongbow*, under the former Year, but I rather follow the *Iriſh* Annals which place it under this.

[2] *G. G. ib. Rodoric*, much concerned at this, ſends *Dermot* word, that if he would not hinder his Foreigners from making theſe Excurſions, he would cut off his Son's Head, and ſend it him.

And being exaſperated at *Dermot*'s Anſwer, he did put his Son to Death.

[2.] *Rodoric* King of *Connaught* was much concern'd at theſe proceedings of *Dermot*, and ſent to him to let him know that he had broken the Peace between them, by calling ſo great a number of Strangers into the *Iſland*, and that he neither was mindful of his Oath, nor of the Life of his own Son, (then a Hoſtage with *Rodoric*) and gave him alſo notice, that if for the future he did not reſtrain theſe excurſions of his Foreigners, he would cut off his Son's Head, and ſend it him; but to this *Dermot* anſwered, that he would never deſiſt from War until he had ſubdued *Connaught*, and made himſelf Chief King of all *Ireland*: *Rodoric* provok'd with this reply, immediately took *Dermot*'s Son, and made him ſhorter by the Head.

K. *Henry* recalls his *Engliſh* Subjects out of *Ireland.*

But the late ſucceſs of Earl *Strongbow*'s Arms now met with a great Check; for King *Henry* hearing of it, and being afraid he ſhould grow too great for him, did put forth an Edict, by which he prohibited all his Subjects from carrying any thing by Sea into that Nation, and alſo at the ſame time recalled all the *Engliſh*, appointing

pointing them to return by *Easter* upon pain of being disinherited, and living in perpetual Exile. Upon this the Earl sent *Raymond* to the King then in *Aquitain* with a Letter, in which he put him in " mind, that he had his License to go and assist his Vassal *Dermot*; " telling him farther, That as whatsoever he had acquired proceeded " from his Munificence, so it was all at his Command, and that he " would return Home whensoever he pleased. Wherefore little was attempted further all that Winter, till the next Year, when you will find more of them.

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Raymond pleads for their Continuance there.

But before we end this, I must take notice, [3.] that *Owen Gwyneth* Prince of *North-Wales*, after he had Governed that Country worthily, for many years with great Valour and good Success, now deceased, leaving divers Children behind him by several Women whom he kept, besides his Wife: But his Eldest Son *Jordwerth Drwynden* being counted unfit to govern, because of a great Scar he had on his Face, *Howel* a Base Brother of his took upon him the Government; but *David*, another Brother lawfully begotten, thinking himself more fit for it, gathered what Forces he could, and coming against *Howel*, slew him in Battle, and so held the Principality till *Llewellyn* his Brother *Jordwerth*'s Son came of Age, who deposed his Uncle, as you will hear in due time. But we shall here conclude this Year, and return to King *Henry* whom we left in *France*.

[3.] *Dr. P's. Chron.*

Owen Gwyneth, Prince of *North-Wales*, his Death.

His Eldest Son put by the Government for a defect in his Face, and a Base Brother takes it upon him.

But he is slain in Battle by Prince *David*, another Brother.

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At [4.] *Christmas* following, the King kept his Court at *Nants*, together with his Son *Geoffery* Earl of *Bretaign*, and after the Festival-Solemnity He and his Son went about to all the Castles of that Province, taking the Oaths of Fealty and Allegiance from the Earls, Barons and Freemen of whom they had not received them before, and afterwards returned into *Normandy*; where having put all things in good Order as well as in his other Dominions, about the Beginning of *March* he took shipping with design to sail for *England*: but there arose so Violent a Storm, that many of his best Vessels were lost, and he himself narrowly escap'd: In one of these perish'd his chief Physitian and several Persons of Quality, with other of his Domestick Servants, to the number of about Four hundred Men and Women.

[4.] *R. D. Col.* 550. *B. A.*

K. *Henry* keeps his Court at *Nants*, taking the Oaths of Fealty and Allegiance of all those that had not as yet swore to him.

Then returns to *Normandy*.

And sometime after sails for *England*; but met with so violent a Storm, that he lost several of his best Ships, and about 400 Souls.

[5.] Not long after the King's arrival, he held his Court at *Windsor* on the *Easter* following, where were present *William* King of *Scots*, and *David* his Brother, with almost all the Bishops and Great Men of *England*: when the King also appointed certain Earls, Abbots, Knights, and Clerks to go as Commissioners through the whole Kingdom, giving them Instructions in writing what they were to do; our Author has given us the names of some of them for one of these Circuits, which are needless to be mentioned, and therefore I shall only recite you their Instructions; and they were to this Effect.

[5.] *G. G. Col.* 411.

At *Easter* he keeps his Court at *Windsor*.

He appoints several Commissioners to go through the Kingdom with Instructions what to do.

[1.] These Itinerant Barons were to exact Security or Pledges of all Sheriffs, who were made so since the King went last into *Normandy* (being about the space of four years,) and of all who during that time were their Bayliffs, or Ministers, whatsoever Bayliwick or Charge they had under them, and of all those who had the *Hundreds* of Barons in any Counties, whither they had them in Farm or not, that they should appear before the King at a day by them appointed, to do such Right to him, and his Subjects, as they ought; and if the Sheriffs could not come before them in person, they were to send such

[1.] *Id. ib.*

The Sum of those Instructions.

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such in their ſteads, as ſhould be anſwerable for them, who were to give Security and Pledges, as well for themſelves, as the Sheriffs that they would do before the King what the Sheriffs ought to do at the day appointed. Alſo theſe Commiſſioners were to make Inquiries upon divers other Articles, which being very long, and now obſolete, I ſhall only tell you in General, they were for the Diſcovery of the Frauds, Extortions and Miſcarriages of Sheriffs, their Bayliffs, and others, the King's Officers, ſince his laſt going over into *Normandy*. But becauſe theſe Articles contain divers things, which may give us a great Light into the Miniſterial Part of the Law in thoſe times, I have added them at large among the Laws at the end of this King's Reign for the ſatisfaction of thoſe that are curious Inquirers into the ancient Laws and Cuſtoms of this Kingdom.

[1] *Id. Col.* 1412.

14. June, the K. held a great Council at *London*, of all the great Men of the Kingdom, who appeared with their *Fidejuſſors* or Sureties.

And that day he Knights his Son *Henry*, and commands him then to be anointed and crowned King.

[2.] The above-mention'd Inquiſition, (which if duly executed would have puniſhed the Diſorders and Injuſtice of all ſorts of Officers) being finiſhed, all Parties concern'd in it were commanded to appear before the King at *London* on the 14th of *June*; upon which day he alſo held a Great Council of all the Biſhops, Abbots, Earls, Barons, Sheriffs, Bayliffs and Aldermen of *England*; who appeared with their *Fide-juſſors* or Sureties in great fear, for they knew not what the King deſign'd by it: And on that very day he Knighted his Son *Henry*, (who was newly come out of *Normandy*, not above a week before,) and the King then commanded him to be anointed and Crowned King at *Weſtminſter* on the day laſt mentioned, the Clergy, and Laiety there preſent aſſenting to it; yet all Perſons were aſtoniſh'd and wonder'd at it, as having never ſeen, nor heard of the like before in *England*.

[3.] *& Hp.* 296.

A Bp of *York* order'd to perform the Ceremonies.

New K. by his Father's command receives the Fealties of the K. of *Scots*, and all the Earls and Barons.

This Coronation proved afterwards very unfortunate to his Father, and all the Bps. that had any hand in it.

The Reaſon which induced the K. to let his Son into ſo great a ſhare of Power with him.

No Law then eſtabliſhed in *England*, of Entailing the Crown on the next Heir by Blood, without conſent of the Common-Council of the Kingdom.

[4.] Vid *Mezeray's* Hiſt. of *France*, Vol. II. in the Lives of theſe Kings.

However [3.] the Archbiſhop of *York* was order'd to perform the Coronation Ceremonies, the Biſhops of *London* and *Durham* aſſiſting him, divers other Biſhops being alſo preſent; which being ended, the day following the new King by Command of his Father received the Fealties of *William* King of *Scots*, and *David* his Brother, and of all the other Earls and Barons of the Kingdom; and thus being rid of their fear, they all departed to their own homes.

This Coronation of Young King *Henry* proved very troubleſome and unfortunate not only to the King his Father, but to all the Biſhops who had any hand in it, as you will find in due time; but leſt it ſhould ſeem ſtrange and unaccountable to the Reader, why ſo Wiſe a Prince, and ſo jealous of his power as King *Henry* was, ſhould now reſolve to let his Son, an active young Prince, and of a High Spirit, participate any of it; to take off this Wonder we may obſerve, that the King conſidered, how notwithſtanding the Oath of Fealty that had been made to his Mother the Empreſs by all the Clergy Nobility and People of *England*, they had yet ſet her aſide, and choſen *Stephen* for their King; and though the very ſame Orders of Men had alſo lately taken the like Oath to *Henry* his Son, yet they might after his deceaſe have ſet him aſide if they had ſo pleaſed, as they had done his Grandmother, there being then no Law eſtabliſhed in *England*, whereby the Crown was entail'd upon the next Heir by Blood, without the advice and conſent of the Common Council of the Kingdom. There might be alſo this further motive for the King to act thus; He had heard, or obſerved, [4.] that both

Robert

Robert and *Lewis* the *Groſſe*, late Kings of *France*, had done the ſame thing, and cauſed their Sons to be crowned during their own lives, without feeling any ill effects from it. *Anno Dom.* MCLXX.

The Young King's great Ingratitude towards his Father.

But it is Obſervable, that this new King *Henry* was ſo far from being ſenſible and grateful to his Father for this great Kindneſs and Truſt he repos'd in him, that (as *Polydore* relates) at his Coronation-Feaſt, when the King himſelf, in Honour to his Son, would needs carry up the firſt Diſh, the Archbiſhop of *York*, who at the ſame time ſtood by the young King, taking notice of it, and gravely telling him how much he was obliged to his Father for that Favour; he ſcornfully reply'd, *That it was no ſuch great Condeſcention in his Father who was only the Son of an Earl, to perform that Service to him, who was the Son of a King.*

K. *Henry* in this Council turns out moſt of the Sheriffs of *England*, and their Bayliffs, for abuſing his Subjects.

† *Ad reſcindam.*

* *Villanis.*

And obliges them to make ſatisfaction.

Nor can I here omit mentioning what Abbot *Benedict* further relates, (though after a more conciſe manner,) that in this Council above mention'd, the King turned out of their Offices moſt of the Sheriffs of *England* and their Bayliffs for abuſing his Subjects, and obliged them in Sureties to † make ſatisfaction to Himſelf, and them; and to that end made all the Men of his Kingdom, as well Earls, Knights, Barons, Franc-Tenants, as the * *Countrymen* in every Shire, to Swear upon the Holy Goſpels, how much the Sheriffs and their Bayliffs had taken of them, and what by Judgment of the County or Hundred, and what without it, and for what forfeitures: yet this Inquiſition (which without doubt was taken in ſeveral Counties) as alſo its return, ſeems in this Author to have been taken at *London* at one and the ſame time; whereas indeed the Inquiſition had been before made in the ſeveral Counties, upon the return whereof at this Council thoſe Officers abovementioned either were, or at leaſt ought to have been puniſhed.

Every Man in the Kingdom to ſwear how much had been taken from them and by what means.

[5.] *Id. ibid.*

[5.] The Coronation being over, on *Midſummer*-day King *Henry* the Father went to *Portſmouth*, from whence he ſail'd into *Normandy* becauſe King *Lewis* of *France* was ſo very much diſpleaſed, that his Daughter *Margaret* was not Crowned with the young King her Husband, but left behind him in *Normandy*, that he thereupon threatned War there: The King at his departure granted his Son Power in his abſence to do all Men Right and Juſtice, by a new Seal which he commanded to be made for him; then on the Twenty Second of *July* (preſently after King *Henry*'s arrival in *France*) the Two Kings met at *Vandeure* in *Main*, where upon a Conference, they again adjuſted all Differences between them.

K. *Henry* the Father goes into *Normandy*, for the K. of *France* threatned him with a War.

The New K. made Vice-Roy, and a new Seal order'd to be made for him.

K. *Henry* and the K. of *France* meet at *Vandeure*, and there adjuſted all differences between them.

[1.] King *Henry* being return'd from this Enterview into *Normandy* about the Feaſt of St. *Laurence* (*i.e.* the Tenth of *Auguſt*) fell into ſo violent a ſickneſs, that it was commonly reported in *France* that he was dead; during this Extremity, he divided his Kingdom and Lands among his Sons; to *Henry* the Eldeſt, he left the Kingdom of *England*, with the Dukedom of *Normandy*, and Earldoms of *Anjou* and *Main*; and recommended his Youngeſt Son *John* to be provided for, and maintained by him; but [2.] *Roger Hoveden* with more probability ſays, he bequeath'd unto *John* (before nick-nam'd *Sans Terre*) the Earldom of *Moretaign* in *Normandy*; and to his Son *Richard*, the Dukedom of *Aquitaign* with it's Appurtenances, to be holden of the King of *France*; and to his Son *Geoffry*, the Earldom of

[1.] *Id. ibid.* K. *Henry* at his return falls deſperately ill.

And then divides his Kingdom & Lands among his Sons by Will.

[2.] *P.* 296.

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of *Bretaign* with the Daughter and Heir of Earl *Conan*, to be holden by the like Tenure: but the King ſoon recovering from this ſhort, (though violent) Indiſpoſition, this Teſtament ſignified nothing; for ſo ſoon as He was well again, he went on Pilgrimage to the Shrine of St. *Amator*, there to pay his acknowledgments to that Saint for his Recovery, from whence he came back again into *Anjou*.

The K. recovers, and the Will ſignifies nothing.

[3.] *Id.* p. 298. a.

[3.] Some time after this there happen'd a new occaſion of Diſcord between him and the King of *France*, concerning the Archbiſhoprick of *Bourges*, which King *Henry* claimed as belonging to the Dutchy of *Aquitaign*, and which King *Lewis* denied: whereupon the former entred *Berry* with an Army; but the King of *France* coming likewiſe with another into the ſame Country, prevented his deſign, and at laſt the quarrel ended in a Truce until the Feaſt of St. *Hilary* following.

New Diſcord between K. *Henry* and the K. of *France*, about the A. Biſhoprick of *Bourges*.

The former enters *Berry* with an Army.

But at laſt the Quarrel ends in a Truce.

[4.] G. G. *Col.* 1411, 1412.

[4.] But it it now time to look back to the old difference between the King and the Archbiſhop, which ſtill remain'd undetermin'd; for immediately upon the King's laſt arrival in *England*, leſt the Church ſhould receive any further prejudice by the Archbiſhop's abſence, the Pope renewed his Mandate to the Archbiſhop of *Roüen* and Biſhop of *Nevers*, commanding them again to admoniſh the "King to be reconciled to the Archbiſhop of *Canterbury*; the Sum "of which * Mandate was, that if the King would not make full Re"ſtitution to the Archbiſhop of his poſſeſſions, and alſo give him the "kiſs, or if he uſed any Trick or Shuffling in the matter, then "they were by St. *Peter*'s and his own Authority, to pronounce the "Sentence of *Interdict* againſt *England*, without any Appeal, and "to prohibit the Celebration of all Divine Offices, except the Bap"tiſm of Infants, and Pennance to dying People; and if the Arch"biſhops and Biſhops did not obſerve this Edict, and cauſe thoſe "under their care to obſerve it, they were to ſuſpend them, and "upon obſtinacy to excommunicate them: this Bull bears date the "10th of *May*.

The Pope ſends the A Bp. of *Roüen* and Bp. of *Nevers* to the K. to be reconciled to *Becket*, and make him full Reſtitution, upon pain of an *Interdict* againſt *England*.

* *Vid. Quadrilogus.*

About the middle of *June* the Legates being ready for their Journey, ſent the King Letters, wherein they acquainted him with the Commands they had received from the Pope; but he wrote back deſiring them not to expoſe themſelves to the danger of the Seas, promiſing that he would ſuddenly be with them, and conſent to a Peace with the Archbiſhop by their Advice; upon which they remained in *Normandy* expecting the King's coming over.

[5.] *Id. ib.*

[5.] In the mean time there happen'd a new occaſion of Diſpute between the King, the Pope and the Archbiſhop, upon the account of the late Coronation of the King's Son: which though his Father had kept very private, yet it ſeems the Pope had ſome way or other got Intelligence of; (for there wanted not then as well as now thoſe that betrayed the Secrets of their Princes;) therefore in *April* the Pope wrote to the Archbiſhop of *York* and all the Biſhops of *England*, That if any ſuch Coronation was offer'd, they ſhould not perform that Ceremony without the Conſent and Privity of the Archbiſhop whoſe Right it was to conſecrate Kings: but notwithſtanding this Admonition, the Young King was Crowned by the Archbiſhop of *York*, (as you have already heard) without the Licenſe of the Archbiſhop of *Canterbury*, who immediately after complained to the

They acquaint the K. by Letters with the Pope's Commands.

He ſtays them beyond Sea, and promiſes to come over to them and make Peace.

[1.] *Id. ib. B. A.*

A new Occaſion of Quarrel between the King, the Pope, and the A. Bp. about Crowning the King's Son.

The Pope prohibits the A. Biſhop of *York*, and all the Bps of *England* to do it, without the Conſent of the A. Bp. whoſe Right it is to conſecrate Ks.

the Pope not only of him, but alſo of theſe Four Biſhops; viz. *Hugh* of *Durham*, *Walter* of *Rocheſter*, *Gilbert* of *London*, and *Jocelin* of *Salisbury*, who had aſſiſted at the Coronation: whereat the Pope being incenſed, and looking upon what had been done as a Contempt of his Authority, *Excommunicated* the three laſt Biſhops, and only ſuſpended the Archbiſhop of *York*, and the Biſhop of *Durham*, and "wrote to theſe two laſt a long Epiſtle, wherein he accuſeth the King "for depreſſing and diminiſhing of the Churches Liberties; and that "under pretence of preſerving his Royal Prerogatives, he deſtroy'd "them, contrary to the Canons; then he tells the Biſhops how "much he had been ſollicited to confirm his Uſurpations (meaning "the ſtatutes of *Clarendon*) and that he had ſent ſome Cardinals and "others to ſoften him, but that he ſtill grew more obſtinate, and "would not abate in the leaſt the Rigor of his perverſe Laws; that "he had ſeized the Rights of the Church of *Canterbury* contrary to "her antient Dignity; that his Son *Henry* had been Crowned by the "Archbiſhop of *York* without any Caution, or Reſervation made by "him, for preſerving the Liberties of the Church, and that he had "promiſed by his Oath that he would maintain all thoſe Cuſtoms "of the Kingdom which they call Antient, by all which the Liberties "of the Church were much in danger; and concludes, that for theſe "Conſiderations he now ſuſpended the ſaid Archbiſhop of *York* and "Biſhop of *Durham* from the Exerciſe of their Epiſcopal Fun-"ction.

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The A. Biſhop complains to the Pope of the A. Bp of *York*, and thoſe Biſhops that aſſiſted him at the Coronation.

Whereupon the Pope Excommunicates three of the Bps. and ſuſpends *York* and *Durham*, and writes a long Letter to theſe two, to tell the reaſon why he ſuſpended them.

He accuſes the K. of depreſſion and diminution of the Church's Liberties.

[1.] Now alſo *Lewis* the *French* King with the Archbiſhop of *Sens*, and the reſt of the Archbiſhops, Biſhops and Great Men of his Kingdom, concerned themſelves ſo far on the behalf of the Archbiſhop of *Canterbury*, that they earneſtly ſollicited the Pope, not to permit the King of *England* to make any farther delays in receiving him, as he loved the Kingdom of *France*, and the Honour of the Apoſtolick See: and the Archbiſhop of *Sens* went to *Rome* on purpoſe about it; upon which the Pope reſolved, that unleſs the King preſently made peace with the Archbiſhop, his Kingdom ſhould be anathematized and put under an *Interdict*; when (ſays the Hiſtorian) at this Juncture of Time it pleaſed God ſo to change the King's Mind, that by the paternal Admonition of the Pope, and the Mediation of the King of *France*, with the advice of ſeveral Biſhops and noble Perſons, he at laſt was pleaſed to be reconciled to the Archbiſhop, and reſtore him to his Church.

[1.] *R. H. Ib.* K. *Lewis*, his Archbiſhops, Bps, and Great Men of his Kingdom, ſollicit the Pope in behalf of the A. Bp. of *Canterbury*.

The Pope reſolves, if the K. doth not preſently comply to receive him, to put the Kingdom under an *Interdict*.

Abbot Benedict relates it thus, that the peremptory day for the Sentence being at hand, ſo that it could no longer be deferred, the King of *England* was forced by theſe Canonical ſeverities to embrace a Peace, and to that end came to *Amboiſe* near *Tours* on the Twelfth of *October*, with ſome of the Biſhops and Great Men, where he met *William* Archbiſhop of *Sens*, and *Theobald* Earl of *Blois*, and moſt of the Biſhops and Noblemen of *France*, who brought with them Archbiſhop *Thomas*; and the next day, by the Mediation of King *Lewis* (who yet appear'd not there in Perſon) and by the Command and Admonition of Pope *Alexander*, the King receiv'd the Archbiſhop into his Grace and Favour, as well as all thoſe that were with him in Exile; promiſing entirely to reſtore to him all the Rights and Poſſeſſions of the Church of *Canterbury*, as he held them the year before he left *England*.

The K. is reconciled to the A. Bp.

[2.] In

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[2] *R. H. p.* 297. *b.*

[.] In ſhort, the King there agreed to all that the Archbiſhop would or could reaſonably demand of him; moſt Authors agree about the matter of this Treaty, but differ about the Time and Place; *Hoveden* and *Abbot Benedict* both ſay it was on the fourth of the *Ides*, or 12th of *October* on a Hill between *Tours* and *Amboiſe*; but *Quadrilogus*, *Fitz Stephen* and *Gervaſe* of *Canterbury*, place it on St. *Mary Magdalen*'s day, or the 22d of *July*, at *Freteville*, between *Chartrin* and *Main*, in a Meadow called the *Meadow of Traytors*.

[3] *Quadril. l.* 5.

The K. in writing ſignifies to his Son *Henry* here, that the A Bp. had made Peace with him.

[3.] The King and Archbiſhop being thus outwardly reconciled, the former wrote into *England* to his Son *Henry* to let him know that the Archbiſhop had made his peace with him; and therefore Commanded, to let him and all that accompanied him have and enjoy all things as they did Three Months before he went out of *England*, as appears by his Writ or Letter, which you will find in *Quadrilogus*, and *Gervaſe* of *Canterbury*.

[4] *F. S.*

Thomas Becket complains againſt the A. Bp. of *York* for his Crowning the Young K. out of his own Province.

The K. leaves it to him to take what Satisfaction he would of that A Bp. and the Other Bps.

[4.] After he had made this Peace with the King, the Archbiſhop in a ſet Speech told him, That amongſt all the Evils he had ſuſtained by his Indignation, as Baniſhment, and the Spoiling and Oppreſſion of the Church of *Canterbury*, &c. there was one thing which he neither ought nor could leave unpuniſhed, and that was the Archbiſhop of *York*'s Crowning the young Son out of his own Province, and by the King's cauſing him to do it, had thereby robbed his Church of that Honour, which amongſt all her Dignities ſhe had peculiar and proper to her ſelf ever ſince the time of St. *Auſtin*; then after ſome further diſcourſe of this matter, the King left it to him to take what ſatisfaction he pleaſed of the Archbiſhop of *York* and the other Biſhops for the Injuries done to the Church of *Canterbury* and himſelf.

The great Civilities that upon this paſſed between them both.

The Archbiſhop ſeemed ſo ſenſible of the King's unexpected Conceſſion of ſo great a Point, that He preſently alighted from his Horſe, and went to throw himſelf at his Majeſty's Feet; but he alſo preſently alighting, took him up and embraced him; and when he mounted again, held his Stirrup: yet notwithſtanding all theſe mutual Civilities, the Archbiſhop ſtill kept his former Reſentments, being (as he thought) ſlighted by the King in his not deferring his Son's Coronation till his return: but why could not that Omiſſion have been paſſed by, as well as others for Peace ſake?

It was a ſtrange Eaſineſs in the K. thus to give up the A Bp. and Bps. to the Pope's and *Becket*'s Indignation, as well as great rigidneſs in them, ſo ſeverely to proſecute thoſe Bps.

And I cannot tell which to admire the moſt, the King's eaſineſs in thus giving up the Archbiſhop of *York* and the reſt of the Biſhops to the Pope and his Favourite's Indignation without any conditions made on their behalf, (ſince they had ſerved him faithfully, and acted according to his Command) or the Pope's and the Archbiſhop's imprudent rigidneſs in their ſevere proſecuting of thoſe Biſhops when indeed it had been the wiſeſt courſe to have compoſed all differences by accepting of their acknowledgments, and deſires of pardon for their fault, if it were one; becauſe there had been, as the King himſelf then urged, late Examples of the Archbiſhop of *York*'s Crowning and anointing our Kings, as appears by *William* and *Henry* the *firſt*, who were both conſecrated by the Archbiſhop of *York*, though there were Archbiſhops of *Canterbury* then living, as the Reader may obſerve in the Reigns of thoſe Kings. And this was alſo confeſſed by Archbiſhop *Becket*, only he excuſed it in the Firſt In-

[5] *Id. ib.*

There had been late Examples of the A. Biſhops of *York*'s Crowning our Kings.

ſtance,

ſtance, by reaſon that *Lanfranc* had not then his Pall from the Pope; and in the Second, becauſe of Archbiſhop *Anſelm*'s Exile beyond Sea, which (admit it were unjuſt) made the caſe the ſame. *Anno Dom.* MCLXX.

[1.] After all this, the Peace had like to have broke off at laſt; for the King having ſworn not to do it, refuſed now to give the Archbiſhop the Kiſs of Peace, though the Pope had before abſolved him from that raſh Oath, and enjoin'd him to do it; yet the King put it off, ſaying, *In my own Territories I will kiſs him (nay his very Hands and Feet) a Thouſand times, let him only defer it now, that it may appear to be done out of my meer Grace and Good-will, and not by Conſtraint.* With which Anſwer, by the Advice of all there preſent, the Archbiſhop appeared ſatisfied, and ſo there was great Joy at this ſeeming Reconciliation; and the King and the Archbiſhop went apart, and diſcourſed ſome time in private together; and then taking his Leave, the Aſſembly broke up, and the Archbiſhop returned Thanks to all his Benefactors in *France*, and received the King's Licenſe to return home; But he ſtill delaying his Journey, the Pope began to grow jealous, and haſtened his Return into *England* by his Letters.

[1] *Id. ibid.* The Peace like to be broke off, for want of the King's kiſſing the A. Biſhop, which he had ſworn not to do.

The Pope haſtens the A. Biſhop's return into *England*.

Then [2.] the Archbiſhop having taken his Leave of the King of *France*, went to do the like of King *Henry* at *Tours*; who, for all that he was now in his own Dominions, yet ſtill deferr'd giving him the Kiſs of Peace, though he might very well have done it at Maſs: But he put it off by the Advice of *Nigel de Salcaville*, a Clerk, and Keeper of his Seal, who having one of the Archbiſhop's Livings beſtowed upon him, did not deſire their Agreement. This Repulſe was taken notice off by the Archbiſhop and all that were there preſent.

[2.] *Id. ib.*

But though he had neither That, nor yet his Debts paid, nor the Archbiſhop of *Roüen* appointed to conduct him over, as the King promiſed; (for he only ſent *John* Dean of *Salisbury* to wait upon him) yet being preſſed by the Pope's Letters, he reſolved to make what haſte he could into *England*.

[3.] For the Pope had ſent a Meſſenger expreſsly to exhort him to return to his Church; by whom he alſo received Letters, which gave him notice of the *Suſpenſion* of the Archbiſhop of *York* and Biſhop of *Durham*, and the *Excommunication* of the Biſhops of *London*, *Rocheſter*, and *Salisbury*.

[3.] *Id. ib.* And ſends preſſing Letters to him about it, *&c.*

But I cannot here forbear to obſerve the Pope's ſtrange partiality in only *Suſpending* the Archbiſhop of *York* and Biſhop of *Durham*, though the former had himſelf Crowned the New King, and the Other aſſiſted at the Ceremony, the very ſame fault, for which the reſt of the Biſhops were *Excommunicated*.

The Pope's ſtrange partiality.

[4.] The Archbiſhop ſet ſail from *Whitſand* and Landed at *Sandwich* on the firſt of *December*; where ſo ſoon as he arrived, he pronounced the Sentence of *Suſpenſion* and *Excommunication* againſt all the ſaid Biſhops, [5.] at which thoſe Officers of the King that came to meet him were much troubled, and asked him, Why at his firſt coming into *England*, he would in Affront to the King offer to *ſuſpend* and *excommunicate* thoſe Biſhops, and withal threatned him with the King's diſpleaſure thereupon; but the Archbiſhop anſwered them, That the King ought not to be offended, becauſe it was done with his permiſſion: Then the Biſhops being at *Dover*, ſent

[4] *Id. ib.* The A. Biſhop Lands at *Sandwich*, and pronounces the Sentence of Suſpenſion and Excommunication againſt the Biſhops.

[5.] C. G. *Col.* 1413.

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sent to the Archbiſhop, ſo ſoon as he came to *Canterbury*, very earneſtly deſiring Abſolution of him, but He ſtill ſaid, they were bound by a Superior Judge, and though it was not in his power to releaſe a Sentence given by the Pope's Order, yet he would ſo far preſume upon his Clemency as to Abſolve them, if they would give caution to ſtand to the Judgment of the *Church*, (*i.e.* of the Pope) concerning thoſe things for which they were excommunicated; but it ſeems the Meſſengers declined that, and uttering ſome high Words againſt the Archbiſhop's proceedings, returned to thoſe who ſent them, and gave them an account of all their Negotiation. Hereupon they conſulted what was next to be done; and the Author of *Quadrilogus* ſays, That the Biſhops of *London* and *Salisbury* were at firſt willing to ſubmit to the Archbiſhop's Offer, but the Prelate of *York*, would by no means conſent, but perſwaded them to the contrary, ſaying, That he had ſtill 2000 Marks by him, which he would ſpend to the laſt Farthing, but he would humble this Haughty Primate.

The Bps. deſire Abſolution of him.

He offers to do it, upon caution to ſtand to the Judgment of the Church.

The Biſhops of *London* and *Salisbury* are willing to ſubmit, but *York* would by no means hearken to them.

[1.] *F. S.*

[1] Immediately upon this publication the *ſuſpended* and *excommunicated* Biſhops went over to the King into *Normandy*, and throwing themſelves at his Feet, told him, He had made a very ill Peace for them, ſince they and all thoſe who had aſſiſted at the Coronation of his Son were *Excommunicated* by the Pope; and the Archbiſhop of *York* told the King, *That ſo long as* Thomas Becket *was alive he would never enjoy happy Days, nor a peaceable Kingdom.* At which words the King fell into ſuch an Indignation, that he preſently ſhew'd it by his Countenance and Geſture.

They apply to the King, and complain that this was an ill Peace for them.

The A. Bp. of *York* exaſperates the King againſt *Becket*.

[2.] *G. G. Col.* 1415.

But [2.] *Gervaſe* of *Canterbury* is more particular in this Relation, and tells us, the King was now ſo highly provok'd, that in a great paſſion He cried out aloud, *He was a miſerable Man, that had fed ſo many ungrateful cowardly Fellows, none of whom durſt vindicate him from the Injuries he ſuffer'd at the hands of one Prieſt.* At which words Four of the King's Domeſtick Knights or * Bed-Chamber-men (as the *Quadrilogus* calls them) who were of great Reputation both for the Nobility of their Birth and Military Exploits; namely, *Reginald Fitz-Urſe*, *William de Tracy*, *Richard le Brito*, and *Hugh de Morville*, bound themſelves by a Solemn Oath to revenge the King's Quarrel; and to that intent they preſently ſtole away from Court, having already Sworn the Archbiſhop's deſtruction.

The K. in a Paſſion upbraids the Cowardice of his Servants, that none would dare to vindicate him.

* *Cubicularii*: Note, *Fitz-Stephen* calls thoſe Knights, Barons.

Four of his Knights reſolve to murther the A. Bp.

[3.] He being newly arriv'd in *England*, was joyfully received by the Clergy and People of *Canterbury*, from whence he preſently ſent a Meſſenger to the Young King to give him an account of his late Proceedings againſt the Biſhops, and how it was done by the Pope's poſitive Commands, and the King his Father's Permiſſion; but the Young Prince being awed by thoſe Counſellers his Father had ſet over him, durſt not ſee, nor ſpeak with this Meſſenger; but yet for all that the Archbiſhop reſolved to go to Court, and take *London* in his way.

[3] *Id. ib.*

The young K. durſt not ſee nor ſpeak with the meſſengers the A. Bp. ſent to him, but he is reſolved to go to Court.

And firſt to *London*, and why.

However, this could not be the cauſe of his going thither, ſince the Young King was then at *Wincheſter* (as *Fitz-Stephen* ſays) or elſe at *Woodſtock* (as *Matt. Paris* has it) but let him have been at either of thoſe places, it is plain, the City could not lye in his way to Court; and therefore I ſuppoſe his Journey to *London* was purely out of vain

Glory

Glory to ſhew himſelf, and make the People flock out to meet him, as they did in great Numbers, for which Miſdemeanor many of the chiefeſt Citizens were ſummon'd afterwards to appear, and give Security to anſwer it. But to return to the matter; the Young King hearing of his Intended Journey to Court, ſent Two Knights to meet him, to forbid both his coming thither, or going about to Cities; and ordered his ſpeedy Return to *Canterbury*, and to reſide there; which Command he preſently obey'd, and remain'd there with his Family till the day of his Death, which was not long after.

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The young K. forbids his coming to Court, and orders his return to *Canterbury*, which he obeys.

For on [4] *Chriſtmaſs*-Day following he preached a pathetic Sermon to the People of that City, wherein after he had ſet forth the great Apprehenſions he had of a ſpeedy Suffering, or Martyrdom (as he called it) he then Excommunicated *Ranulph* and *Robert de Broc* (both Brothers) becauſe they, the day before, meeting ſome of his Servants in the High-way bringing Proviſions for his Houſe, did not only beat them, but cut off one of their Horſe's tails; yet however this *Excommunication* did but exaſperate his Enemies the more againſt him.

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[4] *F. S. R. H.* The A. Bp. preaches to the People, and Excommunicates the two *de Brocs*.

For about this Time the Four Knights (above-mention'd) who had ſworn to revenge the King's Quarrel, met with a more ſpeedy paſſage than ſo wicked a deſign deſerved; for having Landed privately near *Dover*, and in the Country thereabouts raiſed a pretty large Company of Men, partly of the King's Officers, and partly of thoſe whom the Archbiſhop had *Excommunicated*, they made what haſte they could to *Canterbury*, where being arrived on the 30th of *December* in the afternoon, they enter'd the Palace, came into the Archbiſhop's Chamber, and there ſate down without ſpeaking a Word, till the Archbiſhop asking them the occaſion of their coming, One of them (*Fitz-Urſe* by name) told him, That they came from beyond Sea with a Meſſage from the King; upon which the Archbiſhop commanded his Domeſticks to withdraw: but when the Other ſaid, that he deſired all there preſent ſhould hear, they ſtayed in the Room; then *Fitz-Urſe* in the name of the Reſt, deliver'd his Meſſage; but *Fitz Stephen* makes the Archbiſhop's Servants to have withdrawn by his order during the delivery of it; and that ſo ſoon as it was over, he fearing ſome Violence, called in his Chaplains and Domeſticks, before whom the Knights repeated what they had to ſay; I ſhall not here relate the whole Dialogue between the Archbiſhop and them (as I find it in my Authors) ſince it would be too tedious, and beſides they themſelves differ about what they make the Gentlemen to ſay: but the Sum of what *Fitz-Urſe* told him, was, "That he had as good have taken the Crown from the King his "Maſter's Head, as thus to *Excommunicate* the Biſhops, and then "refuſe them Abſolution: But the Archbiſhop ſaid, He was ſo "far from taking the Crown from the King's Head, that he wiſh'd "with all his heart he could put another on, (*God's Honour and his "own Soul being ſtill ſafe*) and that not himſelf, but the Pope had "*excommunicated* and *ſuſpended* thoſe Biſhops, and it was not in "his power to abſolve them; They anſwer'd, It was all one as if "he had done it, ſince it was done by his procurement; To which "the Archbiſhop reply'd, That indeed he was much obliged to the "Pope for thus Vindicating the Injury done to God, as well as to "him-

The Four Knights that had ſworn the A. Bps. death Land near *Dover*.

They come and deliver a Meſſage from the K. to the A. Bp.

And tell him He might as well have taken the Crown from the K's. Head, as thus excommunicate the Bps. and refuſe to abſolve them.

The A. Bps. Anſwer.

Anno Dom. MCLXXI.

" himſelf; then making a large recital of all the Wrongs he had " receiv'd, he appeal'd to themſelves as Witneſſes, Whither the King " had not granted him leave to proceed by Eccleſiaſtical Cenſures " againſt thoſe who had diſturbed the peace of the Church; nor " could he paſs it by without betraying his Paſtoral Charge: at " which they all cryed out, That they were never Witneſſes of any " ſuch thing, and called to the Monks and others there preſent to " ſecure him on the King's behalf, and that if he eſcaped he ſhould " be required at their hands; ſo preſently going out, the Archbiſhop " following them to the Door of the outward Room, ſaid, *No, I come not hither to fly, I value not your Threatnings*: To which they reply'd, *They are not bare Threats, and ſo you ſhall find.*

[5.] C. G. col. 1415. The Knights bring their Guard into the A. Bps. Court who during the Conference waited at his Gates.

[5.] Then going out of the Abbie, they brought thoſe of their Guard into the Court, whom they had before left at the Gates, whilſt they talk'd with the Archbiſhop; But during the time that they were gone away, the Monks hearing that the Knights with their Men were returning, would fain have perſwaded the Archbiſhop (being near *Veſpers*) to go along with them into the Church, but he being unwilling to it, they were at laſt forced to haul, rather than lead him thither, through a private door out of the Cloiſters, which was broken open on purpoſe to let him in: He had not been there very long, and was but juſt got upon the Steps of the High Altar, when the Four Knights return'd again being now arm'd, and finding the Doors of the Monaſtery ſhut, they broke a Window, and *Robert de Broc* getting in, opened the Doors to them; and he being their Guide, they enter'd the Church by the ſame way the Archbiſhop had before; yet would not he permit the other Door to be made faſt at all, ſaying, *It was the Church, and all Men were free to enter into it*; *God's Will be done.* So ſoon as they came in they cry'd out, *Where is the Archbiſhop: where is the Traytor?* he coming down from the Steps of the Altar to a Pillar not far off, ſaid, *Here am I; no Traytor, but a Prieſt*: then they laid hands on him, to try if they could pull him out of the Church, that (as they afterwards confeſs'd) they might either kill him without, or carry him away Priſoner: but when they could not eaſily get him from the Pillar, *Reynald Fitz-Urſe* came up nearer; to whom the Archbiſhop ſaid, *I have done thee many favours, and doſt thou (who oweſt me Faith and Homage now come to kill me?* Then he laying hold on the Archbiſhop's Cope, ſaid, *Thou ſhalt go forth, for that now thou ſhalt dye*, but he pulling it out of his hand, anſwered, *I will not go out*: then the other cried, Fly: No, reply'd he, I will never fly; *But I command you in the Name of God, and under an Anathema, that you do none of mine any harm*, then (as *Edward Ryne* in his Manuſcript Hiſtory relates) the Archbiſhop thruſt that Knight from him, calling him *Pimp*; at which he being much provok'd, ſtept back, and ſeeing his Companions behind him, he ſtruck at the Archbiſhop with his Sword, and almoſt cut off the Arm of this Author, which was then held up to defend his Lord, and at the ſame time wounded the Archbiſhop in the Crown of the Head, where it was ſhaven; who now ſeeing his time was come, ſpoke theſe laſt words, *Lord, into thy hands I commend my Soul*; or, as *Gervaſe* and the Author of *Quadrilogus* give us them, *I commend my ſelf and the Cauſe of the Church of God, St.* Mary, *St.* Denis,

The Knights get into the Church where the A. Bp. was, and not being able to make him come out, they kill him there.

St. Denis, *and all the Saints Patrons of his Church*: Then another of the Knights wounded him in the ſame place to the very Brain; ſo falling down upon his Face on the Pavement the reſt ſtruck him on the Head ſtill in the ſame place; and one of them, *Richard Brito*, cut off a piece of his Scul, where the reſt had already begun; then another of their Followers, called, *Hugh the ill Clark* (for he was a Sub-Deacon) not content with what had been done, ſet his Foot upon the Biſhop's Neck, and with his Sword's point Flung the Brains and Blood about the Pavement, crying out, *Let us now be gone, he will riſe no more:* So that all of them hitting Him (which was very ſtrange) in the ſame place, all his Brains fell upon the ground. *Anno Dom.* MCLXXI

When they ſaw he was dead, they went out in great Triumph at the ſame door they came in; and in the mean time their Accompliçes without, breaking open the Doors and Locks, plunder'd the Goods of the deceaſed Archbiſhop, together with the Charters and Muniments belonging to the Church. As ſoon as the People heard of it, they all grievouſly lamented him, and running thither, deſir'd to ſee his Body, dipping their Fingers in his Blood, and therewith making the Sign of the Croſs on their Foreheads; then the Corps was by the Monks laid before the High Altar, where it remain'd all night; but ſo ſoon as it was day, hearing that the Murtherers intended to return, and abuſe the Body, and fling it into ſome filthy place or other, they ſhut up the Church doors, and putting it in a Stone-Coffin, buried it privately in a Vault adjoining to the place where he was killed.

The Guards in the mean time plunder his Goods, and carry away the Charters and Muniments of the Church.

His Death much bewailed by the people there.

He is privately buried in a Vault, adjoining to the place where he was murther'd.

I have given you this large Account of the manner of this Archbiſhop's Death, as being atteſted by Two perſons, of undoubted Credit, who were then upon the ſpot, (*viz.*) *Gervaſe* of *Canterbury*, and *Edward Ryne* the Clerk, who (as I have ſaid) receiv'd a Wound in his Arm in ſo ſtoutly defending his Maſter; The Manuſcript relation of the Life and Sufferings of this Archbiſhop, written in a Hand of that Age, is preſerved in the Library of the *Royal Society* at *Greſham* Colledge.

But [1.] as for thoſe who committed this execrable Murther, they durſt not return to the King, but went for ſome time into the *North* as far as *Knaresborogh*, a Town belonging to *Hugh de Morville*, where they remain'd till all Men avoided their Converſation; and that being excommunicated by the Pope, they at length got to *Rome* for Abſolution: but he enjoin'd them to go to *Jeruſalem*, and afterwards to do Pennance in the black Mountain during life, in the performance of which, they all dy'd; though where this Mountain is our Author does not tell us. This ſad Relation may ſerve for a Warning to Princes, how they Command (or ſo much as ſeem to deſire) in their Paſſions any unlawful Action, to be done to pleaſe their humour; or how any Perſons undertake ſuch unjuſt Commands, ſince they often end to the Prejudice, if not ruine, of at leaſt one of them, and ſometimes of both.

[1.] *R. H.* His Murtherers go firſt to *Knaresborough*, then to *Rome* for Abſolution.

I ſhall now conclude this Story of the Archbiſhop who was not long after by the Church of [2.] *Rome* Canonized for a Saint, with a ſhort account (omitting Legends) of his Birth and Education, and a Character of his diſpoſition from the ſame Authors.

[2.] *F. S. C. B. Col.* 1052. The A. Biſhop Canonized for a Saint.

His Birth, Education and Character.

They

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They all agree that He was the Son of one *Gilbert* ſometime Sheriff of *London*, that his Mother's name was *Mahauld*, whom ſome that wrote his Life will needs have to be the Daughter of a *Saracen* Admiral, or Commander; and that ſhe fell in Love with this *Gilbert*, who had been ſome time before taken Priſoner by her Father, and was then a Slave in his houſe: But this ſtory, ſince it looks like a *Legend*, and is neither mention'd by *Fitz-Stephen* nor *Ryne*, who both wrote his Life, I do but juſt mention.

But his Father had this Son by one *Mahauld* a *Saracen* Woman; he was firſt put to School at *London*, then by his Father was ſent to the Abbie of *Merton* for farther Learning and Improvement, and was afterwards for ſome time ſent to ſtudy at the Univerſity of *Paris*. Upon his return, he obtained an Office in the City of *London* in the Sheriff's Court, in which he learned ſome Knowledge of the World, and how to Govern both the Church and State; he was firſt recommended to *Theobald* Archbiſhop of *Canterbury*, by Two Fryers of *Bologn*, who had been his Father's Gueſts and old Acquaintance. The Archbiſhop (to whom he was alſo ſomewhat related) ſent him ſeveral times to *Rome* about Buſineſs concerning the *Engliſh* Church, where he ſoon gain'd favour with the Pope and Officers of the *Roman* Court.

Educated at *Paris*.

Gets a Place in the Sheriff's Court.

Is recommended to A Bp. *Theobald*.

His Travels to *Rome*, *Bononia*, and *Auxerre*, to ſtudy the Canon-Law.

Afterwards, by the Archbiſhop's leave, he went into *Italy*, and ſtudied the Canon-Law one Year at *Bononia*, and then went to *Auxerre* in *France*.

His ſeveral Riſes and Preferments in the Church.

The firſt Eccleſiaſtical Preferment he had, was the Church of St. *Mary* in the *Strand*, (where *Somerſet-houſe* is now built) and alſo was Parſon of *Otford* in *Kent*. From whence we may obſerve, that in thoſe days a man was thought qualified for Benefices without being in *Prieſt's Orders*. Afterwards the Archbiſhop ordained him Deacon, and gave him in ſome time the Arch-Deaconry of *Canterbury*, which was then, next to the Biſhops and Abbots, one of the moſt Honourable as well as Profitable Preferments in the Church. And at length by the recommendation and procurement of the Archbiſhop and the Biſhop of *Wincheſter*, he was made the King's Chancellor, which was accounted in thoſe days the prime Dignity of the Kingdom; and by this Imployment he became exceeding popular.

Is made the K's. Chancellour.

His Popularity, and Entertainments.

His Houſe and Table were Common to all Indigent perſons that came to Court; and there was ſcarce a day paſs'd, but he eat with Earls and Barons, whom he himſelf invited: He order'd his Rooms of Entertainment to be every day beſtrewed with freſh Straw in Winter, and with green Graſs, or Ruſhes, in Summer; that thoſe many Knights or Military Gentlemen, whom the Seats or Benches could not receive, might ſit down upon a clean Floor, leſt their fine Cloaths and Shirts ſhould be ſullied. During this time, he did all he could to conform himſelf to the King's humour, and endeavour'd to pleaſe him in Trifles as well as in Serious Matters, delighting himſelf in all Country Recreations; being highly pleaſed with popular Applauſe. He exceeded divers Earls in the Magnificence of his Equipage, having his Horſe's Bits and Stirrups of Silver: But amongſt all theſe outward Pomps he ſtill retain'd a wonderful Chaſtity, if the *Monkiſh* Authors may be credited, whoſe Relations alone are now left us of his Life and Actions; though it might ſeem very ſtrange, that a perſon, not overſtrict in other things, and who liv'd high, and

The Magnificence of his Equipage.

His great Chaſtity.

and convers'd in a Court where he ſaw ſo many looſe Examples, ſhould be ſtrictly ſtanch as to Women: But theſe Authors make him no more moved with them, than if he had been made of Braſs or Marble. *Anno Dom.* MCLXXI.

[3] But this ſeems more certain, that the Great Men of *England*, as well as neighbouring Kingdoms, ſent their Sons to him, from whom they receiv'd Ingenuous Education, and (being often Knighted) were ſent back to their Parents with Honour; nay, the King himſelf placed his Eldeſt Son *Henry* with him, and recommended to him his Education. He had beſides many Sons of Noblemen, and their Tutors and Servants, whom he treated with all due Reſpect. [3] *Id.* The K's. and Noblemen's Sons committed to his Education

[4] To him alſo many Noblemen and Knights did Homage, which he receiv'd, *ſaving their Faith to the King*; and there was ſcarce a day in which he did not give ſome large Boons, as Horſes, Hawks, rich Cloaths, alſo Gold or Silver Utenſils, or elſe Money: in ſhort, His Bounty and Liberality was ſuch, that he became the Delight and Darling of all ſorts and degrees of Men; and what he did at the War of *Tholouſe*, ſhews him to be a Man of great Courage, as well as his Sufferings and Death declare him a Maſter of great Paſſive Valour. And certainly nothing but his Extraordinary Endowments both of Body and Mind (being a Tall and Graceful Perſon, though of a ſevere Aſpect) could ever have recommended one of his mean Birth ſo highly to the King's Favour, as that he never took greater pleaſure than when he was in his Company, either riding abroad, or coming to his Houſe; of which our Author gives us ſome agreeable Relations; inſomuch that the King beſtowed no vacant Biſhopricks or Abbies but by his Advice. [4] *Id. ib.* He receives Homage of Noblemen. His Bounty and Liberality. The K never ſo well pleaſed as when in his Company. Diſpoſes all Biſhopricks and Abbies by his Advice.

So that from all the Actions of his Life, we may very well conclude him to have been a Perſon of a great Genius and large Abilities, though they were allay'd with much Haughtineſs, vain Glory, and Love of popular Applauſe; and this is not deny'd even by thoſe that have wrote his Life. Beſides this, we may alſo reckon the Prejudices of his Educacion, and his long Converſation in *Italy*, which perhaps might make him too much devoted to the Power of the Pope and Intereſt of the Clergy, which they call their Eccleſiaſtical Priviledge and Exemption from Secular Power. Theſe having been not long before eſtabliſh'd by ſeveral Papal Decrees, and generally receiv'd in *Italy* and *France*, no wonder, if that Prelate deſired to have *England* brought under the ſame Yoke that himſelf had already ſubmitted to; therefore as I cannot join with ſome Writers, who make this Man to be a meer Hypocrite, ſince all thoſe who give us an Account of his Life, repreſent him, as one very Charitable to the Poor, and ready to help thoſe that were oppreſſed by the more Powerful, and alſo to have been very ſtrict in his private Pennances and Mortifications, which are no ſigns of a Hypocrite; ſo on the other ſide, I do not allow him to be a *Saint* or a *Martyr*; for, as no Man, who was a Hypocrite, would have ſuffer'd Exile, and the loſs of all his Eſtate, when he might by a ſoft Compliance with the King (as ſeveral of his Predeceſſors had done) have thereby ſafely enjoy'd both his Eſtate and his Dignity; ſo the Cauſe for which he ſuffer'd, being meerly Temporal (or at laſt but Eccleſiaſtical) and not for any Fundamental Truth of the Chriſtian Religion, though he ſuffer'd unjuſtly, The A.Bp. a man of a great Genius, but haughty, and vain-glorious. Too much devoted to the Intereſt of the Pope. Very Charitable, and Benevolent. And very ſtrict in his private pennances. No Saint, nor Martyr.

Anno Dom. MCLXXI.

unjuſtly, yet could he not thereby deſerve the Title of a *Martyr*; nor can he any ways be excuſed from Obſtinacy in a falſe Opinion, or for want of Prudence and Chriſtian Moderation in thus earneſtly ſolliciting the Pope to *excommunicate* the Biſhops, who he ſuppoſed had affronted him, and by pronouncing the Sentence againſt them, when he was not at all obliged to have done it. Alſo his impatient Temper in reſenting the leaſt Injuries does further appear, by his Excommunicating *Ranulph de Broc* for only cutting off one of his ordinary Horſe's tail. This (if 'tis not too much) may ſuffice concerning the Life and Character of this Great Prelate, who was not long after Canonized by the Pope, for the many Miracles which his Admirers affirmed (nay ſwore) had been wrought by him after his Death; (for we cannot find he did any while he lived) And this was no hard matter to bring about in an Age ſo ignorant and credulous as this, when both the Pope and the People were as ready to believe, as they that promoted it were to Swear it; inſomuch that the King himſelf not long after, from a violent Perſecutor, became a zealous Worſhipper of this pretended Saint, as you will find anon. Let us now ſee what ſad Effects his Death produced.

But canonized by the Pope for his pretended Miracles.

The K. from a Perſecutor became a Worſhipper of him.

[5.] *Quadril.* The firſt news of his Death madehimvery melancholy.

[5.] As ſoon as the King was acquainted with the news of it, he ſeemed greatly troubled; and it put him into ſo deep a Melancholly, that for above a Month he ſcarce diſpatch'd any buſineſs. But whether this proceeded from a real Grief for the Murther, or only from a high Concern and Fear of the ill Conſequences that would attend it, I ſhall not determine.

[1] *R. H. p.* 299. *a.*

[1.] In the mean time his Death was very much reſented by thoſe Neighboring Princes and Prelates, who when alive, had eſpouſed his Quarrel. *Lewis* King of *France* immediately wrote to the Pope to ſtir him up to unſheath the Sword of St. *Peter* in revenge of this Archbiſhop's Death, for (as it had been related to him) the Divine Glory had revealed it ſelf in Miracles done at his Tomb, by which it was manifeſt for whoſe cauſe he had contended.

The King of *France* writes to the Pope to unſheath the Sword of S *Peter* againſt K. *Henry.*

[2.] *Id p.* 300. *Theobald*, E. of *Blois* writes to him to the ſame purpoſe.

Says the King gave the A Bp. leave to Sentence the Bps. as the Pope and He pleaſed.

" [2.] Likewiſe *Theobald* Earl of *Blois* wrote to the Pope, that he " was preſent at the late agreement between the King and the Arch- " biſhop and He had complained to the King, he had too ha- " ſtily, and with too warm a Zeal, cauſed his Son to be Crowned, " for which he promiſed to do him Right, and give him ſatisfaction. " That the King had given him leave to Sentence thoſe Biſhops, who, " contrary to the Right inveſted in the Church of *Canterbury*, had " preſumed to intrude a new King into the Royal Throne; and far- " ther, had given him leave to ſentence them according to the Pope's " and his own pleaſure. This (he ſaid) he was ready to prove by " his Oath, or any other way, and told him the Blood of the Juſt " cried aloud to him for Vengeance.

[3.] *Id p.* 399. *b.* The A Bp. of *Sens* writes two Letters upon the ſame Subject.

[3.] But *William* Archbiſhop of *Sens* wrote Two Letters to the Pope concerning the ſame Subject, in the Former of which he highly aggravates the Murther of this Archbiſhop, who had been ſlain for maintaining the Liberties of the Church, and then beſeeches him, that for the Honour of God he would revenge his Death by ſevere Eccleſiaſtical Cenſures; and gives the Pope an account of what had happen'd between the Archbiſhop of *Roüen* and him, concerning the deferring the Sentence of *Interdict*, which he had lately iſſued out

out according to his demands upon all the Territories of the King of *England* on that ſide the Sea. *Anno Dom.* MCLXXI.

" In the Second Letter the above-mentioned Archbiſhop gives the " Pope a large account of the manner of the murther of this new " *Martyr*, much to the ſame effect as you have already heard, and " further gives us a long relation of the Archbiſhop's appearing to " many ſince his death, of which the Bearers would give him a fuller " Account; as alſo of a Blind Man, who immediately after he had " ſuffer'd his Eyes to be anointed with his Blood, recover'd Sight. But theſe and divers other Miracles (he ſays) he received only by Report; and then concludes with earneſt deſires to him to be pleaſed to revenge it, aggravating this Action above all the cruelties of *Nero*, or the Treaſon of *Judas*: after which exclaiming againſt *Roger* Archbiſhop of *York*, and the Biſhop's *Gilbert* and *Jocelin* (the former of whom he calls a Devil, and the other an Apoſtate, he excites the Pope to exert his utmoſt Authority againſt the King and his Adherents.

Gives him in the Latter an account of the manner of his murther.

Of his appearance to ſeveral after his death, and the miracles he had wrought, as he had heard.

Aggravates this action beyond the Cruelties of *Nero*, or Treaſon of *Judas*.

[4.] In the mean while *Rotrod* Archbiſhop of *Roüen*, *Giles* Biſhop of *Eureux*, *Roger* Biſhop of *Worceſter*, *Richard Barre*, and many others of the King's Envoys, (who ſhall be particularly mention'd by and by,) were by him ſent to the Pope, to intercede on his behalf; but the Archbiſhop of *Roüen* being very old and infirm, returned back, whileſt the others went on their way; and being got to *Rome*, with great difficulty obtained of the Pope, that Two Cardinals, *Theodinus* and *Albertus* ſhould come into *Normandy* to hear the Cauſe concerning the Death of the late Archbiſhop, as alſo ſome other Eccleſiaſtical Priviledges; and to Judge in all theſe, as God ſhould direct them.

[4.] *Id. p.* 301.

Several Bps. & others ſent to the Pope from the K. in his behalf.

Two Cardinals are to come into *Normandy* to canvaſs this matter, and judge accordingly.

[5.] But I will give you a more particular Account of this Ambaſſy, from the Letter of the Ambaſſadours themſelves to this effect, *viz.* That only Four of thoſe that were employ'd in it, went through to *Rome* (viz.) *Robert*, *Abbot* of *Valace* near *Liſlebone* in *Normandy* (who was then alſo Archdeacon of *Salisbury*) *Robert* Archdeacon of *Liſieux*, *Robert Barre*, and one Maſter *Henry* a Clerk: but *Richard Barre* went before them, and with much trouble and danger arrived at *Rome*, where he acted prudently and dilligently on the King his Maſter's behalf, whilſt the others were ſtopp'd in their Journey at *Sienna* (in *Tuſcany*) by Earl *Macharius*'s command: however they eſcaped away by night, and going over ſteep Hills and places almoſt unpaſſable, they at laſt, though in great fear and danger arrived at *Tuſculum* (now *Fraſcati*) on *Palm Sunday*-Eve. But the Pope would not ſee them, and but few of the Cardinals would vouchſafe them a word. At length, with much importunity, by the mediation of thoſe they thought had any kindneſs for the King, [1.] or rather by a good Bribe of 500 Marks, which they ſay they then beſtow'd among the Cardinals (according to the *Roman* cuſtom, as *Gervaſe* obſerves) they obtained, that the Abbot of *Valace* and *Robert* Archdeacon of *Liſieux* might be heard, they two being leaſt ſuſpected; but when they mentioned the King's name, the whole Court cried out, *hold, hold*, as if it had been a moſt horrid thing for the Pope to hear it; and ſo they went from Court: yet in the evening they had a private Audience of his Holineſs; wherein they declared their Meſſage from the King, as they did publickly afterwards before the Pope and Cardinals

But only Four got through to *Rome*, and they meet with great difficulty in their paſſage.

Others are ſtopped at *Sienna*.

The Pope at firſt would not ſee them.

[1] *G. G. Col.* 1419.

Two at laſt obtained private Audience.

The whole Court would not indure the K's. name to be mentioned.

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dinals, where they were oppoſed by one *Alexander*, and *Gunther* a *Flemming*, two Clerks of the Church of *Canterbury*. But on *Tueſday* following (as was uſual in the *Roman* Church) the Pope was wont publickly to Abſolve, or Excommunicate whoſoever he thought deſerved it; and the Ambaſſadors being certain there were ſome deſigns on foot againſt their King and his Kingdom, they conſulted ſome Cardinals, whom they thought moſt inclinable to the King, ſuch as the Biſhops of *Portua*, *Pavia*, and *Tuſculum* with ſome few others, to know the Pope's reſolutions; and were by them inform'd, that it was the joint Advice of his Cardinals, that he ſhould immediately pronounce the Sentence of *Interdict* againſt King *Henry* by Name, and all his Dominions, and likewiſe confirm the late Decree againſt the Biſhop's; upon which, they, being in a grievous ſtreight plied the Cardinals afreſh, endeavouring to divert them from this Sentence, or at leaſt to deferr it till the Biſhops (who were left behind) could arrive; but when they ſaw they could not prevail by importunity, they at length conſulting with ſome Cardinals, their Friends, had found out a good and ſecure way for the honour of the King, and ſafety of the Nation, by which (though they expoſed themſelves to all the hazard) they averted the danger then impending upon him and his whole Kingdom; and ſo they conclude their Letter with hopes, that the buſineſs would ſucceed according to his mind, though they knew his ruine had been deſign'd by that Court, and mightily feared the Cuſtom of that terrible day above-mention'd.

They met with no Succeſs.

They are informed that the Pope by advice of his Cardinals reſolves to interdict both K. and Kingdom on their *Feria quinta ante paſcham.*

But at length by cloſe application to ſome of the Cardinals they get it ſtopt.

But to add ſomewhat for the farther Explication of this Letter; what this *ſecure way* there mention'd means is hard to determine; whether ſome ſecret promiſe of a far greater Bribe among the Cardinals, or whether it were (as [2.] *Radulph de Diceto* relates) that theſe Ambaſſadors avoided the Sentence of this terrible *Interdict* by the Interceſſion of certain Cardinals, who told the Pope, the Ambaſſadors had received their Kings command to acquaint him, they were ready to ſwear on his behalf, that their Maſter ſhould ſubmit to his Holineſſe's Judgment, and that the King himſelf would alſo take the ſame oath before thoſe Legates, the Pope was now about to ſend concerning that Affair.

[2.] *Col.* 557. By which means the Ambaſſadors avoided the ſentence of *Interdict* againſt the King.

[3.] But whilſt theſe things were tranſacting at *Rome*, there came Two other Cardinals Legates, *Gratian* and *Vivian*, who had been ſent before by the Pope into *Normandy* to enquire into this matter, who mightily perplexed the King, threatning to put Him and his Dominions under the *Interdict*; but He being already forewarn'd of their coming, appealed to the Pope's own perſon, and ſo ſaved himſelf and his Country from their Sentence: yet he ſtill was afraid of the Pope's ſeverity, and therefore made haſt to the Sea-ſide, and preſently paſſed out of *Normandy* into *England*: However, before he went, he by his Edict commanded all his Juſtices and Bayliffs of *Normandy*, eſpecially thoſe near the Sea-Coaſt, by no means to permit any Stranger or Clerk, who brought any Brief or Bull from the Pope, to paſs over from *Normandy* into *England*, or from *England* thither, unleſs he firſt gave Security, that he would no ways procure any evil or miſchief to the King or his Kingdom.

[3.] *R. H. p.* 301. *a.* Two Cardinals at the ſame time ſent into *Normandy* to threaten the Interdict.

K. *Henry* forbids all Clerks or Strangers to bring any Bulls from the Pope to *Normandy* or *England*.

And goes himſelf for *England*.

I ſhall

I ſhall conclude this year with the Affairs of *Ireland*; whilſt the King continued in *Normandy*, I find by the Manuſcript Chronicle of * *Robert* Abbot of *Bec*, that he held a Council of his Barons at *Argenton* whither, as they conſulted concerning the King's Expedition into *Ireland*, there came over Meſſengers from Earl *Richard Strongbow* offering to give up to the King the Cities of *Dublin* and *Waterford*, with whatever elſe the Earl then poſſeſſed in that Kingdom in right of his Wife; which offer the King graciouſly accepted, though this Agreement, between Him and the Earl was not finiſh'd, till the King's Arrival in *England*, as you will find anon; after which about the beginning of *Auguſt* he took Shipping again, and ſo landed at *Portſmouth*.

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* *In Bibliogh. Academ. Cantabrig.*

[4.] As ſoon as the King arrived here, in purſuance of his late Reſolutions he made great and ſpeedy Preparations for his Voyage into *Ireland*, being (as *Gervaſe* of *Canterbury* relates) invited over thither by the Kings and other Great Men of that Kingdom, who choſe rather to ſubmit to him than Earl *Richard Strongbow*.

[4] *Id. ib.* K. *Henry* invited into *Ireland* by the Ks. and Great Men of that Kingdom, who would rather ſubmit to him, than to *Strongbow*.

But before I relate King *Henry*'s Succeſs in *Ireland*, it is fit to give you a ſhort account, of what had been there performed by the *Engliſh* Forces this Year, and which mightily facilitated the King's paſſing over thither.

You may remember, King *Henry* had the Year before put forth a Proclamation to recal all the *Engliſh* out of *Ireland*, [5.] which about *Whitſontide* laſt paſt had encouraged *Haſculf* a *Norwegian*, late Governor of *Dublin*, to attempt the regaining of that City; and therefore he now ſail'd into the River *Liffeè* with Sixty Ships filled with *Norwegians* and other People of the *Northern* Iſles, and Landing there he aſſaulted it at the *Eaſt*-Gate under the command of one *John* Sirnamed *The Wood*, (*i. e.* the wild) but *Miles Cogan*, Governor of the Town, defended it ſo well, that his Brother *Richard* ſailing out by his Order at the *South*-Poſtern, beat them off with ſo great a ſlaughter, that they were forced to fly, and *John* their Captain was there ſlain; but *Haſculf* being taken in the *Ouſe*, as he was making to his Ships, was brought before the Governor, and ſaid inſolently that in a little time greater Forces ſhould come up; at which *Cogan* was ſo highly provoked, that he commanded his Head immediately to be ſtruck off, for he was reſolved he ſhould never ſee them.

[5.] *C. G. ib. cap.* 21. *Haſculf* attempts the regaining of *Dublin*.

But is repulſed by *Cogan*, and taken priſoner, and at laſt beheaded.

[1.] Then the *Iriſh* Princes perceiving that no recruits either of Men or Victuals were like to come from *England* to Earl *Richard*, collected a vaſt Army from all parts of the Country, and beſieged *Dublin*, being inſtigated thereto by King *Roderic*, and *Laurence* Biſhop of that City, who wrote to *Gothred* King of *Man* and other petty Princes of the *Northern* Iſles, promiſing them great Rewards for their aſſiſtance; they being thus allur'd, with Thirty Ships full of fighting Men arrived at the mouth of the *Liffeè*, blocking up the Town by Water, whilſt the Landmen joined with the *Iriſh* Army.

[1.] *Ibid. Cap.* 22 The *Iriſh* Princes with a great Army beſiege *Dublin*.

This Siege continued for Two Months without any relief either by Sea or Land; and when Victuals began to fail among the beſieged, to add yet further to their diſtreſs, they were at the ſame time credibly inform'd, that *Robert Fitz-Stephen* was, by the men of *Kenſele* (now called *King-ſale*) and thoſe of *Wexford*, to the number of Three Thouſand beſieged in the ſmall Caſtle of *Karree*, not far from *Waterford*, and unleſs

The *Dubliners* in much want of Victuals.

Fitz-Stephen beſieged in *Karree* Caſtle.

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unleſs he were relieved within Three days, he muſt of neceſſity fall into the Enemie's hands.

[2.] *Id. ib.* *Maurice* and *Raymond* perſuade the Earl to ſally out, and attack the Enemy.

[2.] Earl *Richard*, with *Raymond*, and *Maurice Fitz-Gerard*, were then in *Dublin*, the laſt of whom hearing of the great Danger his Brother *Robert*, his Wife and Children were in, by their being beſieged in a weak Caſtle, made up only with Wood and Turfs, *Maurice* and *Raymond* did [3.] all they could to perſuade the Earl to ſally out of the Town, and fall upon the Enemy; who though they appear'd very numerous, were yet raw undiſciplin'd and unarm'd Men.

[3.] *Id.* C. 23.

[4.] *Ib.* C. 24. The *Engliſh* Forces, how drawn up.

[4.] This being at laſt agreed on, the Souldiers and Voluntiers were divided into Three ſmall Troops; in the firſt, Commanded by *Raymond*, were Twenty Knights; in the ſecond, led by *Miles Cogan*, were Thirty; and in the laſt, Commanded by *Maurice*, were Forty, with ſome other Horſemen and a few Citizens joined to every Diviſion or Troop; with theſe (leaving enough for the Guard of the City) they marched out, and ſuddenly, about nine of the Clock in the Morning, ſet upon the *Iriſh* Army of Thirty Thouſand Men, (they not in the leaſt expecting them,) and kill'd very many of them, diſperſing the reſt. King *Roderic* truſting to the multitude of his Men, and not at all dreaming of ſuch a deſperate Sally, was bathing himſelf, and very hardly eſcaped: The *Engliſh* purſued their Enemy until the evening, beating off and putting to flight the main Army, as alſo another conſiſting of divers Bodies that lay about ſeveral parts of the City, under their Reſpective Commanders; and the next day they returned well provided with Victuals and other good Booty; and having placed ſufficient Guards in the City, they marched toward *Wexford*.

They ſet upon *Roderic* on the ſudden, and defeat his whole Army.

Spoil his Camp, he hardly eſcaping; and return well provided with Victuals and other Booty.

[5.] *Id.* C. 25. The *Wexfordians* take *Fitz-Stephen* by a Stratagem.

[5.] In the mean while the *Wexfordians* and *Kenſalians* took *Robert Fitz-Stephen* priſoner by a ſtratagem, whom they could not ſubdue by force, and it was thus; they brought the Biſhop's of *Waterford* and *Kildare* and other Religious Men before the Caſtle, who calling to the beſieged affirm'd to them (though falſly) that *Dublin* was taken, and the Earl with *Maurice* and *Raymond* and all the *Engliſh* were deſtroy'd, and that a great force out of *Connaught* and *Leinſter* was marching down againſt him, and come very near to *Wexford*; and to induce him to believe the truth of what they ſaid, they took a voluntary Oath upon certain Relicts which they brought along with them; whereupon *Robert Fitz-Stephen* too haſtily crediting them, ſurrender'd up himſelf and the Caſtle into their hands; but inſtead of conveying him into *Wales*, as before they had promiſed to do, they clapt both him and his men into Priſon, killing divers of them, and wounding and miſuſing the reſt moſt cruelly. But in a very little time after, there came contrary news to them, that the Seige of *Dublin* was raiſed, and Earl *Strongbow* was marching in perſon toward them: upon which they fired the Town of *Wexford*, and removed themſelves and Goods with their Priſoners into the Iſle of *Beg*, lying at the mouth of the Harbour.

The Siege of *Dublin* raiſed.

The Town of *Wexford* fired.

[1.] *Id.* C. 26. The E. marches towards *Wexford* to relieve *Stephen*, and the *Engliſh* gain the Paſs, putting divers of the *Iriſh* to Death.

Then the Earl marched with all ſpeed towards the Town, though he was much hindered in his way thither by the *Iriſh*, who had fortified a certain paſs over a Bog (called *Odron*) with ſharp ſtakes; yet notwithſtanding this their oppoſition, the *Engliſh* gained the Paſs, putting

putting many of the *Iriſh* to Death with the loſs of but one man on their ſide. *Anno Dom.* MCLXXI.

When they came to the Borders of *Wexford*, they were inform'd of the ſad condition of *Fitz-Stephen*, and of the burning of the Town, and received a meſſage from the *Iriſh* in whoſe cuſtody he was, *viz.* that if they preſumed to come near, or diſturb them, they would cut off all their Priſoner's Heads; at which meſſage being mightily concerned, they directed their courſe toward *Waterford*, where they found *Harvy* of *Mount Maurice*, (who had been ſent on a Meſſage to King *Henry*) newly return'd with Letters from him; in theſe he commanded Earl *Richard* immediately to attend him, who in all dutiful obedience ſtrait paſſed over into *England*, and met the King at *Newnham* near *Gloceſter* where after divers diſputes he was by the mediation of *Harvey* (whom he brought over with him) reconciled to the King, on theſe conditions, that he ſhould deliver *Dublin* into his hands, with all the Cantreds or Hundreds adjoining, as alſo the *Maritime* Towns and Caſtles; and in conſideration of this he ſhould hold all the reſidue of his late Acquiſitions of the King and his Heirs.

The *Iriſh* threaten to kill all the Priſoners, if the E. diſturb'd them.

The King reconciled to E. *Richard*, upon his agreeing to deliver up *Dublin* to him.

Whilſt [2.] the Earl was thus taken up in *England*, *Ororic*, the One ey'd King of *Methe*, taking the advantage of his abſence, came in *September* with a great multitude to beſiege *Dublin*, and finding but few Men therein, he aſſaulted the Walls with great Shouts and Outcries; but *Miles Cogan* the Governor and his Men ſallying out on the ſudden upon them, routed and perſued the Enemy with ſo great a ſlaughter, that beſides many others, the Son of King *Ororic*, a Valiant Youth, was ſlain on the ſpot. This was the ſtate of Affairs, when the King was ready to go for *Ireland*.

[2] *Id. C.* 29. *Ororic* attempts to beſiege *Dublin*, but is repulſed with conſiderable Loſs.

And *Ororic*'s Son ſlain on the Spot.

In the mean time King *Henry* went by Sea to S. *David*'s, and from thence to *Pembroke*, [3.] where *Rees* Prince of *South-Wales*, met him; and to mollify the King's Anger for permitting Earl *Richard* to paſs into *Ireland*, promiſed him towards the Conqueſt of it 300 Horſe and 400 Oxen, and gave him 14 Pledges or Hoſtages; and the King in Return beſtow'd upon that Prince all *Caërdigan*, *Stratywy*, *Aruſtly*, and *Eluel*. [4.] Then the day after S. *Luke* the King (having left his Son the young King *Henry* to command in his abſence) took Shipping at *Milford* Haven, and the ſame day arrived at a place called *Croch*, about eight Miles from *Waterford*, with 400 Ships, and a great Army of Horſe and Foot; and the day following marched to the Town, where he ſtay'd for ſome time: during which the Citizens of *Wexford*, under pretence of Obedience and good Service, brought to him *Robert Fitz-Stephen* in Bonds, for that he firſt of all invaded *Ireland*, without his conſent; and the King being then in a great paſſion, for that raſh and unwarrantable attempt, ſent him in Chains to *Reginald*'s Tower.

[3] Dr. *Powel*'s Chron. *Rees*, Prince of *South-Wales*, meets the K. at *Pembroke*, and promiſes him his aſſiſtance for the Conquering of *Ireland*.

And the K. in return gives him all *Caërdigan*, *Stratywy*, *Aruſtly* and *Eluel*.

[4] *C. G. ib. c.* 30.

The Citizens of *Wexford* deliver up *Fitz-Stephen* to the King.

Who ſends him in Chains to *Reginald*'s Tower.

[5.] King *Henry* lying now at *Wexford*, there came to him *Dermot Mac-Carty*, King of *Cork*, and of his own accord ſubmitted himſelf, and ſwore Fealty, gave Hoſtages, and agreed to pay a certain Annual Tribute. Then King *Henry* with his Army marched to *Liſmore*; and from thence to *Caſſiles*; which Places ſurrender'd upon the ſame Terms.

[5] *Id. C.* 31. *Dermot Mac-Carty* ſubmits, and ſwears Fealty to the King.

And ſo do all the *Iriſh* Princes, except the K. of *Connaught* and *Ulſter*.

[5.] Upon

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[1.] *Id. ib.*

[1.] Upon this ſucceſs the King of *Limeric*, the King of *Oſſery*, the King of *Methe*, with all the Great Men of *Ireland*, ſubmitted themſelves to the King except the Kings of *Connaught* and *Ulſter*, who lying too remote, did not fear the power of his Arms. Then the King, after he had received the Submiſſions of theſe *Iriſh* Princes above mention'd, returned to *Waterford*, where *Fitz-Stephen* was again brought before him; and inconſideration of his great Merits and Valiant Atchievements, back'd with the interceſſion of divers Eminent perſons, he reſtored him to his Liberty, but took from him *Wexford*, and the Territories thereunto adjoining; which ſeem'd very hard meaſure for ſo great valour in one, who had only acted under the Command of another, who was abſolutely pardon'd.

Fitz-Stephen reſtor'd to his Liberty.

[2.] Then all the Archbiſhops, Biſhops and Abbots of *Ireland* came unto the King of *England* at *Waterford*, and received him as King and Lord of *Ireland*, and ſwore Fealty to Him and his Heirs; and from every Archbiſhop and Biſhop he received a Charter, by which they acknowledged and conſtituted him King, and ſubmitted to Him and his Heirs as their King's for ever; and, according to their example, the aforeſaid King *Roderic* and many other Petty Princes of thoſe parts received him as King and Lord of *Ireland*, and became his Leige-men, and ſwore Fealty to Him and his Heirs againſt all Men.

[2] *R. H. p.* 301. *b.*. The *Iriſh* Clergy ſwear Fealty to Him and his Heirs for ever.

And *Roderic* with the reſt of the petty Princes of thoſe Parts did the like, and acknowledged him as their K. and Lord.

[3.] Theſe Charters being tranſcribed, the King ſent the Tranſcripts to Pope *Alexander*, who by his Apoſtolick Authority again confirmed to Him and his Heirs the Kingdom of *Ireland*, according to the form of thoſe Charters; this you may ſee in *Holinſhed*'s Chronicle, and being to the ſame effect as that of Pope *Adrian* above-mention'd, need not to be here inſerted.

[3.] *Id ib. C.B. Col.* 1071. The Charters ſent to the Pope, who confirms them.

But the whole Iſland being thus ſetled in peace, the King called a Council or Synod of all the Clergy thereof at *Caſſiles*, and ſent *Ralph* Abbot of *Buldewas*, *Ralph* Arch-Deacon of *Landaff*, *Nicholas* his Chaplain, and other Clerks to aſſiſt at it; Here many Eccleſiaſtical Canons were made, as well for the Reformation of the Religion, as Manners of the People of that Nation, the King's deſign being to bring the ſtate of the *Iriſh* Church as near to the form of the *Engliſh* as might be; and therefore he confirmed the Decrees of this Council by his Royal Authority.

Many Eccleſiaſtical Canons made therein.

The K goes to *Dublin*, and cauſes a Palace to be built there for him.

From *Waterford* he came to *Dublin* about the Feaſt of St. *Martin*, or 12th of *November*, where he cauſed a great Houſe or Pallace to be built on purpoſe for him, of Wattles, according to the manner of that Country.

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[4.] In this homely Pallace the King kept a magnificent *Chriſtmaſs* the *Iriſh* much admiring his Hoſpitality and the ſpendor of his Court; and here he ſtay'd till the beginning of *Lent*; and then he went to *Wexford*, having ſent his Officers and Servants to *Waterford* to embark there. He, receiving Information, that the two Cardinals, *Theodinus* and *Albertus*, who had been ſent from the Pope, were arrived in *Normandy*, made haſte to go to them, though he left *Ireland* very unwillingly, it not being as yet entirely ſubdued. However, before he went away, taking advice of his principal Councellours, he made the beſt proviſions he could for the ſecurity of it; [5.] for before he departed, he gave to *Hugh de Lacy* all the Country

[4] *R. H. p.* 302. *a.* The King goes into *Normandy*, to meet two Cardinals ſent to him from the Pope.

[5.] *R. Hob. B. A.* But ſetles the Government of *Ireland* before his departure.

of

of *Methe*, with the Appurtenances to hold in Hereditary Fee of Him and his Heirs, by the ſervice of an 100 Knights or Horſemen; he alſo gave him the Cuſtody of the City of *Dublin*, with 20 Knights or Men of Arms, and made him likewiſe *Juſticiary* of *Ireland*: He alſo delivered to *Robert Fitz-Bernard* the Cuſtody of the Cities of *Wexford* and *Waterford*, with their Appurtenances, and Power to build Caſtles in them; and he alſo left there with him *Robert Fitz-Stephen*, and *Maurice Fitz-Gerald*, with other 20 Knights; the former of whom (though the Procurer of all the King's Honour and good Succeſs in *Ireland*, yet) was left without any Reward, except this poor Command. *Anno Dom.* MCLXXII

He takes Shipping in the Haven of *Wexford*, Lands near St *Davids*, from thence goes to *Portſmouth*, and ſo to *Normandy*.

Having thus ſettled the Kingdom as well as the ſhortneſs of time would permit, he took ſhipping in the furthermoſt part of the Haven of *Wexford* on *Eaſter* Sunday before Sun-riſing, and landed near St. *David's* in *Wales* the ſame day about Noon: from thence with all imaginable ſpeed he paſſed to *Portſmouth*, where the Ships lay ready to tranſport him into *Normandy*. Indeed his deſign was to have ſtay'd in *Ireland* all the Summer, and to have wholly reduced it under his Subjection, had it not been for this ſudden avocation into *Normandy* about the buſineſs of the late Archbiſhop, and the differences between him and the King of *France*, that were to be compoſed and determined by thoſe Two Cardinals, whom the Pope had now ſent as his Legates.

[1.] *Id. C.* 40. Counter-Security given between *Ororic* and *Hugh de Lacy* for their ſafe coming and going to *Ororic*-Hill.

[1.] Not long after the King's departure, *Ororic* (Sirnam'd the One-ey'd King of *Methe*) and *Hugh de Lacy* gave mutual Oathes to each other for their ſafe going to and from a place called *Ororic-Hill*, where they had appointed to meet, and treat for the better and more peaceable ordering of their Affairs: they were to bring along with them but few Men of each ſide, and thoſe unarm'd; but *Griffin*, the Nephew of *Maurice Fitz-Gerald*, dreaming a ſtrange Dream of certain wild Hogs and a Boar that fell upon him and *Hugh de Lacy*, and thereby conceiving a jealouſy of the Treachery of *Ororic*, brought along with him privately Seven choice Knights or Horſemen of his Relations who lay out of ſight; after ſome time had been ſpent in diſcourſe by an Interpreter upon ſeveral propoſals to no purpoſe, *Ororic* gave the Signal to his Men, whom he had laid in Ambuſh for the deſtruction of *Hugh de Lacy* and *Maurice*, and then came up himſelf to ſmite *Hugh* with his *Iriſh Ax*; with which ſtroke his Interpreter, who interpoſed himſelf, had his Arm chopt off, of which Wound he dy'd. Upon this *Maurice* and his Nephew *Griffin* ran preſently in to the reſcue of *Hugh de Lacy*; which when *Ororic* ſaw, he intended to fly, but as he was mounting his Horſe, *Griffin* charged him ſo home with his *Lance*, that he killed both Man and Horſe, and afterwards Three of his Servants that waited on him; ſo the Reſt fled to the Woods, where ſeveral of them were killed in the perſuit, and *Ororic*'s Head was ſent into *England* to the King. In this conflict *Ralph* the Son of *Robert Fitz-Stephen* deſerved Praiſe beyond all others for his Valour and Conduct.

Ororic's Treachery to deſtroy *Hugh de Lacy* and *Maurice*.

But *Ororic* is kill'd by *Griffin*, Nephew of *Maurice*.

And his Head ſent into *England* to the K.

[2.] *R. H. B. A. p.* 302. By Mediation of the two Cardinals, K. *Henry* makes an Agreement with the K of *France* about Crowning his Daughter.

[2.] But to return to the King, who was now arriv'd in *Normandy* with King *Henry* his Son, and meeting the Two Cardinals at *Caën*, he, by their mediation, made an Agreement with the King of *France* about the Crowning of his Daughter, and a while after by their

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their Advice ſent back his Son into *England*, and with him *Rotrod* Archbiſhop of *Roüen*, *Giles* Biſhop of *Eureux*, and *Roger* Biſhop of *Worceſter*, to Crown him anew, together with *Margaret* his Queen; which Ceremony theſe Biſhops ſolemnly performed at *Wincheſter* in the Church of St. *Swithin* on the 27th of *Auguſt*; and preſently after the Coronation was over, they all returned into *Normandy*.

K. *Henry* his Son ſent back into *England*, to be Crowned anew with *Margaret* his Queen.

And then return'd into *Normandy*.

[3.] On the 27th of *September*, *Henry* the Father, and the King his Son, with *Rotrod* Archbiſhop of *Roüen*, and all the Biſhops and Abbots of *Normandy*, met *Theodinus* and *Albertus* the Cardinals at *Abrinces* (now *Auranches*,) where the Father in the Church of St. *Andrew* purged himſelf by Oath, and aſſerted his Innocence upon the Reliques of the Saints and the Holy Goſpels, *that he neither commanded nor deſired that Archbiſhop* Becket *ſhould be ſlain, and that when he heard it he was grieved extreamly*; but becauſe thoſe Malefactors who kill'd him could not be taken, and becauſe he was afraid they might have committed that cruel and wicked Murther upon the account of their ſeeing him in a very great paſſion, he there made this following Oath for the Pope's Satisfaction.

[3.] *Id. ibid.*

K. *Henry* the Father purges himſelf by Oath, that he neither commanded nor deſired the A. Bp's death.

[4.] Firſt, That he would never quit Pope *Alexander* nor his Catholick Succeſſours, ſo long as they acknowledged him a Catholick King.

[4.] *Id. ibid.*

And makesthe following Oath of Satisfaction and Pennance.

Secondly, That he would not hinder, nor ſuffer to be hinder'd any Appeals, but that they might be freely made from his Kingdom to the Pope in all Eccleſiaſtical cauſes; but with this Caution, that if any perſons were ſuſpected by the King, they ſhould give ſecurity not to do any injury either to Him, or his Kingdom.

Thirdly, That at *Chriſtmaſs* following, he would undertake the *Cruſado*, and go to *Jeruſalem* for Three years; and in caſe he ſhould be diverted by going into *Spain* againſt the *Saracens*, then he would give to the *Templers* ſo much money, as they ſhould in their own Judgments think ſufficient to maintain Two Hundred Souldiers for One Year, for the defence of the Kingdom of *Jeruſalem*.

Fourthly, That he pardoned all Clerks and *Laicks*, who were in Exile with Archbiſhop *Thomas*, and granted them free leave quietly and in ſafety to return home to their own again.

Fifthly, That he would reſtore the poſſeſſions of the Church of *Canterbury*, if any had been taken from it, as fully as it enjoy'd them a Year before the Archbiſhop went out of *England*; and that the cuſtoms which were contrary to the Churches of his Land, and introduced in his time, ſhould be wholly laid aſide, and aboliſhed.

[5.] *Id. ibid.*

And cauſes his Son *Henry* to do the like.

[5.] All theſe things the King ſwore faithfully to obſerve without any Deceit or Guile, and then he cauſed his Son *Henry* to do the like, except in ſuch things as concerned his own perſon; and that they might remain in the Regiſters of the *Roman* Church, King *Henry* the Elder cauſed his Seal to be affixed to the writing, which contained theſe Articles, or Heads, ſuperadding to his Own the Seals of the Cardinals; who upon his Purgation, Submiſſion, and Satisfaction, granted him a Charter of Abſolution for the Death of the Archbiſhop.

K. *Henry* the Father cauſes his Seal to be fixed to the writing, ſuperadding to it the Seals of the Cardinals.

And ſo receives from them a Charter of Abſolution.

The

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The Pope, here you may ſee, by the aforeſaid Conditions, and the Grant of theſe Articles, not only gained an entire Submiſſion from King *Henry*, with a full Conceſſion of Appeals to *Rome* for the time to come, but alſo eſtabliſhed and enlarged his Eccleſiaſtical Power to a great degree; ſo that the King's long and obſtinate Oppoſition, and the Murther of Archbiſhop *Becket*, proved as advantageous to the Pope's uſurped Authority, as Rebellions when quell'd do to the Power of Temporal Princes.

By theſe Articles the Pope's Eccleſiaſtical Power was greatly enlarg'd.

[1.] The next day after, the Cardinals held a Great Council or Synod with the Archbiſhop of *Roüen*, and Biſhops and Clergy of *Normandy*, where divers Decrees were made, and enjoyn'd to be obſerv'd; but ſeeing they only concern that Province, and do no ways relate to *England*, I ſhall refer the Inquiſitive Reader to our Authors, if he deſires further ſatisfaction therein.

[1.] *Id. ibid.* The Cardinals hold a Great Council in *Normandy*, wherein divers Decrees were made.

[2.] We will now ſee what was doing the mean while in *England*, as to Eccleſiaſtical Affairs, for want of Civil; and here the Young King, by the Advice of his Governors, commanded *Odo*, the *Prior*, with the *Monks* of *Chriſt-Church* in *Canterbury*, to come to him, and there chuſe a new Archbiſhop: to this they paid a ready Obedience, and coming to Court, the Prior deſired they might have (according to cuſtom) a Free Election, which though not abſolutely deny'd them, yet it was for that time adjourn'd, and they put off for Three weeks longer, when they might be better prepared by Prayers and good Advice for a new Election; ſo the Prior and his Monks return'd home, and at the time appointed came up again to Court about *Michaelmaſs*; yet they ſtill remaining in the ſame Reſolution, the Young King (or rather his Courtiers) flatly denied them their Requeſt, commanding that ſome of them ſhould go over beyond Sea to the King his Father, to know his pleaſure concerning it; the Prior obey'd preſently, and there found him in a very humble Temper, rather ſupplicating than commanding them to elect the Biſhop of *Bayëux* Archbiſhop, for he was afraid they might chuſe ſome ſevere Man, who would imitate the laſt Archbiſhop; but the Prior knowing that Biſhop to be but a weak Man, and eaſy to be drawn aſide, utterly refuſed to name any one without the conſent of his Convent: Upon which the King was forced to ſend the Prior back into *England* with Letters to induce them to conſent to his Nomination.

[2.] *C. G.* The Young K. ſends for *Odo* the Prior, and the Monks of *Chriſt Church* in *Canterbury*, to come and chuſe a New A. Bp.

Upon the Prior's deſiring a Free Election, they are adjourned for Three weeks.

Then come again to Court, but their Requeſt is flatly denied them.

The Prior goes over to K. *Henry* the Father, who deſires them to elect the Bp. of *Bayeux*.

The Prior refuſing to nominate any without the conſent of the Convent, The K. ſends Letters to them to comply with his Nomination.

[3.] The Prior being return'd, the Biſhop and Clergy of the Province of *Canterbury* were ſummon'd to meet at *London*, and Prior *Odo* was then preſent among the reſt; where after many Debates about an Election, there was no liberty allow'd them of having a Free One; and being thus again fruſtrated of their hopes, they all return'd home without doing any thing in the matter.

[3] *Id. ib.* The Bps and Clergy of *Canterbury* ſummon'd to meet at *London*.

But not obtaining any Free Election, return home as they came.

This Tranſaction, though it had no effect, yet I have here ſet down, not only to ſhew the Reader the manner of Electing Archbiſhops in thoſe days, and the great Solemnity of it; but alſo to let him ſee that the King's Deſires or Commands for the Election of whom he thought fit, was ſeldom or never diſobey'd; and if they were not comply'd with now, it was becauſe the King had loſt his Power with them by the Murther of the late Archbiſhop: and yet notwithſtanding you find they durſt not proceed to an Election without his conſent.

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[4] *B. A. R. H. Ibid.*

The Young K. and Q. go into *Normandy*, and from thence are ſent to the K. of *France*. But were not long there before recalled.

[4.] After this, about the Feaſt of *All-Saints*, the Young King, with his Queen, according to his Father's Command, went into *Normandy*; and when they came thither, they were both ſent to the King of *France*; who being very deſirous to ſee his Daughter, received them with all imaginable Expreſſions of Joy and Honour; and they ſtayed there for ſome time with him. But King *Henry* ſuſpecting the Fraud and Malice of King *Lewis*, of which he had had ſo often Experience, and the ill impreſſions that might be made upon this eaſy Young Prince, if he continu'd too long there, ſent for his Son and Daughter to return into *Normandy*.

Great Miſchiefs ariſe from this Viſit. K *Lewis* ſets the Son to demand of his Father either all *England* or all *Normandy* for his Subſiſtance.

This Viſit was the Occaſion of great Wars and Miſchiefs to both Kingdoms; for during their ſtay there, King *Lewis* (who always bore a ſecret Grudge againſt the King of *England*) adviſed his Son-in-Law upon his return into *Normandy*, to require of his Father, either all *England*, or all *Normandy*, for his Subſiſtance; and if his Father would not grant either of them, then to return into *France* to Him. Upon this they took their leaves, and about *Chriſtmaſs* return'd into *Normandy*; ſoon after which, the Father went into *Anjou*, but his Son and Daughter-in Law were order'd to tarry behind. *Walſingham* reports, that whilſt the King was in *Ireland*, *Hugo de St. Maur*, and *Ralph de Faia*, the Young Queen's Uncle, (and as 'twas ſaid by her inſtigation) began to alienate the Mind of the Young King from his Father, ſuggeſting that it ſeem'd indecent and abſurd that any Man ſhould be a King without a Territory or Dominion: But ſince I find it not in any antient Author, I will not warrant the truth of this Relation.

The Young Q. ſuſpected to cauſe the Diviſion between the Father and Son.

[5.] *B. A. Adam de Port* Outlaw'd for Treaſon, upon refuſing to ſtand to the Judgment of the K's Court.

[5.] About this time *Adam de Port*, a Nobleman, was impeached of Treaſon for Conſpiring the Death of the King; and being Summon'd, he refus'd to ſtand to the Judgment of his Court, whereupon he was Outlaw'd. But this ſeems very ſtrange, that He alone ſhould be thus puniſh'd, and none of his Fellow-Conſpirators in the leaſt taken notice of.

Anno Dom. MCLXXIII.

[1.] *Id. R. H. p.* 304. The K. ſends for his Son to come to him to *Chinon*.

[1.] The King kept his *Chriſtmaſs* at *Chinon* in *Anjou* with his Queen *Eleanor*, whilſt his Son and the Young Queen remain'd ſtill in *Normandy*: After *Chriſtmaſs* the King ſent for his Son to come to him to *Chinon*, from whence they went together into *Auvergn* to *Clermont*, (though *Hoveden* by a miſtake ſays it was *Mont-ferrat*, which lies in another Country.) The Buſineſs they went about, was, to meet and treat with *Hubert* Earl of *Maurienna* (now part of *Savoy*) about a Marriage between the King's youngeſt Son *John* and his Daughter *Alice* with whom he was to have had the greateſt part of her Father's Dominions, in caſe they had Children. This Treaty is very long and particular in our Author; but the young Lady dying before the Marriage was conſummated, it all came to nothing; and therefore it is to no purpoſe to ſet it down here.

They both go to *Clermont* in *Auvergn*, to treat about a Marriage between E. *John* and *Alice*, the Daughter of the E. of *Maurienna*. But ſhe dies before the Marriage is conſummated.

[2] *R. H. p.* 305. *a.* **Devenit Homo utriuſq; Regis.*

[2.] From hence both the Kings went to *Limoges*, where *Raymond* Earl of *St. Giles* met them, and became their * Vaſſal; and alſo did Homage to *Richard* the King's Son as Earl of *Poictou*, and agreed to hold *Tholouſe* of Him in Hereditary Right, by the Service of attending them upon their Summons, and ſtaying with them Forty days at his own coſt; but if they would have him ſtay longer, it was to be at their Charges. The reſt of the Conditions being long, and not much to our purpoſe, I omit.

[3] Now

[3.] Now alſo aroſe the Firſt apparent cauſe of Diſſention between King *Henry* and his Son the Young King, and it was upon this occaſion; the Earl of *Maurienna* above-mention'd had follow'd King *Henry* to *Limoges* to know what Territories he would ſettle upon his Son *John* at his Marriage; and when the King offer'd him the Caſtles of *Chinon*, *Lodun*, and *Mirabel*, the Young King contradicted his Father, and would not ſuffer him to do it, for he took it very ill that He would not aſſign him any of his Dominions, which He and his Queen might call their own. For the Earls and Barons of *Normandy* that malign'd his Father, had put him upon asking that Dutcheſs for his Appenage. From this time the Son ſought occaſions and opportunity to recede from Him, and would not any more hearken to what he adviſed.

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[3.] *Id.* p. 304. B. A.

The firſt apparent cauſe of Diſſention between the Father and Son.

The Young K. contradicts his Father.

And alienates his Mind from him.

[4.] The King having diſpatch'd his Affairs at *Limoges*, haſtened to return into *Normandy*; and taking his Son along with him, came to *Chinon*, where he lodg'd that night; but the Son having (it ſeems) out-rode his Father, went forward without taking any leave of him, and on the morrow came to *Alençon*, and the next day lodg'd at *Argentom*; (his Father ſtill following him) and that night he came thither, his Father lay at *Alençon*, ſo that he could never overtake him; for the very night he came to *Argentom*, (being the 8th of *March*) after he had repoſed himſelf for a few hours, he with his whole Family went over to the King of *France*, but left the Young Queen behind him for ſome time.

[4.] A

except his Q goes over to the King of *France*.

[5.] King *Henry* knowing his Son had left him, had ſufficient reaſon to fear the Treachery of the *French*, and therefore with all diligence viſited his Caſtles in the Borders of *Normandy* towards *France*, and manned and victualled them very well; he alſo ſtrengthened *Giſors* as well as he could: and likewiſe went to all his other Caſtles in *Normandy*, and ſent his Commands to all his Caſtellans in *England*, *Anjou*, and *Bretaign*, that they ſhould keep ſtrong Guards, and take care to ſecure the Caſtles under their Command; the chief Contrivers of this Treachery were *Lewis* King of *France*, and *Ralph de Faya* above-mention'd: but, what ſeems more wonderful, Queen *Eleanor* having both her younger Sons, *Richard* Duke of *Aquitain* and *Geoffrey* Earl of *Bretaign*, then with her in *England*, ſhe ſent them both over into *France* to the Young King their Brother, that ſo they might ſide with him againſt their Father.

[ ] *Id. ib.*

The Old K. juſtly fearing Treachery from the *French*, viſits and ſtrengthens his Caſtles in *Normandy*, and the Borders of it.

The Authors of the Conſpiracy againſt him.

Q. *Eleanor* ſends both her Sons, then with her in *England* to *France*, to help their Brother againſt the K. her Husband.

But though it may at firſt ſeem very ſtrange (and indeed almoſt incredible) that this Queen ſhould not only encourage her Son *Henry* againſt the King her Husband, but ſhould alſo excite and ſend over her Two other Sons to join in the ſame wicked and unnatural War againſt their Father: Yet it will not appear ſo ſtrange, when the Reader ſhall underſtand, that ſome time before this, the King had ſlighted the Queen his Wife, (who was much older than himſelf) and had fallen into ſeveral Amours with divers Miſtreſſes, till at laſt the Lady *Roſamond*, Daughter to the Lord *Clifford*, got the Aſcendant in his Affections; and by her he had ſeveral Children, who are mention'd at the end of this Reign: Wherefore the Queen's Jealouſy and Rage to ſee her ſelf thus caſt off by a Husband whom ſhe had ſo highly obliged, ſo far tranſported her beyond all the bounds of Reaſon and Moderation, that nothing leſs would ſatisfy her Revenge, than to ſee him

Becauſe ſhe found that the K. had ſlighted her, and fallen into ſeveral Amours.

Fair *Roſamond* at laſt got the Aſcendant over them all.

The Queen's Jealouſy and Rage put her upon this Revenge.

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depoſed, and her Son placed upon that Throne; of which at preſent ſhe thought he had too ſmall a ſhare: and this made her to join with the King of *France* who had formerly divorced her, and ſend over her Sons to his Aſſiſtance, though chiefly for the ſake of the Young King their Brother, as alſo to make their own Terms with their Father, before ever this War ſhould have an end, which they all hoped would prove highly to their advantage; but we ſhall find anon they were miſtaken in their Account. But to return to the Hiſtory.

[1.] *Id. ib.* The Young K's Chancellor brings his Seal to his Father.

[1.] Upon this ſudden departure of the Young King above-mention'd, *Richard de Bar* his Chancellor return'd to his Father, and deliver'd him the Seal he had committed to his Charge, which he receiv'd, and caus'd it to be ſecurely kept. The Servants alſo whom he had placed in his Son's Family, return'd to him, and brought with them his Carriages and other Furniture; but his Father would not retain them, but ſent them back together with his Horſes, Plate and Apparel, commanding them to ſerve him faithfully; but when they came thither, he cauſed all ſuch as would ſtay, to ſwear Fealty to him againſt his Father, and would not permit any to ſtay with him that would not take that Oath, which they all did except *Walter* his Chaplain, *Edward* his Chamberlain, and *William Blound* his Porter; who all came away, and ſtayed with the King his Father.

He cauſed all ſuch as ſtayed with him to ſwear Fealty to him againſt his Father.

[2] *Id. ib.* The King of *France* receives the Young K. and his Brothers very kindly.

And cauſes a New Seal to be made for Him.

[2.] In the mean while King *Lewis* ſeem'd extream kind to the Young King his Son-in-Law, and to both his Brothers, and all thoſe that came with them, and cauſed a New Seal to be made for him, with which he confirm'd all his Grants and Donations; then the *French* King ſummon'd Earl *Robert* his Brother, *Philip* Earl of *Flanders*, and *Matthew* his Brother Earl of *Boloign*, *Henry* Earl of *Troyes*, *Theobald* Earl of *Blois*, with all the Earls and Barons of *France*; and alſo the Archbiſhops and Biſhops, and all the Clergy and Laiety of that Kingdom, and held a Great Council in *Paris*, wherein the King himſelf ſwore, That he would according to the utmoſt of his Power aſſiſt the Young King his Son-in-Law to maintain the War againſt his Father, till he got from him the Kingdom of *England*; the like Oath he cauſed the Earls and Barons of *France* to take, after they had received the Oaths and Securities of the Young King and his Brothers; that they would never recede from the King of *France*, nor make Peace with their Father, without his Conſent and the good liking of his Barons.

A Great Council held at *Paris*, wherein the K. and whole Kingdom of *France* ſwear, to aſſiſt the Young K. againſt his Father, till he got from him the Kingdom of *England*.

And his Sons ſwear not to make Peace with him, without the K. of *France* and his Baron's conſent.

[3.] *B. A. R. H. p.* 305. The Young K. receives Homage and Fealty from *Philip* E. of *Flanders*, *Matthew* Earl of *Boloign*, and *Theobald* E. of *Blois*, and what he gave them in conſideration thereof. And ſo likewiſe of ſeveral Others.

[3.] In this Council the Young King received the Homage and Fealty of *Philip* Earl of *Flanders*, and gave him for it One Thouſand pounds yearly Rent in *England*, and the whole Country of *Kent*, with the Caſtles of *Dover* and *Rocheſter*; He likewiſe receiv'd the Homage and Fealty of his Brother *Matthew* Earl of *Boloign*, and for it beſtow'd on him the whole Soke or Liberty of *Kirketon* in *Lindſey*, as alſo the Earldom of *Moreton*, with the Honour of *Haye*. He alſo receiv'd the Homage of *Theobald* Earl of *Blois*, and, in conſideration thereof, beſtow'd on him Five hundred pounds of *Anjovin* Rent, with the Caſtle of *Ambois*, and other things, which he claim'd in *France*. He alſo granted to *William* King of *Scots* all *Northumberland* to be held by Homage, and to *David* his Brother he gave the Earldom of *Huntingdon*, and, as an Augmentation, added all *Cambridgeſhire* to be held by the ſame Tenure; to the Earl *Hugh Bigot* he gave the Honour of

Eye,

Eye, and the Custody of the Castle of *Norwich*, to him and his Heirs for ever. All these Territories, with divers others, he confirm'd to these Princes and great Lords (who all engag'd to take his part) by his Charters under the New Seal which the King of *France* had now caused to be made for him.

Anno Dom. MCLXXIII. And confirmed all things by his New Seal

[4.] After *Easter* the whole Kingdom of *France* joyn'd with the Young King *Henry*, as did also his Brothers *Richard* and *Geoffrey*, and almost all the Earls and Barons of *England*, *Normandy*, *Aquitain*, *Anjou* and *Bretaigne* took up Arms against King *Henry* the Father; and, wasting his Territories beyond Sea on all sides with Fire and Sword, [5.] besieg'd and took many of his Castles, though he made the best defence he could; for He had then with him Twenty Thousand *Brabanters*, who served him faithfully, but not without great Pay.

[4.] *B. A.* A General Insurrection against K. *Henry* the Father.

[5.] *R. H. p.* 305. *b.*

At the same time *Philip* Earl of *Flanders* march'd with a great Army into *Normandy*, besieg'd and took *Albemarle*, and from thence went and besieg'd *Driencourt*, which was soon deliver'd to him. Here his Brother *Matthew* Earl of *Boloign* was shot with an Arrow, of which Wound he died not long after.

Albemarle and *Driencourt* taken by the E. of *Flanders*.

[1.] In the mean while the King of *France* and the Young King his Son-in-Law besieg'd *Verneüil*; but *Hugh Lacy* and *Hugh Beaumont* the Constables (or Governors) so stoutly defended the Town, that the King of *France* with his potent Army and Warlike Engines, made but little progress for a whole month that he lay against it. There were within the Town (besides the Castle) Three Burghs separated from each other, and inclosed with strong Walls, and Ditches full of Water; one of them was call'd the *Great Burgh*, against which the King of *France* fix'd his Engines, though without much success; after a month the Besieg'd wanting Victuals, were forc'd to make a Truce with him for Three days, that so they might go to their Lord the King of *England* to desire Relief; and if within that time they failed of it, then to deliver the *Burgh*, and the peremptory day appointed for it was the Vigil of St. *Laurence*; the day before which, at the request of the Besieged, King *Henry* came to relieve the Town, and drew up his Army before it, the Souldiers being all then very desirous to fight: and it was thought to be so near a Battle, that *William* Earl of *Arundel* made the *Norman* Nobility a long Speech to encourage them; but when they were now in the heighth of their Expectations of it, the King of *France* sent to the King of *England* the Archbishop of *Sens*, and the Earls *Henry* and *Theobald*, to let him know, that the next day (which was the Peremptory day for its Surrender) he would have a Conference with him; but he neither came, nor sent, and so by a Trick He had part of the Town surrender'd to him; yet when he had thus got it, he durst not keep it, but plunder'd and burnt it, and presently retir'd, carrying the Burghers Prisoners along with him into *France*; so soon as King *Henry* knew it, he persued the *French*, kill'd many of them, and took more Prisoners, and return'd that Evening to *Verneüil*; and lodging there that night, commanded the Walls that were batter'd down to be repair'd. This Action and shameful Flight of the *French* King happen'd on the Ninth of *August*.

[1.] *R. H.* 306. The King of *France* and his Son-in-Law besiege *Verneüil*.

Three Burghs in that Town besides the Castle.

After a month, for want of Victuals, the Besieg'd in the great Burgh made a Truce for three days.

K. *Henry* with his Army comes to their relief.

But the K. of *France* got it by a Trick, plunder'd & burnt it, and then retir'd.

K. *Henry* persues the *French*, kills many, & takes more Prisoners, and returns to *Verneüil*.

[2.] Next day the King left *Verneüil*, and march'd to *Danvile*, a Castle of *Gilbert de Tilleres*, and took it with several Knights and their Followers. From thence he came to *Roüen*, and sent the *Brabanters* (in

[2.] *Id. ib.* He takes the Castle of *Danvile*.

Sends his *Brabanters* into *Bretaign*.

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The *Bretaigns* vanquiſh'd in a pitch'd Field, and 17 of their Valianteſt Kts. taken.

1500 *Bretaigns* ſlain in this Fight.

(in whom he moſt confided) into *Bretaign* againſt *Hugh* Earl of *Cheſter*, and *Ralph de Fougeres* (Lord of a Caſtle of that name in the Confines of *Normandy* and *Bretaign*) who had ſeiz'd upon almoſt all that Country; then the Earl and this *Ralph* march'd out to meet them in a pitch'd Battle, wherein the *Bretaigns* were vanquiſh'd; whereupon theſe Two Earls and the chiefeſt of the *Bretaigns* fled to the Caſtle of *Dole*. In this Battle were taken Seventeen of the moſt Valiant Knights, as *Haſculf* of St. *Hillary* and *William Patrick*, beſides divers others, whoſe Names are needleſs to be recited; there were ſlain above Fifteen Hundred *Bretaigns* in this Fight, which happened on the Twentieth day of *Auguſt*.

[3] *Id. ib. b.* The *Brabanters* beſiege *Dole*.

[3.] The next day after this Battle, ſo ſoon as the King of *England* had receiv'd the News of it, he forthwith march'd towards *Dole*, (which the *Brabanters* had before inveſted after the late Victory,) and gave order for his *Petrars* * (which were Engines to caſt great Stones into Towns, or to batter Walls) to be fitted and prepar'd, with other Warlike Engines; but the Earl of *Cheſter* and thoſe that were with him in the Caſtle not being able to defend it, ſurrender'd themſelves with it on the 26th of *Auguſt*, and in like manner all *Bretaign*, with its Fortreſſes and Places of Strength, was deliver'd to the King.

* *Petraria.*

The Caſtle ſurrender'd, as alſo the Earl of *Cheſter*, and thoſe that were with him in it. And ſo all *Bretaign* is reduc'd.

[4] *Id. ibid.*

[4.] Our Hiſtorian here names Fourſcore Earls, Barons and Great Men that were taken in this Caſtle, beſides many others whom he does not mention; all which are needleſs to be here recited.

[5] *Id. ibid.* A Treaty between K *Henry* and his Sons, and the K. of *France*.

[5.] After theſe great Succeſſes the King of *France* and his Adherents began to deſpair, and labour'd all they could to make Peace between King *Henry* and his Sons. The Place appointed for their Meeting and Treaty was between *Giſors* and *Trie*, whither came *Lewis* King of *France*, attended by the Biſhops and Nobility of his Kingdom, and brought with him the Young King *Henry*, with the Earls *Richard* and *Geoffrey* his Brothers; King *Henry* the Father came thither alſo with the Biſhops, Earls and Barons of his Dominions; and at this Treaty (which began the 25th of *September*) King *Henry* offer'd the King his Son Half the Rents of his Demeſns of *England*, and Four convenient Caſtles there; or if his Son had rather reſide in *Normandy*, he offer'd him half the Revenues of that Dutchy, with all thoſe of *Anjou*, and Three Caſtles in *Normandy*, beſides Three more in *Main*, *Anjou* and *Tourain*: to Duke *Richard* his Second Son, he offer'd half the Revenues of *Aquitain* and Four Caſtles there: and to his Third Son *Geoffrey*, he offer'd all the Hereditary Eſtate of Earl *Conan*, if by the conſent of the Pope he could marry his Daughter *Conſtance*; and further he referr'd himſelf to the Archbiſhop of *Tarantaiſe*, and the Pope's Legates, to add to their Revenues what they ſhould think juſt and reaſonable, ſtill reſerving to Himſelf his Royal Juſtice, Dignity and Power.

K *Henry*'s great Offers to his Sons.

[1] *Id. ibid.*
[2] *G. G. Col. 1416.* The E. of *Leiceſter* comes into *England* with an Army of *Flemmings*.

[1.] But it was not the Intention of the *French* King that this Quarrel ſhould end ſo eaſily, and that the Sons ſhould be ſo ſoon reconciled to their Father; and therefore they not agreeing to theſe reaſonable Propoſals, [2] the *French* King and King *Henry* the Son ſent over *Robert* Earl of *Leiceſter*, a paſſionate Stickler for that Party, with an Army of *Flemmings*, who landed upon the Coaſt of *Suffolk* about the Feaſt of St. *Luke*, and were receiv'd by Earl *Hugh Bigot* into the Caſtle of *Framingham* in *Suffolk*, where he furniſh'd them with all Neceſſaries; then the Earl beſieged *Hagenet*, a Caſtle in the ſame Coun-

And beſieges *Hagenet*-Caſtle in *Suffolk*, and takes it in four days.

try,

try, whereof *Ranulph de Broc* had the Cuſtody, and within Four days took it; and proceeding from thence towards *Leiceſter*, it was told him, there were great Forces got together about St. *Edmondsbury*; and being ſurpriz'd at the News of it, he return'd to *Framingham*.

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[3.] Some time before this *William* King of *Scotland* taking advantage of King *Henry*'s being thus engaged in a War with *France*, was reſolved to be revenged for his being refuſed the County of *Northumberland*, which he had lately demanded of Him: ſo gathering together a vaſt Army of *Scots* and *Galloway-men*, he march'd into *England*, and paſſing through the Biſhoprick of *Durham*, ſpoil'd the Country, burnt the Towns, deſtroy'd the Inhabitants, or carried them away Priſoners: [4] To divert which Invaſion, *Richard de Lucy*, Juſticiary of *England*, and *Humphry de Bohun* the King's Conſtable, march'd about the ſame time into *Scotland*, and waſted the Dominions of that King: but when they had burnt *Berwick*, and ſpoil'd the Country round about it, receiving News of the Earl of *Leiceſter*'s approach, who had lately come out of *Flanders* with a great Number of *Normans* and *Flemmings*, they made a Truce with the King of *Scots* until the Feaſt of St. *Hillary*, and mutually gave and took Hoſtages for the performance of it.

[3.] *B. A. Wm.* K. of *Scotland* with a great Army marches into *England*, and ſpoils *Durham*, by burning the Towns & deſtroying the Inhabitants.

[4] *R. Hp.* 107. *Richard de Lucy*, and *Humphrey de Bohun*, waſte *Scotland*. But at laſt make a Truce with the K. of *Scots*.

[5.] This being done, *Humphrey de Bohun* march'd as faſt as he could towards St. *Edmondsbury*, expecting the coming of the Earl of *Leiceſter*, where alſo to the former's Aſſiſtance came *Reginald* Earl of *Cornwall* the King's Uncle, and *William* Earl of *Gloceſter*: Whereupon the Earl of *Leiceſter* about the Feaſt of *All-Saints* came from *Framingham* with his Army, and pitch'd his Camp near St. *Edmundsbury* at a place call'd *Fornham*, in a Marſh or Meadow not far from the Church of St. *Genovefe*; then the Earl march'd forward with a great Army, and *Humphrey* with Three Hundred choice Horſe met him, and with the Banner of St. *Edmund* diſplayed before them, charged that part of the Army in which the Earl of *Leiceſter* was, and defeated it; ſo he and his Counteſs were taken Priſoners, as alſo *Hugh de Chaſteaux* a *French* Nobleman. In this Battle fell Ten Thouſand *Flemmings*, and the reſt (being *Normans* and *Frenchmen*) were taken Priſoners; the Earl of *Leiceſter* and his Wife with *Hugh de Chaſteaux*, and the better ſort of Priſoners, were ſent into *France* to King *Henry*, and, together with the Earl of *Cheſter*, impriſon'd at *Falais*: but now let us ſee what was done at the ſame time in *Normandy*.

[5.] *Id. ib. Humphrey de Bohun* with his Army marches towards St. *Edmondsbury*, meets the E. of *Leiceſter* & his Army, and routs them.

The E of *Leiceſter* and his Counteſs taken Priſoners.

Ten Thouſand *Flemmings* ſlain in this Battle.

The E. and his Lady ſent into *France* to K. *Henry*, and impriſon'd at *Falais*.

[1.] About *Martinmaſs*, or Eleventh of *November*, King *Henry* the Father march'd with his *Brabanters* into *Anjou*, and about Eight days after *Geoffrey de Haye* came to him, and deliver'd up the Town and Caſtle of *Haye*; but the Caſtle of *Prullie* and the Caſtle of *Campeni* were ſurrender'd to Mercy; in which laſt a great many Knights and their * Dependants, or Tenants, were taken Priſoners. About the Feaſt of St. *Andrew* King *Henry* came before *Vendoſme*, and took it, which *Brachard de Lavardin* (having thence expell'd the Earl his Father) held againſt the King; from whence he return'd into *Normandy*, and there remain'd all the reſt of this Year: which we ſhall now conclude with ſome Account of Eccleſiaſtical Affairs.

[1.] *B. A.* Several Caſtles in *Anjou* ſurrender'd to K. *Henry* the Elder.

* *Homines.*

Vendoſme taken.

K. *Henry* the Father returns into *Normandy*.

[2.] The Church of *Canterbury* had been hitherto vacant, but in the beginning of *June* a Synod of all the Biſhops met at *Weſtminſter*, where the Prior of *Canterbury*, with ſome of his Monks, were preſent; and

[2] *G. G. Col.* 1425. A Synod of Biſhops meet at *Weſtminſter*, and obtain'd a Free Election of an A. Bp.

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The Priors of *Cant.* and *Dover* pitched upon, and the latter by the common Conſent of the Biſhops elected A. Bp.

Henry the Younger by Letters prohibits his Conſecration, and appeals to the Pope.

The A. Biſhop elect & Prior and Convent, write to the Pope an Account of the Election.

And himſelf going to *Rome*, he obtained it at laſt, though with difficulty.

and having at laſt obtain'd free liberty of Election, to avoid all diſputes, they pitch'd upon Two Monks of great Reputation, *viz.* *Odo* Prior of *Canterbury*, and *Richard* Prior of *Dover*; who being both preſented to the Biſhops, they all with one conſent elected the latter for Archbiſhop; and He being ſolemnly receiv'd at *Canterbury* by the Clergy and People, was to be conſecrated the next day, had there not come Letters from the Young King *Henry* to forbid it, under pretence that the Perſon elected was not fit for that Dignity; and to make this Prohibition the ſtronger, he alſo appeal'd to the Pope; whereupon the Biſhops and Clergy not knowing what to do, they all agreed to put off the Conſecration. Then the Archbiſhop Elect, together with the Prior and Convent, wrote Letters to the Pope, giving him a full Account of this Election; but for the confirmation of it, the New Archbiſhop was forc'd to make a Journey to *Rome*, and there at laſt he obtain'd it, though not without ſome difficulty, becauſe of the Oppoſition made by the Young King's Ambaſſador, as you will find hereafter.

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[3.] *B. A. R. H. ib.*

A Truce concluded on between the Ks. of *England* and *France*.

Hugh Bp. of *Durham* makes a Truce with the K. of *Scots*, and what he gives for it.

[4.] *Id p.* 308. *a.*

The K of *Scots* enters *Northumberland* with an Army.

[5.] *Id ib.*

He beſieges *Caerliſle*, ſpoils *Northumberland*, and takes ſeveral Caſtles in that, and the neighboring Countries.

[3.] The *Chriſtmaſs* following King *Henry* ſpent at *Caën* in *Normandy*, where a Truce was concluded between Him and the King of *France* from the Feaſt of St. *Hillary* until the Cloſe of, or Eight days after *Eaſter*. And then likewiſe *Hugh* Biſhop of *Durham* made a Truce with the King of *Scots* at *Revedale* for the ſame time, and in conſideration of it gave him Three Hundred Marks of Silver, to be levied upon the Lands of the Barons of *Northumberland*.

When the Time of this Truce was expir'd, [4.] King *William* (having firſt collected his Three Hundred Marks above-mention'd) march'd into *Northumberland* with a great Army of *Scots* and *Galloway-men*, and committed ſuch great Slaughters and Barbarities upon the People of all Ages and Conditions, as would ſeem incredible (as our Authors report them) had we not read of the like committed in the Reign of King *Stephen*; [5.] and then ſent his Brother Earl *David* to *Leiceſter* to relieve that Place; but before he could get thither, the Town was taken by *Richard de Lucy* the King's Juſticiary, whilſt King *William* was beſieging *Caerliſle*: But when he had lain a few days before it, he inveſted the Caſtle with ſome part of his Army, and with the reſt paſſed quite through *Northumberland*, ſpoiling the Country wherever he came.

He took by Storm the Caſtles of *Burgh* and *Apelby*, then in the cuſtody of *Robert de Stuteville*; as alſo the Caſtles of *Werkworth* and *Gerby*, which were all the Kings, and then return'd to his Army before *Caerliſle*, and beſieg'd it ſo long that the Gariſon began to want Victuals; whereupon *Robert de Vaus* the Governor Articled with him, That he would Surrender both the Town and Caſtle at *Michaelmaſs* following, if by that time he receiv'd no Relief from the King of *England*; and for performance of this, he gave the King of *Scots* Hoſtages, and his own Oath beſides.

So leaving the Town blockt up, from thence he went with his Army and beſieg'd *Prudhou*, the Caſtle of *Odonel de Unfranvill*, but could not ſtay to take it, for he heard that a great Force out of *Yorkſhire* was coming againſt him under the Command of *Robert de Stuteville* and his Son *William*, with divers other Gentlemen of that Country; upon which News, the King of *Scots* raiſed his Siege from that Caſtle,

Caſtle, and retreating thence beſieged *Alnewick*; and whilſt he lay before it, ſent the Earls *Duncan* and *Angus* with the greateſt part of the Army to harraſs, pillage and burn the Country round about, which they executed with the like barbarous and inhumane Cruelty, as they had before done at their firſt enterance into the Kingdom.

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And falls upon *Alnewic*, and with his Army burns and pillages the Countries round about.

[1.] In the mean time the Commanders of the *Yorkſhire* Forces being informed of his Retreat from *Prudehou*, and that he had ſent away the greateſt part of his Army from him, and lay with the reſt before *Alnewick*; they made towards him with all the ſpeed they could, and leaving the Main Body of their Forces behind, *Robert de Stuteville* and *Ranulph de Glanville* reſolved to march with a Choſen Party of light Horſe early in the Morning to ſurprize the King in his Quarters; ſo by Sun-riſing they came before *Alnewick*, where they found him ſecure, and taking the Air in the Morning with about Sixty Horſemen that attended him. At firſt, when he ſaw the *Engliſh* afar off, he was not at all concern'd, for he thought they had been his own Party, Commanded by Earl *Duncan*, then returned from Plundering the Country; but the *Engliſh* preſently aſſaulted this ſmall Party, and him Priſoner without any great difficulty, (he having then but a ſmall Guard about him,) before more Forces could come in to his aſſiſtance, though He made the beſt Defence he could, and had his Horſe kill'd under him. Beſides the King, there were divers Priſoners of the *Scotiſh* and *Engliſh* Nobility taken, who then ſided with him.

[1.] *B. A C.G.* The *Yorkſhire* Men ſurprize and take the K. at *Alnewic*, with divers of the *Scotiſh* and *Engliſh* Nobility, Priſoners.

But ſince [2.] *Buchanan* and the reſt of the *Scotiſh* Hiſtorians relate this War, with the Occaſions of it, after a different manner, it is fit we take ſome notice of what they ſay: As firſt, That the King of *England* being taken up with the *French* War, reſtored that part of *Northumberland* to the *Scotiſh* King, which his Great Grandfather had before poſſeſs'd: But this is very improbable, ſince it was not a part, but the whole County of *Northumberland* which that King then held. They ſay likewiſe, that the *Engliſh*, being very much diſpleaſed at the giving up of ſo great a part of their Country, made frequent Incurſions into *Scotland*; and by refuſing to make ſatisfaction for it, gave freſh Occaſions for a War, which their King was then forced to make; and that when he had now entered *England* with a powerful Army, the *Engliſh* (having no Forces ready ſufficient to oppoſe them) ſent Meſſengers to his Camp to deſire a Ceſſation of Arms, offering a great Sum of Money for it; which being granted by him, they ſpent all the time of this Ceſſation in Warlike Preparations, and in the mean time ſent Spies into the King's Camp, where they found all things in great ſecurity, as relying on the Truce, and that the King had ſent away the greater part of his Army to fetch in Forage and Proviſions.

[2.] *Lib. 7. Sub Rege* 93. The different Account the *Scotiſh* Hiſtorians give of this War in favour of their own Nation.

The *Engliſh* having received this Intelligence from their Spies, at their return, the Commanders reſolved not to loſe this advantage, but leaving the greateſt part of their Army behind with Four hundred light Horſe, they marched away by night, and came near the *Scotiſh* Camp before Sun-riſing, where finding a better opportunity than they could expect for the execution of their deſign, they (with *Scotiſh* Arms and Enſigns) ſet upon the King, who was Riding out early in the Morning with a ſlender Guard; and before it could be known whither they were Friends or Enemies, ſurprized, and took him Priſoner.

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This is a very plauſible Story if it were all true; but in the firſt place, as to the Occaſions of this War, they are altogether improbable; for is it likely that the *Engliſh* ſhould ſtand ſo much in awe of the *Scots*, as to deliver up great part of the Country to buy a Peace, and yet ſhould afterwards preſume to make freſh Incurſions, and not only that, but alſo deny to make ſatisfaction for the Injuries they had done, when they knew they were not in a condition to maintain a War? But in Truth there was not any Truce then made with the *Scotiſh* King, but that which was concluded the laſt Winter, and expired before this Invaſion; nor was part of the *Scotiſh* Army ſent to fetch in Proviſions, but to deſtroy the Country, as all our Hiſtorians agree: and therefore there could be no Ceſſation of Arms at the ſame time, and conſequently all the reſt of the Story of this King's being ſurpriz'd during the Truce, is a great miſtake; though that he was taken at unawares, we do not deny, ſince he did not expect the *Engliſh* Army ſo near him; which, I muſt confeſs, was a great overſight in ſo warlike a Prince, who ought certainly to have had his Scouts abroad to watch the Enemie's motions.

A plauſible Story, if true; but it is altogether improbable, for the following Reaſons.

No Truce made with the *Scotiſh* K. but what was expir'd before this Invaſion.

The Story of their K's. being ſurpriz'd during the Truce, a great miſtake.

Their own Chronicle of *Mailroſi* being againſt them.

But I ſhall ſay no more of this matter, ſince the Chronicle of *Mailroſs*, which was written for the greateſt part by the Abbot of *Dundrinnand* (a *Scotchman*) ſays expreſsly concerning this War, *That* William *King of* Scots *hoping to repair old Loſſes, through evil Counſel began a cruel War againſt his Coſin and Lord the King of* England: Therefore I ſhall leave it to the impartial Reader to judge who beſt deſerves credit, our *Engliſh* Hiſtorians that lived at the ſame time, and all agree in this Relation; or the *Scotiſh* Writers, the earlieſt of whom lived above an Hundred years after. I thought good to mention this, not ſo much to vindicate the Credit of our own Hiſtorians, as the Honour of our Nation.

[3] *C. M.*

The K. of *Scots* firſt carried to *Richmond*-Caſtle, and kept cloſe Priſoner there, till removed by K. *Henry*'s Order to *Normandy*.

[3.] But by what means ſoever this King was taken Priſoner, thus much is certain, that it was done on the 13th of *July*, and that he was firſt carried to *Richmond*-Caſtle, where he was kept cloſe Priſoner by King *Henry*'s Order, till he was ſome time after convey'd into *Normandy*.

[4] *R. D. Col.* 575.

The E. of *Flanders* prepares to invade *England* to reduce it under the Young K's Obedience.

Ralph de la Haye with 300 Horſe join with E. *Hugh Bigot*, and march to *Norwich*, & fire it.

[4.] About a month before this Action, the Earl of *Flanders* having lately taken an Oath before the *French* King to Invade *England*, he with a powerful Army, preſently after *Midſummer*, (in order to reduce it to the Young King's Obedience) had come down to *Whitſand* to paſs over, and till his whole Army could be ready, ſent before *Ralph de la Haye* with above Three Hundred choice Horſemen, all *Veterane* Souldiers, who, landing in *Norfolk*, joyned themſelves to Earl *Hugh Bigot*; and he not long after marched with them to *Norwich*, and fired it; [5.] then *Ansketel Malhore* Conſtable of *Leiceſter*, preſently after *Whitſuntide* went with his Forces to the King's Town of *Northampton*, where the Burgeſſes with the Souldiers within it ſallied out upon them, and had a ſharp diſpute, yet the *Leiceſtrians* got the better, carrying away with them Two Hundred Priſoners, beſides thoſe that were kill'd or wounded.

[5.] *R. H. p.* 308. *b.*

The Souldiers from *Leiceſter* fight with the Burgeſſes, Souldiers of *Northampton*, and beat them.

[1.] *B. A. Id. ib.*

Geoffrey, Elect of *Lincoln*, beſieges the Caſtle of *Liſle* in the Iſle of *Axholme*, and deſtroys it.

Roger de Mowbray taken Priſoner.

[1.] In the mean while *Geoffrey*, Biſhop Elect of *Lincoln* (the King's Natural Son) gather'd an Army out of *Lincolnſhire*, and beſieged the Caſtle of *Liſle* in the Iſle of *Axholm*, which *Roger de Mowbray* had fortified; but he going to *Leiceſter* for Aſſiſtance, was taken by the Country-

Countrymen of *Claye*, and there kept Priſoner. As ſoon as Biſhop *Geoffrey* had taken that Caſtle, he commanded it to be demoliſhed; and going away from thence to *York*, and taking *Roger* Archbiſhop of that City to his Aſſiſtance, he marched with the Militia of that Shire to *Maleſarch*, another Caſtle of *Mowbray*'s, which he took in a few days, (with many Knights that were in it) and deliver'd it to the Cuſtody of that Archbiſhop.

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Maleſarch Caſtle likewiſe taken by *Geoffrey*.

During theſe Tranſactions, *Robert* Earl of *Ferrers* taking with him the Gariſon Souldiers of *Leiceſter*, march'd one morning early to *Nottingham* (a Town of the King's) of which *Reginald de Lucy* was Governor, and took it without any difficulty, killing ſeveral of the Townſmen, and carrying away a great deal of Plunder.

E. of *Ferrers* with the Gariſon-Souldiers of *Leiceſter*, takes *Nottingham*

[2.] But ſome time after, *viz.* on the 3d of *July*, *Reginald*, Earl of *Cornwall*, and *Richard de Lucy*, chief Juſtice of *England*, were ſeverely reveng'd on thoſe *Leiceſter* Rebels, for they march'd with their joynt Forces againſt the Town of *Leiceſter*, and took it, and in the Aſſault ſet it on fire, and burnt moſt of it, except the Caſtle which they could not take; but the Townſmen, upon payment of Three Hundred pounds, had leave to go away, and inhabit in any Towns they pleaſed then under the King's Obedience.

[2.] *Thomas Wikes. Annal de Waverly.*

E. of *Cornwall* and *Richard de Lucy*, take *Leiceſter*, & burnt moſt of it, except the Caſtle.

Upon payment of 300 *l.* the Townſmen had leave to dwell in any Town then under the K's Obedience.

[3.] Some time after *Midſummer*, *Richard de Lucy* beſieg'd *Huntington*-Caſtle, but the Gariſon had burnt the Town before his coming; then he built a Fort before the Gates of the Caſtle, ſo that thoſe within it could not go out with ſafety; and by the King's Command he deliver'd that Fort into the hands of Earl **Simon*, who had lately claimed the Earldom of *Huntington* in the King's Court as his Inheritance, which the King granted to him whenever he could reduce it.

[3.] *B. A R. H. p.* 307. 308.

Huntington-Caſtle taken, and the Town burnt by the Gariſon.

* *i. e. Simon de St. Lize.*

The Earldom of *Huntington* claim'd in the K's Court.

[4.] At *Midſummer* the Young King, and *Philip* Earl of *Flanders*, at the Inſtigation of the King of *France*, and Requeſt of ſome of the Earls and Barons of *England* of their Party, came with a great Army to *Gravelin* in *Flanders*, where a Fleet lay ready to Tranſport them into *England*, but they wanted a Wind to carry them over. In the mean while the Old King was with his Army in *Poictou*, and there ſubdued many Forts and Caſtles, and at length came to the City of *Xaintes* and took it, with two Towres, whereof one was called the Great One, in which were many Knights and *Eſquires; He likewiſe beſieged the Cathedral which was fortified and victualled againſt him, but within a few days he poſſeſſed himſelf of it, and there alſo he took ſeveral Knights, with their Followers; then preſently returning into *Anjou* about St. *Barnaby*-tide, he took *Ançena*, the Town of *Guinon de Ançena* near St. *Florence*, and built there a ſtrong Fortreſs, and placed a Gariſon in it: after this he waſted the whole Province, cutting down the Vines and Fruit-Trees, and then return'd into *Normandy*.

[4.] *Id. ibid.* Young K. *Hen.* and the E. of *Flanders* with a great Army come to *Gravelin*, deſigning for *England*.

The Old K. ſubdues *Xaintes*, and takes ſeveral Forts and Caſtles in *Poictou*.

* *Servientes.*

[5.] The Young King and the Earl of *Flanders* were all this while detained at *Gravelin* by contrary Winds; during which time, King *Henry* the Father, to oppoſe and baffle all their deſigns, went ſpeedily to *Barfleur*, and there taking Shipping, Landed at *Southampton* on the Eighth of *July*, bringing over his Queen and the Earls of *Leiceſter* and *Cheſter* Priſoners along with him, beſides a great Army of *Brabanters*. From thence he went towards *Canterbury* on Pilgrimage to the Tomb of *Thomas* of *Becket*, who was lately Canoniz'd for a Saint

[5.] *Id. ibid. R. H. ib.*

And then Lands at *Southampton*, with his Qu. & Daughter-in-Law, and his Priſoners, the Earls of *Leiceſter* and *Cheſter*.

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The Old K. goes on Pilgrimage to *Canterbury*.

Saint by the Pope: but ſo ſoon as the King ſaw the Cathedral Church where this new Archbiſhop *Thomas* was interr'd, though he was then Three Miles off, he alighted from his Horſe, and pulling off his Boots, went Bare-foot to the very Sepulchre, and there proſtrating himſelf, received the *Diſcipline*, or (as *Gervaſe* more plainly words it) was voluntarily whipp'd by all the Biſhops and Abbots there preſent, as alſo by every one of the Monks of *Chriſt-Church*; and then remained in Prayer and Faſting by this (ſuppoſed) Martyr's Tomb all that Day and the Night following, neither would he ſuffer a Carpet or any ſuch thing to be put under him to keep him from the cold Stones. Then after a ſolemn Proceſſion round about all the Altars of the Upper Church, and the Bodies of the Saints that lay there buried, he return'd again to the Tomb of the New St. *Thomas*; and ſo having next morning (being the 13th of *July*) heard Maſs, he departed joyfully from *Canterbury*, and the next day reached *London*.

And walks 3 miles Bare-foot to the A. Bp's Sepulchre, and undergoes there ſevere Penance.

Spending all the day and next night at his Tomb in great Devotion.

And then ſets forward to *London*.

The K. of *Scots* taken Priſoner.

Now it happen'd on that very day the King took his Journey from *Canterbury*, that the King of *Scots* was taken Priſoner, which is by our Monkiſh Writers imputed to the Merits and Interceſſion of this new Saint, who had the Year before been Canoniz'd by the Pope, as you may find by his Bull recited at large by *Radulphus de Diceto* and *Quadrilogus*, to whom we refer thoſe that are deſirous to read it. But of the Tranſlation and Enſhrinement of this pretended Saint we ſhall ſpeake more, when we come to the Reign of King *Henry* the Third.

[1.] *Hiſt. Walter de Hemingford.*

At the News of which, he with Tears gives Thanks to the new Martyr.

[1.] As ſoon almoſt as the King came to *London*, he received the good News, by a Meſſenger ſent Poſt on purpoſe from *Ranulph de Glanville*, of the taking the King of *Scots* Priſoner; which when he heard, he with Tears gave Thanks to the new Martyr St. *Thomas*; and [2.] then on the *Thurſday* following, he marched with his Army toward *Huntington*, and beſieg'd it, and on the Twenty-firſt of *July* forced thoſe within to ſurrender upon Mercy, their Lives and Limbs only preſerved.

[2.] *R. H. p.* 308. *b.*

He with his Army beſieges and takes *Huntington*.

[3.] From thence the King went with his Army toward *Framingham*-Caſtle, where *Hugh Bigot* was with a ſtrong Gariſon of *Flemmings*, and ſate down before it; but on the next day (*viz.* the Twenty Fifth of *Auguſt*) the Earl being afraid, came out and made his Peace with the King, and deliver'd his Caſtles of *Framingham* and *Bungey*, upon obtaining from him with great difficulty, that the *Flemmings* might have liberty to depart home. From thence he went to *Northampton*, whither the King of *Scots* was brought with his Legs tied under the Horſe's Belly, and preſented to the King: there came alſo to him the Biſhop of *Durham*, who then ſurrender'd that Caſtle, as likewiſe the Caſtles of *Norham* and *Alverton*. And on the ſame day came to him *Ansketil Mallore* and *William de Diva*, Conſtables of the Earl of *Leiceſter*, and render'd the Caſtles of *Leiceſter*, *Mont-ſorrel* and *Groby*. The ſame day alſo came to him *Roger de Mowbray*, and render'd up his Caſtle of *Thurſk*; and then came in the Earl of *Ferrers*, and deliver'd up his Caſtles of *Stutesbury* and *Duffelde*; ſo that within Three Weeks all *England* was at Peace, and all the ſtrong Places were ſurrender'd into the King's hands.

[3.] *Id. ibid.*

He marches to *Framingham*.

But E. *Hugh Bigot* the next day makes Peace, by delivering that & *Bungey*-Caſtle to him.

The K of *Scots* brought to him at *Northampton* in diſgrace.

Bp of *Durham*, the Conſtables of the E. of *Leiceſter*, and *Roger de Mowbray* and E. *Ferrers* deliver up their Caſtles to the K.

[4.] While

[4.] While theſe things were tranſacting in *England*, the King of *France* hearing of the taking of the King of *Scots*, and the reſt of King *Henry*'s Succeſſes in *England*, recalled the Young King and Earl of *Flanders* from the Sea-Coaſt, ſince he found it was in vain for them to ſtay there any longer; [5.] and ſo joyning their Forces with his, and making up a Great Army, they march'd away and beſieg'd *Roüen*, hoping to take it before King *Henry* could arrive thither: but they did little againſt it, for the Barons and Knights of *Normandy* (who had an entire Affection for King *Henry* the Father) put themſelves into the City, and courageouſly defended it.

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[4.] *Id. ib.* The Young K. and E. of *Flanders* recalled from *Gravelin.*

[5.] *B. A. R. H. ib.* *Roüen* beſieg'd by the *French* King; But is courageouſly defended by the Barons and Knights of *Normandy.*

[1.] This News coming to the Old King's Ears, whoſe Affairs in *England* were now in a pretty good Poſture, he with great ſpeed went to *Portſmouth*, and taking Shipping on the Eighth of *Auguſt*, Landed at *Barfleur* in *Normandy*, and carried with him (beſides his *Brabanters*) a Thouſand *Welſhmen*, lately ſent him by *David* Prince of *Wales* (now married to *Emma* the King's Natural Siſter:) He alſo carried over with him *William* King of *Scots*, with the Earls of *Leiceſter* and *Cheſter*, and firſt impriſon'd them at *Caën*, but afterwards ſent them to the Caſtle of *Falais.*

[1.] *Id. ib.* The Old K. Lands at *Barfleur*, carrying with him 1000 *Welſhmen*, beſides *Brabanters.*

On *Sunday* following King *Henry* came to *Roüen*; upon the News of whoſe arrival, the King of *France* was much concern'd; as alſo at a bold Action of the *Welſhmen*, that ſtole out of the City by Night, and lying hid in a Wood, took Forty Waggons laden with Wine and other Proviſions for the *French* Camp, which by that Loſs ſuffer'd greatly.

Diſpoſes of his Priſoners in ſeveral Caſtles, & comes to *Roüen.*

The *Welſh* take a *French* Convoy of Wine and Victuals.

[2.] Hereupon King *Lewis* began to think of a Retreat; but the King of *England* opening the Gate which the Citizens had damned up, ſallied out of the Town, and marched to the *French* Camp; from whence the Souldiers iſſued out, and bravely charged the *Engliſh*, who took and wounded many of them, and kill'd many more. The next morning *William* Archbiſhop of *Sens*, and *Theobald* Earl of *Blois* came to King *Henry*, and ask'd his leave that the King of *France* might ſafely retreat with his Army to a place called *Malauny*, upon condition, that he would come the next day to treat with the King of *England*; and to do this, they both obliged themſelves by their Faith and Oaths: Whereupon the King of *France* retreated with his Army to the place appointed, and there pitched his Tents; but about Midnight he cauſed his Souldiers to march away privately, and never ſtopped till they came into *France*: King *Lewis* not at all regarding the Faith and Oaths of the Archbiſhop and Earl, by which they had gain'd ſo great an Advantage for him. This ſhameful Retreat, or rather Flight of the King of *France*, happened on the 14th of *Auguſt*. From whence we may take notice, that it is no new thing for the Kings of *France* to get thoſe Advantages by Treaties, which they never could have gained otherwiſe.

[2.] *Id p.* 309. *a.* The *Engliſh* beat the *French* before *Roüen.* The Siege raiſed.

The A. Bp. of *Sens* and E. of *Blois* ſwear, that the K. of *France* ſhould come next morning and treat with the K. of *England.*

But K. *Lewis* march'd away.

[3.] But for all this, ſome days after the ſame Archbiſhop and Earl came again to King *Henry*, and propounded a Second Treaty between Him and his Brother of *France* at *Giſors*, upon the Feaſt of the Nativity of the Virgin *Mary*, or Eighth of *September*; at which time they met, but could not agree, becauſe Earl *Richard* would not come to any reaſonable Terms of Peace, but continued taking and deſtroying his Father's Caſtles in *Poictou*: Wherefore the Two Kings appointed another

[3.] *Id. ib.* A 2d Treaty propounded, and held at *Giſors*, but it came to nothing, by reaſon of E. *Richard*'s Obſtinacy.

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The K. of *France* and Young King *Henry* ſwear, not to ſend him any Relief.

another Treaty on *Michaelmaſs*-day following between *Tours* and *Amboiſe*, upon this Condition, that in the mean while the King of *England* might march into *Poictou* to reduce his Son *Richard* to Obedience, the King of *France* and the Young King *Henry*, both ſwearing, that neither of them, nor any of their Party ſhould give or ſend him any Relief: But what ſhould be the reaſon why they thus deſerted Earl *Richard* I do not find, unleſs it were, that he had not ſtuck ſo cloſe to them, as they would have had him in this War.

[4.] *Id. ib. Richard* E. of *Poictou* flies before his Father, leaving his Caſtles and Fortreſſes.

[4.] As ſoon as King *Henry* came into *Poictou*, his Son *Richard* durſt not ſtand him, but fled from every place to which he was like to come, and left the Caſtles and Fortreſſes he had formerly taken; but when he had heard the King of *France* and his Brother had made a Truce with his Father, and excluded him, he was mightily concern'd at it, and immediately came, and with Tears threw himſelf at the Old King's feet, and begg'd his pardon; who being moved with a natural compaſſion, kiſs'd him and receiv'd him again into his Favour. This Peace was made between the King and his Son on the 23d of *September* at *Poictiers*; from whence they went to meet the King of *France* and Young King *Henry* at the Treaty that was to be held on *Michaelmaſs* day (as I ſaid a little above) to acquaint them with what had been now tranſacted.

At laſt throws himſelf at his Feet, begs pardon, and obtains it.

The Three Sons ſubmit to their Father's mercy.

Being all met according to the ſaid appointment, the Three Sons ſubmitted themſelves to their Father's Mercy, and they all agreed on theſe following Articles of Peace, which they confirmed with their Seals.

[5.] *Id. ib.* Articles of Peace between the Old K. and his Sons.

I. "That the Young King *Henry* and his Brothers, *Richard* and "*Geoffrey*, ſhould return to their Father's Obedience, notwithſtand- "ing any Oaths (from which they were alſo to be abſolved) they "had made formerly between themſelves, or with any others againſt "him, or his Vaſſals or Subjects.

* *Homines.*

II. "That all their * Tenants in Military Service, and Barons that "had for their ſakes receded from the Fidelity they owed to their "Father, were by them to be freed and acquitted from the Obliga- "tion of ſuch Oaths and Covenants as they had entred into with "them; and ſo were to return to the Homage and Allegiance of "their Lord the King.

III. "The King's Tenants and Barons were to have and enjoy "again all their Lands and Caſtles, *&c.* which they had been poſ- "ſeſſed of Fifteen days before the Rupture between the Father and "Sons: likewiſe the King's Barons and Tenants that had left him, "and followed his Sons, were to have again all their Lands which "they had at the ſame time.

IV. "King *Henry* the Elder promiſed to ſhew no ill will towards "his Barons and Tenants that had left him, nor to do them any "Prejudice, ſo long as they ſerved him faithfully as their Liege Lord: "The ſame the Young King promiſed to all Men, both Clerks and "Laicks, who were in his Father's Service; and gave his Word that "he would not procure their hurt or damage during his Life.

V. By

V. " By this Agreement the King was to give his Son *Henry* Two " convenient Caſtles in *Normandy*, ſuch as the Father ſhould appoint, " and Fifteen Thouſand pounds yearly of *Anjou* Money. And to " his Son *Richard*, Two convenient Caſtles in *Poictou*, ſo as no da- " mage might accrue to his Father from them, and in Money half " the Revenues of *Poictou*. To his Son *Geoffrey* he granted in Mo- " ney half the Revenues he was to have by his intended Marriage " with the Daughter of *Conan* Earl of *Bretaign*; and after he was " married to her, then the whole Revenue, according to her Fa- " ther's Charter. *Anno Dom.* MCLXXIV.

VI. " The Priſoners that had already compounded and made " their Agreements with the King, (that is) *William* King of *Scot-* " *land*, the Earls of *Leiceſter* and *Cheſter*, and *Ralph* of *Fougeres*, and " their Pledges, were exempted out of this Concord: but the other " Priſoners on both ſides were to be ſet at liberty, yet ſo, as the " King ſhould take Pledges of as many of them as he pleaſed, who " were able to give them; and of others he was to have their Fealty " and the Oath of themſelves and their Friends.

VII. " The Caſtles that were fortified at the time of the War, " were to be reduced to the ſame Condition they had been in for " Fifteen days before the War.

VIII. " That Young King *Henry* ſhould ſtrictly obſerve the Do- " nation made by his Father to his Brother *John*; (That is to ſay) " One Thouſand Pounds Yearly out of his Demeaſnes and Eſcheats " in *England*, the Caſtle of *Nottingham* with the County; the Caſtle " of *Marlborough*, with its Appurtenances; and in *Normandy* One " Thouſand Pounds *per Annum* of *Anjou* Money, with Two Caſtles " ſuch as his Father ſhould appoint; In *Anjou* out of the lands that " were the Earl of *Anjou*, One Thouſand Pounds yearly of *Anjou* " Money, and one Caſtle, and in *Tourain* one Caſtle, and in *Main* " one Caſtle.

IX. " The King for the love of his Son, pardoned all Forfeitures " of ſuch as had left him, and adhered to his Son, ſo that they " were not to anſwer for them; but for Murther, Treaſon, and " the loſs of a Member, they were to anſwer according to the Judg- " ment and Cuſtom of the Land: but if any one had forfeited any " thing before the War, he was to ſtand to Judgment for that; and " they who were engaged in any Plea, or Suit, the Plea or Suit was " to be in the ſame ſtate and condition it was before the War.

X. " King *Henry* the Son gave his Father ſecurity, that he would " keep this Concord; as did alſo He and his Brothers, that they " would not exact more of him againſt his Will than what he had " now granted to them, nor would ever withdraw themſelves, or " their Services, from his Obedience.

[2.] Then

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[1.] *G. B. Col.* 1099.

[1.] Then Earl *Richard* and *Geoffrey* the King's Sons did their Father Homage for thoſe Territories he had given them; but when King *Henry* his Son was going to do it, the Old King would not accept it, becauſe he ſaid *he was a King*; yet ſome time after his Father, upon their more perfect Reconciliation, received his Homage, as you will find by and by.

The K. of *France* included in the foregoing Articles, though not particularly mentioned.

The Reader muſt alſo obſerve, that the King of *France* was likewiſe comprized within this Treaty of Peace, though not particularly mentioned in the foregoing Articles, becauſe there was no occaſion for it; for he being the Aggreſſor, and having made War upon King *Henry* without any juſt grounds, upon the account of the Young King his Son-in-Law, whom he excited and aſſiſted againſt his Father, there needed no more than a Reſtitution of the Places he had taken from the King during this War, and to put things in the ſame ſtate they were in before it began.

During this War between *France* & *England*, and the Civil Wars at home, may be placed the General Defection of the *Iriſh* againſt King *Henry*.

During the continuance of this War between the Kings of *France* and *England*, and the Civil Wars that were raiſed here by Young King *Henry* againſt his Father, we may place the General Defection of the *Iriſh* Princes againſt King *Henry*, notwithſtanding the late Submiſſions and Homages they had made him; of which Wars and Diſturbances that aroſe by them theſe Two years laſt paſt, I ſhall give you this ſhort account from [2.] *Giraldus Cambrenſis*, without making any diſtinction between the Years wherein they were tranſacted, ſince our Author has not given us any exact time of them: Only this much is certain, That not long after the breaking out of that War, all the Princes of *Ireland* entered into a Confederacy to throw off the *Engliſh* Yoke, and to drive that Nation entirely out of their Country: to ſuppreſs which Inſurrection, and to reduce that Iſland again under its former Allegiance, King *Henry* firſt ſent over Earl *Richard Strongbow* with his Commiſſion; but he in a little while ſpent all the Treaſure he brought over with him; his Souldiers alſo, that were under the Conduct of *Harvey de Mont-Maurice*, then Conſtable or General, wanting their Pay, came unanimouſly to the Earl, affirming, that unleſs he would make *Raymond* their General again, they would preſently leave him, and either return into *England*, or go over to his Enemies.

[2] *L.* 2. A ſhort Account of it from *Giraldus Cambrenſis*.

The *Iriſh* Princes enter into a Confederacy to throw off the *Engliſh* Yoke.

A Deſection from *Richard Strongbow*, through his ill Conduct.

[3.] He being driven to this ſtraight, was obliged to make *Raymond* again Commander in chief of theſe Forces, with which he invaded *Ophaly*, and got much Plunder, recruiting his Souldiers both with Horſe and Arms; from thence he went to *Liſmore* (about Sixteen Miles from *Cork*,) and plundered that City and the Country about it; and having with their great Booty laden ſome ſmall Veſſels which came from *Waterford*, and other places, to carry it thither by Sea, in their Voyage they were ſet upon by the Inhabitants of *Cork*, who it ſeems, had privately mann'd out Thirty Two of their Ships to intercept them; whereupon there happen'd a very ſharp Engagement, but at length the Men of *Cork* were beaten, and their Admiral *Gilbert Fitz-Cutger* killed by *Philip Walſh*, a ſtout young Man; *Raymond* was not in this Rencounter, but in his Return to *Waterford* by Land, meeting with *Dermot Mac-Carty*, Prince of *Deſmond*, coming to the aſſiſtance of the *Corkiſts*, they Fought, and *Dermot* being vanquiſh'd, left the Field, and *Raymund* return'd to *Waterford* with Four Thouſand Head of Cattle.

[3.] *Ibid.* C. 2. *Raymond* again made Commander in Chief.

Invades *Ophaly*, and gets much Plunder.

The like he does to *Liſmore*.

The Men of *Cork* beaten, and their Admiral kill'd.

Raymond vanquiſhes *Dermot Mac-Carty*, and returns to *Waterford* with 4000 Head of Cattle.

[4] Soon

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[4.] Soon after this, He receiving Intelligence that his Father *William Fitz-Girald* was dead, went over into *Wales* to look after his Affairs there, and in his abſence *Harvey* of *Mont-Maurice* was again made Conſtable or Commander in chief of theſe Forces; who, that he might ſeem to do ſomething extraordinary, drew Earl *Richard* and the Souldiers with him to *Caſſils*, where the Forces of *Dublin* were Commanded to meet them. In their March thither, they quartered one night at *Oſſory*, and *Donald O Brien*, Prince of *Limerick*, having certain notice of it by his Scouts, very early in the morning beat up their Quarters on the ſudden, and kill'd Four Hundred *Oſtmans*, (i. e. *Norwegians* or *Danes*, who then lived in and near *Dublin*) with Four Knights that Commanded them; which the Earl hearing of, he return'd in diſorder to *Waterford*.

[4.] *Id.* C 3. He upon his Father's death, goes into *Wales*; and *Harvey Mont-Maurice* made Commander in Chief in his room.

Donald O *Brien* on a ſudden ſets upon his & E. *Richard*'s Forces, and gains a notable Victory.

Upon this unfortunate Accident the whole People of *Ireland* unanimouſly roſe againſt the *Engliſh*, ſo that the Earl lay as it were block'd up in *Waterford*, whilſt *Rodoric* Prince of *Connaught* paſſed the River *Shannon*, invaded *Methe*, demoliſhed the Caſtles, and with Fire and Sword waſted the Country almoſt to the very Walls of *Dublin*.

The *Iriſh* upon this, revolt againſt the *Engliſh*.

Prince *Rodoric* invades *Methe*, and waſtes the Country, almoſt to *Dublin*.

[5.] The Earl finding himſelf in a great ſtreight, wrote into *Wales* to *Raymond*, deſiring him to return with all ſpeed, and bring over what Aid he could; and that upon his firſt Landing he ſhould receive in Mariage his Siſter *Baſilia*, whom he had been long in love with: Whereupon He with all poſſible ſpeed, and *Meyler* his Coſin, and Thirty Gentlemen more of his Kindred, beſides One Hundred Horſe and Three Hundred Archers, took Shipping in Fifteen Veſſels, and Landed at *Waterford*.

[5.] *Ibid.* C 4. The E. deſires *Raymond*'s return, and promiſes him his Siſter in Mariage.

So ſoon as *Raymond* entered the Town, he with his Forces conducted the Earl to *Wexford*, leaving the Government of *Waterford* to one *Tyrrell*; his Chriſtian Name was *Hugh*, and he was Anceſtor to the *Tyrrells* of *Ireland*. But after this Earl's departure, the *Oſtmen* of *Waterford* taking up Arms, murther'd him, with many of his Followers, and did the like to all the *Engliſh* they could find in the Streets: yet for all this the City was preſerv'd by thoſe few *Engliſh* that remain'd in the Caſtle call'd *Reginald*'s Tower, who drove the Traytors out of the City, and forced them to accept of Peace on harder terms than they expected.

The *Oſtmen* of *Waterford* murther *Hugh Tyrrell* their Governor, and all the *Engliſh* they met with.

In the mean time *Raymond* was married at *Wexford* to the Earl's Siſter, and the day after his Nuptials hearing that *Rodoric* King of *Connaught* had again deſtroyed *Methe*, and was marched into the Country near *Dublin*, He preſently advanced his Forces toward him, but *Rodoric* was wiſer than to ſtay for his coming. *Raymond* finding him thus retired, repaired the Caſtles in *Methe*, and brought things to ſuch a paſs, by the dread they had of him, that that turbulent Nation for ſome ſhort time was kept in peace.

Raymond married to the Earl's Siſter.

The next day he is forc'd to go againſt *Rodoric* K. of *Connaught*, whom he makes to fly.

But it was not long ere *Donald O Brien* (or *O Brin*) King of *Limerick* and *Munſter* quitted the Fealty he had ſworn to the King of *England*; whereupon *Raymond* gathering together an Hundred Knights or Men at Arms, and Twenty other Horſemen for his Guard, beſides Three Hundred Archers on Horſeback, and as many on Foot, about the beginning of *October* attacked *Limerick*; but coming to the River *Shannon* (which is there very deep, and almoſt encompaſſeth the City) they could proceed no further. At this Stand one *David*

[1.] *Id. Cap* 8. *Donald* breaks his Oath made to K. *Henry*. *Raymond* attacks *Limerick*.

David Welſh his Courage.

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Welſh (* call'd ſo from his Country, not his Family) a Courageous young Gentleman, that valued not Death ſo he could but gain Honour, firſt forced his Horſe into the River, and paſſing quite over, cried out to the Army, that *he had found a Ford*; but when he ſaw none durſt follow him, but one *Geoffrey Judas* a Common Souldier (who was drowned in the attempt) he return'd back. *Meyler*, Nephew to *Raymond*, ſeeing this, and envying the Honour that *David Welſh* had thereby gained, clapt Spurs to his Horſe and daſh'd through the River, notwithſtanding the great Danger he ran by the Stones that were thrown at him from the Walls, and the Oppoſition he was to meet with at his Landing; but he got ſafe over, and was preſently encounter'd by the Enemy: *Raymond* indeed was not then upon the place, but ſoon after marching up, and obſerving what danger his Nephew was in, he encouraged his Army, and led them over the River, himſelf firſt taking the Stream, and with the Loſs only of Two of his Guards and one Common Souldier that were drowned in their paſſage, he quickly drove the Enemy into the City, which with great ſlaughter of the Citizens he took by Storm, and there the Army met with a great deal of rich Booty.

* *Natione Cambrienſis non Cognatione.*

Meyler's Envy of him for it.

Raymond leads his Army over the River,

And takes *Limerick.*

[2.] *Ibid.* C. 10

[2.] As ſoon as *Raymond* had put the City into ſome good poſture of defence, and left there Fifty Knights, or Horſemen, with Two Hundred ordinary Souldiers, and as many Archers, under the Command of *Miles* of *St. Davids*, he return'd back to *Leinſter*: And here, I ſuppoſe, we may put a period to the *Engliſh* Conqueſts in *Ireland* during this Year; for what follows, moſt likely happen'd in the next ſucceeding, for our Author has been too remiſs in not ſetting down the Years when theſe things were tranſacted.

And when he had put the City into ſome good poſture of defence, he return'd to *Leinſter.*

[3.] *B. A.*

[3.] As for Eccleſiaſtical Affairs, this Year affords little in *England*, ſaving that *Richard* the Archbiſhop Elect of *Canterbury*, and *Reginald* Biſhop of *Bathe*, being arrived at *Rome*, about the Confirmation of their own Elections (as well as thoſe of divers Biſhops) the Pope, notwithſtanding all the oppoſition that young King *Henry*'s Ambaſſadors could make, did not only approve of and confirm them, but alſo conſecrated the Archbiſhop of *Canterbury* with his own Hands, as appears by a Letter of *Reginald* Biſhop of *Bathe* to King *Henry* the Father, which Abbot *Benedict* has given us at large: But it is now time to return to the reſt of King *Henry*'s Actions, during his Abode beyond Sea.

The Pope Conſecrates *Richard* the A. Bp. of *Canterbury* with his own hands.

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[4.] At *Chriſtmaſs* the King was at *Argenton* in *Normandy*, and from thence ſent his Son Duke *Richard* into *Poictou*, to reduce the Caſtles of his Earls and Barons (which they had fortified againſt him) to the ſame condition they were in before the War, and to demoliſh ſuch as he thought fit; and by his Letters order'd the Forces of *Poictou*, with his Bayliffs and Miniſters, to be aſſiſtant to him in that Enterprize.

[4.] *B. A. R. H.* K. *Henry* ſends his Son *Richard* into *Poictou*, to demoliſh the Caſtles of the Earls and Barons that had been fortified againſt him.

On the 2d of *February* the Two Kings, Father and Son, were at *Mans*, and from thence came into *Normandy*; and the Four and twentieth of that Month they had a Conference with the King of *France* at *Giſors*, and then afterwards went to *Roüen*, where King *Henry* the Elder left his Son, and proceeded on to *Anjou*; where having fortified his own Caſtles, demoliſhed ſome Others, and reduced the Reſidue to their former ſtate, He came to *Caën*, and ſent for the King his Son to meet him

him there, in order to their going over together into *England*: But at first he refuſed, upon the malicious ſuggeſtions of the Envoys from the King of *France*, and other diſaffected People, who rumour'd, that if his Father once got him thither, he would put him in Priſon; but the King plying him with many kind Meſſages, ſo prevailed upon him, that at laſt he came to him to *Bure*, and there before the Archbiſhop of *Roüen*, *Henry* Biſhop of *Bayeux*, *William* Earl of *Mandeville*, *Richard Humet* Conſtable of *Normandy*, and divers other of the King's Friends and Great Officers; he threw himſelf with Tears at his Father's Feet, beſeeching him to receive his Homage and Allegiance, as he had done his Brother's, for before (as I have ſaid) his Father would not ſuffer it, becauſe he was a King as well as himſelf; adding, that if He would not receive his Homage, he could not believe he had any kindneſs for him; at length, by the perſwaſion of thoſe about him, the Old King received his Homage and Allegiance; and then ſent him to the King of *France* to diſcourſe him about ſome affairs, whilſt he himſelf went to *Valoingues*, and from thence to *Cherbourgh*, where his Son met him; and from thence they both went to *Caën* to meet *Philip* Earl of *Flanders*, who there deliver'd up the Charter of the Donation of the Lands and Rents formerly granted to him by the Young King; upon which they Both confirmed to him the Thouſand Marks Revenue he uſed to receive in *England* before the War. From *Caën* they both went to *Barfleur*, and from thence paſſed over into *England* in the ſame Ship, and Landed at *Portſmouth* on the Ninth of *May*.

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The Young K. unwilling to go with his Father into *Normandy*, through the wicked Suggeſtions of diſaffected Perſons.

But at length is prevailed upon, and meets him at *Bure*.

And does Homage to the K. his Father.

They both come for *England*.

[5.] But before King *Henry* left *Normandy*, he ſent his Son Earl *Geoffrey* into *Bretaign*, Commanding him to demoliſh all the Caſtles and Fortreſſes that had been fortified againſt him in that Dukedom. So ſoon as they came to *London*, which was at the latter end of *May*, they were both preſent, and aſſiſted at a Synod of the Clergy: of which I ſhall ſay more anon.

[5.] *Id. ib* The Father ſends E. *Geoffrey* into *Bretaign* to demoliſh the Caſtles, *&c.* that had been there fortified againſt him.

[1.] The King impeached the Earl of *Glouceſter* in his Court, for that he had forced his Souldiers out of the Caſtle of *Briſtol*, and kept it in his hands during the time of the War; but he willing to ſatisfy the King, ſurrender'd that Caſtle into his Hands. He likewiſe impleaded all the Earls, Barons, Clerks and Laicks of *England*, concerning their Forfeitures in his Foreſts, and for hunting in the time of War, and cauſed them all to be Fined, notwithſtanding *Richard de Lucy*, Juſticiary of *England*, appeared on their behalf, and vouched the King's Mandate from beyond Sea, by which he was impower'd to grant them ſuch Licences.

[1.] *B. A.* The K. impeached the E. of *Glouceſter*.

Who Surrenders the Caſtle of *Briſtol* to him.

He likewiſe impleads all the Earls, Barons, Clerks and Laicks in *England*, for their Forfeitures in his Foreſts.

[1.] *B. A. R. H. p.* 311. *b.*

[2.] In the beginning of *Auguſt* following, the Two Kings came to *York*, where they were met by *William* King of *Scots* and *David* his Brother, with all the Biſhops, Earls, Barons, Knights and Franc-Tenants of *Scotland*, from the greateſt to the leaſt. The Buſineſs of this Great Meeting was to renew the late Peace and Agreement the King of *Scots* had made with the King of *England*, when he was his Priſoner at *Falais* in *Normandy*, which was reduced into writing under certain Heads or Articles, and agreed to by the King of *Scots* before the King and his Son, and *Roger* Archbiſhop of *York*, *Hugh* Biſhop of *Durham*, and moſt of the Earls and Barons of *England*, as

Both Ks. meet at *York*.

Where the K. of *Scotland* and *David* his Brother met them, to renew the Peace and Agreement the K. of *Scots* had entred into, whilſt he was his Priſoner at *Falais*.

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also before the Biſhops, Abbots, Earls and Barons of *Scotland*, and was to this effect.

The *Scotch* Brothers do Homage to K *Henry*, Father and Son.

I. That the King of *Scotland* and *David* his Brother did Homage to King *Henry* for all the Territories they were poſſeſſed of, namely, *Scotland* and *Galway*, and did ſwear Allegiance and Fealty to him againſt all Men; the like they did to *Henry* his Son, ſaving the Allegiance and Fealty they bore to his Father.

All the Bps. & Abbots of *Scotland* ſwear Allegiance and Fealty to them & their Heirs for ever.

In like manner did *Richard* Biſhop of St. *Andrews*, *Jocelin* Biſhop of *Glaſco*, with all the reſt of the Biſhops and Abbots of *Scotland*, ſwear Allegiance and Fealty to both Kings of *England*, and their Heirs for ever.

And ſwear, that if their K did not obſerve the ſaid Agreement, they would *Interdict* his Land.

II. The ſame Biſhops further ſwore, That if the King of *Scotland* obſerved not this Agreement with the King of *England*, they would put him and his Land under an *Interdict*, until he ſubmitted himſelf to his good pleaſure. They alſo ſwore, That they would continue the ſame Subjection to the Church of *England*, which their Predeceſſors were uſed to obſerve, or ſuch Subjection as was due unto it.

They likewiſe ſwear Subjection to the Church of *England*.

The Earls & Barons of *Scotland* ſwear Allegiance to both the Ks. of *England*.

III. In like manner, the Earls and Barons by Command of the King of *Scotland* did Homage, and ſwore Allegiance and Fealty to both Kings againſt all Men, (*viz.*) Earl *Duncan*, the Earl of *Angus*, Earl *Waltheof*, and the other Earls and Barons: They all likewiſe ſwore, That if the King of *Scotland* ſhould recede from this Agreement, they would aſſiſt the King of *England* againſt him until he made ſatisfaction according to his Will.

And if their K. did not ſtand to this Agreement, they would then aſſiſt the K. of *England*.

[3.] *Id. ib.*

[3.] Then the King cauſed this Agreement which had been before made in *Normandy* to be new ſeal'd, and confirm'd by the King of *Scots* and his Brother *David*; but he would not truſt to this Charter alone, but had cauſed the King of *Scots* before this to deliver into his hands the Caſtles of *Rokesburgh*, *Berwick*, *Gedworth*, *Edenburgh*, and *Sterling*, which were to be maintain'd by a proportionable allowance out of the Revenues of the King of *Scotland*, by Aſſignment of the King of *England*, as it is expreſsly mention'd in the ſaid Articles; for the performance of which, Earl *David* the King's Brother, Earl *Duncan*, and divers other Earls and Barons of *Scotland*, were to be deliver'd as Hoſtages, till the Caſtles were ſurrender'd, and then they were to be ſet at Liberty, each of them delivering his Eldeſt Son or Nephew in his room.

This Agreement between the Ks. of *England* and *Scotland*, new ſealed.

And ſeveral Cautionary Towns and Caſtles put into the K. of *England*'s hands for greater Security.

And ſeveral Hoſtages to be given till the ſaid Caſtles were ſurrendred.

This Agreement was firſt made and ſeal'd at *Falaiſe* before the King of *Scots* was ſet free, and witneſſed by ſeveral Biſhops, Abbots, and other Dignified Clergymen; as alſo by the Earls *Richard* and *Geoffrey*, King *Henry*'s younger Son, and other Earls and Barons, as well of *England* as of *Normandy*.

This Agreement firſt made & ſealed at *Falaiſe*.

This Charter is the more remarkable, becauſe it is the Firſt wherein we find it expreſsly mention'd, That the King of *Scots* did Homage to the King of *England* for all *Scotland*, and not for thoſe Earldoms or Counties which were held of him before. But againſt this the *Scotiſh* Hiſtorians object, That it was objected by *Dareſs*, whilſt their

their King was detain'd in Priſon by the King of *England*, and ſo it could not oblige Him, much leſs his Succeſſor to obſerve it: And as for the Biſhops and other Great Men's voluntary acknowledgment of it, *Buchanan* has no way to get off from it, but by imputing it to the great deſire the *Scots* had of enjoying an excellent King: but this Excuſe will not ſerve their turn, ſince, according to his own ſhewing, the King of *Scots* had been ſet free in the beginning of *February* before, upon his giving Fifteen Hoſtages, and the Four Caſtles abovemention'd; ſo that the Clergy and Nobility of *Scotland* could not join in this Acknowledgment out of a deſire to enjoy the King, but either becauſe they were convinced that this Homage for *Scotland* was truly due, or elſe that they were then over-aw'd by the great Power of the King of *England*, who had already poſſeſs'd himſelf of moſt of the ſtrong Places in *Scotland*: But upon which of theſe Motives they did it, I will not take upon me to determine.

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The *Scotch* pretend this to be got by *Dureſs*, whilſt their K. was a Priſoner.

But this Excuſe of theirs is frivolous and groundleſs.

[4.] After the diſpatch of this important Affair at *York*, King *Henry* gave the King of *Scots* leave to march with his Army into *Galoway*, to ſubdue *Gilbert*, Son to *Fergus*, Prince of that Country, who, upon the King of *Scot*'s being taken Priſoner, had rebelled againſt him, and driven out his Bailiffs or Officers, and taken and deſtroyed his Caſtles, with the Men that were in them; and for a farther aggravation of his crime, had by his Son *Malcolm* wickedly murther'd his Brother *Uchred*. Whilſt theſe things were tranſacting in *England*, the Earls *Richard* and *Geoffrey*, the King's Sons, were both employ'd in Military Services; the Former in reducing and demoliſhing the Caſtles of *Poictou*, which had been held and fortified by their Owners againſt the King his Father during the late Wars; and the Latter in doing the ſame to the like Caſtles in his Earldom of *Bretaign*.

[4.] *B. A. C. B.* The K of *England* gives the K. of *Scotland* leave to go into *Galoway*, to ſubdue *Gilbert*, who had rebelled againſt him.

E. *Richard* during this time, was employ'd in demoliſhing the Caſtles of *Poictou*.

And E. *Geoffrey* in doing the ſame to thoſe in *Bretaign*.

[5.] Preſently after *Michaelmaſs* King *Henry* ſummon'd a Great Council at *Windſor*, where were preſent both the Kings, with *Richard* Archbiſhop of *Canterbury* and all the Biſhops of *England*; as alſo *Laurence* Archbiſhop of *Dublin*, and all the Earls and Barons of *England*; in which Council *Catholicus* Archbiſhop of *Tuam*, *Canthard* Abbot of St. *Brandon*'s, and Maſter *Laurence* Chancellor to *Rodoric* King of *Connaught*, being ſent Ambaſſadors from that King, made an Agreement between King *Henry* and their Maſter, to this effect.

[5.] *R. H. p.* 312. *b.* The K. Summons a Great Council at *Windſor*. Wherein the Ambaſſadors of the K. of *Connaught* make an Agreement with the K. of *England*.

I. The King of *England* grants to the ſaid *Rodoric* his Liegeman or Vaſſal, that ſo long as he faithfully ſerved him, he ſhould be King under him, ready at all times to do him ſervice, and that he ſhould hold his Country as quietly as he held it before his Lord the King of *England* enter'd *Ireland*, paying to him his Tribute, and ſhould alſo keep all the Inhabitants under his Obedience, and make them pay their Tribute to the King of *England*; and they ſhould all retain their Eſtates ſo long as they continued in the Fealty of the King of *England*, and paid him his Tributes and other Rights by the Hand of the King of *Connaught*: but if any of thoſe People ſhould prove Rebels to the King of *England*, and refuſe to pay him his ſaid Tribute, or ſhould depart from their Fealty, the King of *Connaught* himſelf was to do Juſtice upon them, or to remove them; and if he could not do Juſtice upon them, the Conſtable of the King of *England* and his Depen-

The K. of *England* grants to *Roderic* to hold the Kingdom of *Ireland* under him, at all times to be ready to ſerv him, *&c.*

And all Men there to retain their Eſtates, ſo long as they continued in their Fealty to the K. of *England*, and paid him his due Tribute.

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Dependants in that Country ſhould help him to do it, if thereunto required, and that there were neceſſity for it.

The K of *Connaught* to pay yearly the Tenth Hide of every Beaſt made ſaleable for the Merchant.

II. To this end alſo the King of *Connaught* ſhould render to the King of *England*, yearly as his Tribute, the Tenth Hide of every Beaſt kill'd, that was made ſaleable for the Merchant, and that as well out of his own Land or Country, as out of Others; always excepted what the ſaid King of *England* held in his own Demeſnes, or in that of his Barons, (to wit) the Counties of *Dublin* and *Methe* with their Appurtenances; alſo except *Wexford* with its Appurtenances; and except *Waterford* with all that Country, *Dungarven* excluded.

Except what the K. of *England* held in his own Demeſnes, or in that of his Barons.

And except *Wexford* and *Waterford*.

The *Iriſh* that had fled might return in peace, paying the ſaid Tribute, and doing their antient Services.

III. If the *Iriſh* who fled away, would return to the Service of the Barons of the King of *England*, they might do ſo in peace, paying the ſaid Tribute, and doing their antient Services; but if any of them ſhould refuſe to come to their Lord the King of *Connaught*, he might compel them to return to his Lands, yet ſo as then to remain in peace; and the King of *Connaught* might receive Pledges of all thoſe whom the King of *England* had committed to him; and He likewiſe ſhould give as Pledges either Thoſe or Others (according to the Will of the King of *England*,) and they ſhould ſerve the King about his Hawks and Hounds, and not retain any of the King's Land againſt his Will and Commandment. This Agreement was witneſſed by *Richard* Biſhop of *Wincheſter*, *Laurence* Archbiſhop of *Dublin*, and Others of the Lay-Nobility.

The K of *Connaught* might receive Pledges of all thoſe the K. of *England* had committed to him.

[1.] In the ſame Council the King conferred upon Maſter *Auguſtine*, an *Iriſh-man*, the Biſhoprick of *Waterford* then vacant, which was the Firſt Biſhoprick that ever any King of *England* beſtow'd in *Ireland*, as I can any where find.

[1.] *Id. p.* 313. *a.* In the ſame Council the K. of *England* conferred the Biſhoprick of *Waterford* upon an *Iriſh-man*.

I have been the more particular in putting down this Agreement; becauſe it does not only hereby appear, what were the King of *England*'s Dominions at that time, diſtinct from thoſe of the King of *Connaught*, but alſo upon what terms He and his Subjects were to hold all that they enjoyed under the King of *England*; and it hereby further appears, that this Agreement was made after the late Peace concluded between King *Henry* and King *Rodoric*.

[2.] *G. C. L.* 2. *c.* 10.

For the better underſtanding of which piece of Hiſtory, it is fit that we give the Reader an Account of what happen'd in *Ireland* ſince the laſt year, when *Raymond* met with ſuch mighty Succeſs at *Limeric*; [2.] not long after which *Harvey* of *Mont-Maurice* envying his great Merits, and the Honour he had gain'd, (notwithſtanding he was related to him by the Mariage of his Coſin *Neſta*, the Daughter of *Maurice Fitz-Girald*) ſtill plyed the King with ſecret and malicious Informations againſt him, inſinuating and affirming, that he would not only ſubdue and uſurp to himſelf and Followers the whole Country of *Limeric*, but the whole Kingdom of *Ireland*.

Harvey of *Mont-Maurice*, through Envy of his great Merits, endeavours to undermine *Raymond*.

Inſinuating, as if he aim'd to ſubdue all *Ireland* for Himſelf.

The King too much crediting theſe falſe Informations, ſent Four Commiſſioners, (to wit) *Robert Poer*, *Osbert de Hereford*, *William de Bendinge*, and *Adam de Gernman* (or rather *Gernemue*,) whereof Two were to come back with *Raymond* (who was then recalled into *England*) and Two to ſtay behind with Earl *Richard*.

But

But it ſo happen'd, [3.] that while *Raymond* was preparing for his paſſage over, Meſſengers came from the Gariſon in *Limeric* with the News that *Donald O Brien*, Prince of *Tuomond*, with a great Multitude had beſieg'd, or rather inveſted it; and that during the laſt Winter, they had ſpent moſt of their Victuals, and therefore deſired ſudden Relief: Whereupon the Earl was very ſollicitous to relieve them, and therefore called upon and quickened the Army to go to their Aſſiſtance; but they all denied to march, without *Raymond* went along with them. Upon this the Earl adviſing with the King's Commiſſioners what was beſt to be done, at length, by the earneſt Entreaties of them all, *Raymond* undertook the Service, and marching towards *Caſſil*, with Eighty Knights or Men at Arms, and Two Hundred ordinary Horſe, and Three Hundred Archers, beſides the *Iriſh* whom he brought with him, (to wit) *Murchard* Prince of *Kinſel*, (now *Kinſale*,) and *Donald* Prince of *Oſſery*, he heard by the way that *Donald* Prince of *Tuomond* had left the Siege of *Limeric*, and was coming to meet him at the Paſs of *Caſſil*, which was of it ſelf very ſtrong, but by digging new Ditches and cutting down Trees, and therewith making a ſtrong Barricado acroſs it, 'twas made almoſt impaſſable.

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[3.] *Id. C.* 11. *Donald* beſieges *Limeric.*

Raymond undertakes the Relief of it.

Donald leaves the Siege.

[4.] The Army marched in Three Diviſions, *Meyler* his Nephew Commanded the Firſt, who made ſuch a furious On-ſet at the Paſs, that he almoſt levell'd the *Iriſh* Barricado; and killing many of thoſe within, opened his way through it by the Sword. This was on *Eaſter*-Eve, and on *Thurſday* that week he entered *Limeric* with his victorious Army, and repaired what had been ruined or deſtroyed by the Siege.

[4.] *Ib. C.* 13. *Meyler* with his Army enters *Limeric.*

[5.] Not long after *Raymond* had Conference with the Princes of *Connaught* and *Tuomond* on the ſame day, but not in the ſame place; and after much diſcourſe, each Prince gave Hoſtages, and ſwore inviolable Fidelity for the future to the King of *England*, and his Heirs; at the End of which Treaty, it is very probable, that the King of *Connaught* ſent to King *Henry* the Ambaſſadors lately mention'd, to make a full concluſion of the late Peace which had been agreed on in *Ireland.*

[5.] *Id. ibid. Connaught* and *Tuomond* ſweat Fealty to K. *Henry.*

[1.] No ſooner was *Raymond* return'd with his Hoſtages to *Limeric*, but *Dermot Mac-Carty*, Prince of *Deſmond*, ſent to deſire his Aſſiſtance againſt his Eldeſt Son *Cormach O Lechan*, who had almoſt drove him out of his Kingdom, promiſing him and his Souldiers large Rewards. *Raymond* at firſt adviſed with his Friends about this Propoſal, and then march'd to *Cork*, took the Town, ſubdu'd the Rebel-Son, and reſtoring the Father to his Poſſeſſions, return'd with much Booty to *Limeric*: yet after this, under a pretence of Peace, the Son took his Father and kept him in Priſon; but he not long after getting his Liberty, under the ſame pretence got his Son into his Power, and cut off his Head.

[1.] *Id. ib. Raymond* aſſiſts *Dermot Mac-Carty* againſt his Rebellious Son.

The Son takes his Father, and keeps him in Priſon.

The Father ſoon after gets him, & chops off his Head.

Thus when Children have once diſcharged themſelves of thoſe Bonds of Gratitude and Duty which they owe to their Parents, and they likewiſe (provoked by their Children's diſobedience) have put off that Love and natural Affection they ought to have towards their Children, there is nothing ſo Cruel and Barbarous, which they will not act againſt each other.

[2.] There

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[2.] There happen'd nothing more conſiderable this Year in Temporal Matters, unleſs it were the deceaſe of *Reginald* Earl of *Cornwall*, natural Son to King *Henry* the Firſt; who, though he was made Earl by King *Stephen*, yet revolted from Him to the Empreſs *Mathylda* his Siſter, and aſſiſted Her and her Son Duke *Henry*, during the Wars they maintain'd againſt Him; after whoſe Death, King *Henry* ſucceeding to the Crown, the Earl ſerved him faithfully in all his Wars both Foreign and Domeſtick. He ſeems to have been a Prince of great Worth and Courage; yet notwithſtanding all theſe good Services, the King would not ſuffer the Vaſt Eſtate he left behind him to be divided among his Daughters, but reſerved it for his Younger Son Earl *John*; and beſtowing on them a part of their Fathers fortune, he married them to ſome of the prime Noblemen of the Kingdom.

[2.] *R. H. p.* 313. *a.* *Reginald* E. of *Cornwall* deceaſes.

His Great Eſtate not ſuffered to be divided among his Daughters, the K. reſerving it for his Son *John*, and marries them to the firſt Nobility.

[3.] But to ſay ſomewhat of the Eccleſiaſtical Affairs of this Year. Immediately after the King's return out of *Normandy*, (as you have already heard) there was about the End of *May* a Council or Synod held at *Weſtminſter* by *Richard* Archbiſhop of *Canterbury*, conſiſting of all the Clergy of the Province of *Canterbury*; but neither the Archbiſhop of *York*, nor any of his Suffragans, were at it. Herein ſeveral Canons were made for the Reformation and better Diſcipline of the Clergy: which being only in Confirmation of ſeveral Foreign Decrees of Popes and Councils, and alſo few of them relating to the Laiety, I ſhall but recite ſome brief Heads of the moſt conſiderable Matters of them, and thoſe chiefly of ſuch as concern the Laiety.

[3.] *B. A. C. G. R. H. p.* 310, 311.

A Synod held at *Weſtminſter* of all the Clergy of *Canterbury*.

Several Canons made there for the better Regulating of the Clergy.

1. Againſt their Concubinage, or Marrying.

The *Firſt* is againſt Men in Orders keeping Concubines, or marrying Wives, both which they were to put away.

2. Againſt going to Taverns.

The *Second* is againſt Clergymen's Eating or Drinking in Taverns.

3. Againſt being concern'd in Cauſes of Blood.

The *Third* againſt Men in Orders, their aſſiſting in any Judgments concerning Blood or Loſs of Members.

4. Againſt their Merchandizing.

The *Fourth* is, That Monks and Clerks were hereby forbid to exerciſe Merchandize for Gain.

Things that concern'd the Laiety.

There were beſides theſe ſeveral others, relating to the manner of the Church Service, and againſt Receiving the Euchariſt, tinged or dipped in the Wine. But as for thoſe which concern the Laiety, theſe were the chief: That none ſhould transfer a Church to another under the Title of a * *Dowry*, or take Money for the Preſentation of any perſon, under pain of a perpetual Forfeiture of the Patronage to the ſaid Church. Alſo to enjoyn Payment of Tythes of Grain, Wine, and all other things therein mentioned; and that thoſe that fail to pay them, after a Threefold admonition, ſhould be Excommunicated: Alſo againſt Clandeſtine Mariages; and that if any Prieſt ſhould be found to marry Folks privately, he ſhould be ſuſpended for Three years.

* *Dotalitium.*

Transferring of Churches.

For payment of Tythes.

Againſt Clandeſtine Marriages.

Laſtly, Againſt Children's Marrying before they arrived at the years of Conſent appointed by the Canons.

And Children's marrying before the Years of Conſent.

Now for the reſt, I refer the Curious Reader to *R. Hoveden* and *Gervaſe* of *Canterbury*, where he may find them at large.

[3.] In

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[4.] In this Council they alſo debated the Right the Archbiſhop of *York* claimed to carry his Croſs upright in the Province of *Canterbury*, with other matters of no great moment; which not being able to be decided by this Synod, an Appeal was made to the Pope about it by the Archbiſhop of *York*.

[4.] *Id. ib.* The Right of the A. Bp. of *York*'s carrying his Croſs upright in the Province of *Canterbury*, debated.

The A. Bp. of *York* appeals to the Pope.

[5.] After this, a little before the Feaſt of *All-Saints*, Cardinal *Hugo* (or *Hugezon*) the Pope's Legate, at the King's Requeſt came into *England*, and waited on him at *Wincheſter*, to compromiſe the Diſpute between the Two Archbiſhops; and at length, through the King's Mediation it was agreed, that the Archbiſhop of *Canterbury* ſhould releaſe his Claim to the Chappel of St. *Oſwald* in *Hereford*, and Abſolve the Archbiſhop of *York*'s Clerks, whom he had *Excommunicated*: But as to the carrying the Croſs and the other Controverſies above-mention'd, they were to ſtand to the Judgment of the Archbiſhop of *Roüen* and other neighbouring Biſhops of *France*. Then alſo the Legate granted the King Power of impleading Clerks for Offences committed in his Foreſts, and for killing his Deer.

[5.] *B. A. R. H. p.* 313. *a.* *Hugo*, the Pope's Legate, comes into *England* to compromize the matter between the two A. Bps.

After this the Legate having the King's ſafe Conduct, went his Circuit about *England*, to viſit not only the Two Metropolitan Sees, but alſo the reſt of the Biſhopricks and Abbies.

He goes his Circuit about *England*.

But it ſeems [1.] the main Buſineſs for which this Legate was ſent over (if we may believe *Gervaſe* of *Canterbury*, who alone gives us this Relation) was, That the King, who now had an Averſion for his Queen, becauſe that great part of his late Troubles had happen'd through her procurement, (and for which he kept her under ſafe Cuſtody in a ſtrong Caſtle,) labour'd all he could to obtain a Divorce from her, and to that end had ſent for the Legate, whom he endeavour'd to gain over to him by Gifts and other Methods, but he could not effect it. [2.] However, to give the King ſome ſatisfaction, the Legate then granted Him free Leave and Authority to proſecute the Clerks before a Secular Judge for Forfeitures incurr'd by Hunting in his Foreſts; for which Conceſſion our Monkiſh Writers ſharply enough enveigh againſt this Legate.

[1.] *G. G. Col.* 1432. The main deſign of the Legate's coming over.

But all to no purpoſe.

[2.] *Id. ib. G. B.* He gives the K. leave to proſecute his Clerks before a Secular Judg for Forfeitures upon hunting in his Foreſts.

The Synod being ended, both the Kings went on Pilgrimage to St. *Thomas*'s Tomb, and at their return kept their *Whitſontide* at *Reading*; from whence the King ſent one of his Clerks, call'd *Roger* of *Hoveden* (our Hiſtoriographer) to *Norwich*, and other Abbies, that were then vacant, commanding thoſe Convents to ſend up their Prior, with Five or more of the wiſeſt and diſcreeteſt Monks to meet the King and the Archbiſhop of *Canterbury* on *Midſummer*-day at *Oxford*. The Archbiſhop alſo wrote Letters to the ſame Religious Perſons to the like effect: Afterwards follow the Names of the Biſhopricks and Abbies then vacant, (*viz. Norwich*, *Abingdon*, with the reſt of them, needleſs here to be recited.

The K ſends to the Vacant Abbies, for the Priors and ſo many Monks to meet him on Midſummer-day at *Oxford*.

The A. Biſhop writes Letters to them to the ſame effect.

[3.] In the mean time the Two Kings went to *Glouceſter*, and there held a Great Council, with *Rees ap Griffin* and the other Kings or Princes of *Wales*; and there King *Henry* Commanded all his *Welſh* Vaſſals or Tenants, That if any of their Countrymen at any time ſhould begin to wage War or commit Violence there, every Man ſhould be oblig'd to oppoſe and reſiſt them; to the obſervance of which, the King made the Earl of *Glouceſter*, with *William de Breüſe*, and all his other Barons in thoſe Parts, to ſwear upon the Holy Goſpels.

[3.] *Id. ibid.* A great Council held at *Glouceſter*, with the Princes of *Wales*.

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a Synod at *Woodſtock*, about the Choice of a Bp of *Norwich*, &c.

From hence He came to *Woodſtock*, and there held a Council or Synod with the Archbiſhop of *Canterbury*, and the reſt of the Biſhops and Abbots of that Province about the Choice of a Biſhop of *Norwich*, and the filling of the vacant Abbies; and in this Council was publiſh'd the Pope's Confirmation of the Election of *Geoffrey* (the King's Natural Son) to the See of *Lincoln*; but he being too young to be conſecrated, the King ſent him to the School or Univerſity of *Tours* for his farther improvement in Learning: At this Council likewiſe the King Iſſued out an Edict, prohibiting all perſons whatſoever on the other ſide of *Severne*, to uſe any Bows, Arrows, or other Weapons: After this He went to *Nottingham*, and there impleaded divers perſons for Offences committed in his Foreſts.

The Pope's Confirmation of *Geoffrey*'s Election to the See of *Lincoln*.

The K. forbids uſing of Bows and Arrows, *&c.* on the other ſide of *Severne*.

Goes to *Nottingham*, and impleads ſeveral for Offences done in his Foreſts.

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[4] *Id. R. H.* A great Council at *Northampton*.

[4.] The King kept his *Chriſtmaſs* this Year with his Son *Henry* at his Caſtle of *Windſor*; and after that, on the 25th of *January*, He held a Great Council at *Northampton*, (where the King his Son was preſent) with the Archbiſhops, Biſhops, Earls and Barons concerning the Statutes and Laws of the Land; and, by Common advice of them all, divided the Kingdom into Six Parts or Circuits, into every one of which he ſent Three Juſtices, whoſe Names I need not repeat, only I would have the Reader take notice, that they were not profeſs'd Lawyers, but Barons or Knights: And as for the Circuits, they were almoſt the ſame as they are at this day, only *Eſſex* then belong'd to that of *Norfolk*, which Circuit alſo conſiſted of more Counties than it does at preſent, all *Hampſhire*, *Barkſhire* and *Oxfordſhire* belonging to it; which are now joined with *Herefordſhire*, and the reſt of the *North-Weſtern* Counties. As for *Copland*, there mention'd as a diſtinct County, under the *Northern* Circuit, ſince I do not find it any-where elſe, I ſuppoſe it conſiſted then either of the *North* part of *Lancaſhire*, or the *South* part of *Weſtmorland* and *Cumberland*, between both which it is placed in our Authors.

Where the Circuits are apportioned. The Juſtices at firſt not profeſs'd Lawyers, but Barons or Knts.

[5] *Id. ib.* The K. ſwears his Juſtices to obſerve his Statutes.

[5.] The King having thus divided the Nation, before theſe Juſtices went their Circuits, he cauſed them all to ſwear, that they would truly and juſtly keep, and alſo cauſe to be inviolably kept by his Subjects thoſe *Aſſizes* or Statutes that were firſt made at *Clarendon*, and now renew'd at *Northampton*; which becauſe they are ſomewhat long, I will not interrupt the Series of the Hiſtory by inſerting them here, but refer you to the end of this King's Reign, where you may find all the Laws of this King placed together. I ſhall only obſerve this to you, That theſe differ from the former Conſtitutions made at *Clarendon* already mention'd, for they relate wholly to Eccleſiaſtical Perſons and Affairs; but theſe (though made at the ſame time) concern Lay-perſons and Cauſes, as you will find by comparing them both together.

Thoſe of *Clarendon*, how far renewed at *Northampton*.

Id. ib. The K. of *Scots* appears at the K's Summons with the Clergy of *Scotland*; and what was then done.

At this Council of *Northampton* (which was alſo an Eccleſiaſtical Synod) *William* King of *Scots* appear'd at the King's Summons, and brought with him the Biſhop of St. *Andrews* and the reſt of the Biſhops, Abbots and Priors of *Scotland*; when they were come thither, they were all required by King *Henry* to own the like ſubjection to the Church of *England*, as they had done in the time of his Predeceſſors: to which demand they unanimouſly anſwer'd, That neither

Their Anſwer.

They nor their Predeceſſors ever paid any ſubjection to the Church of

of *England*: To this *Roger* Archbiſhop of *York* reply'd, That the Biſhops of *Scotland* had yielded an expreſs Subjection to the Metropolitan See of *York*, during the time of his Predeceſſors, which was ſtill flatly denied by all the *Scotch* Biſhops; and the Biſhop of *Glaſcow* produc'd a Bull to the contrary. Upon this there aroſe a mighty Conteſt between the Archbiſhops of *York* and *Canterbury* about this Subjection each of them challenging it as belonging to his own Church; but not being able to agree about it, the Synod ended, and the Biſhops of *Scotland* with the King's good Leave return'd home, and made their advantage of this Diſſenſion between the *Engliſh* Archbiſhops; for they immediately ſent Meſſengers to Pope *Alexander*, beſeeching him to take them into his Protection, and defend them from that undue Subjection, which the Church of *England* then claim'd from them.

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The A. Bp. of *York*'s Reply.

A hot Diſpute between the A. Bps of *York* and *Canterbury* about this Subjection.

The *Scots* make advantage of this Diſſenſion.

And ſend to the Pope to pray his Protection.

[1.] Not long after the King of *Scots*, ſuſpecting a further Moleſtation from King *Henry* and the Archbiſhop of *York* about this affair, ſent Ambaſſadors to the Pope, intreating his Holineſs to ſend one of his Cardinals as Legate to make up this Controverſy between the Churches of *England* and *Scotland* concerning the Subjection then required: whereupon the Pope deputed one *Vivian* a Presbyter and Cardinal, as Legate for *Scotland*, *Norway*, and other adjacent Iſles; who Landing in *England* without the King's allowance, he ſent the Biſhops of *Wincheſter* and *Ely* to him to let him know, That if he did not yield to the King's Will, he ſhould proceed no further. With which Meſſage being terrified, the King cauſed him to ſwear, That he would, during his Legantine Power, do nothing to the prejudice of his Royal Perſon or Kingdom: And when he had done this, he was honourably received, and conducted into *Scotland*; where, when he was arrived, he did nothing at all in the Buſineſs he came about, but raiſed a great deal of Money on the Clergy.

[1.] *Id. ibid.*

And deſire a Legate might be ſent to make up this Controverſy.

Vivian comes as Legate into *England* without the K's allowance.

He ſwears not to do any thing to the K. or Kingdom's prejudice.

Then is honourably conducted into *Scotland.*

[2.] Not long after this, the Young King being weary of ſtaying in *England* under his Father's Eye, deſired Leave to go on Pilgrimage to St. *James* in *Spain*; but his Father perceiving that this Journey did not proceed from any real Devotion, but from the ill Advice of ſome Flatterers about him, who had a mind to get him away from his Company, he, to put off that Voyage, gave him leave to go into *Normandy*; But when he was got ſo far as *Portſmouth*, he was forced to lye there a good while waiting for a Wind.

[2.] *C. B. Col.* 1110.

Young King *Henry* deſires leave to go on Pilgrimage to St. *James* in *Spain.*

He has his Conſent to go into *Normandy.*

[3.] Then King *Henry* his Father kept the Feaſt of *Eaſter* at *Wincheſter* with the King his Son, whom he ſent for from *Porteceſter*, near *Portſmouth*, together with his Queen, to bear his Brothers Earl *Richard* and Earl *Geoffrey* Company, they being lately come out of *France*; and after that Solemnity was over, all the Three young Princes (with their Father's Leave) paſſed into *Normandy*, and [4.] Earl *Richard* went forthwith to *Poictou*, where he raiſed an Army, and fought with the *Brabanters*, (i. e. *Mercenaries*, that were then either in Rebellion againſt the King for want of Pay, or elſe had been hired to Fight againſt Earl *Richard* by ſome of the Nobility of that Country,) and overcame them; and, by the Aſſiſtance of his Brother King *Henry*, he took many Towns and Caſtles, and forced many Viſcounts of Towns, with their ſmall Territories and Caſtles in *Poictou*, and the Places adjoyning (being then in Rebellion) to ſubmit to him.

[3.] *Id. ib.* *Richard* and *Geoffrey* go into *Normandy.*

[4.] *R. H. p.* 314. *b.*

Richard and his Brother *Henry* overcome the *Brabanters.*

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[5.] *B. A. R. H. p.* 317. *b.* Commiſſioners ſeize all the Caſtles of *England* to the K's uſe. And alſo of *Normandy*.

[1] *Id. ibid.* He demoliſhes ſeveral Caſtles both in *England* and *Normandy*.

[2.] *R. H. ib.* *Gilbert*, Prince of *Galloway*, comes into *England*, and does Homage to K. *Henry*, and ſwears Fealty to him againſt all Men.

And gives his Son as a Pledg for his Loyal behaviour.

[3] *B. A. R. H. p.* 315. *b.* K. of *Sicily* ſends Ambaſſadors to deſire the K's Daughter *Joanna* in Marriage for their Maſter.

Who, upon ſight of her, are mightily taken with her Beauty and Perſon.

The K. conſents to the Propoſal.

And ſends ſeveral with her to conduct her through *France* to the *Mediterranean* Sea.

She arrives ſafe at *Palermo*, and is married to the King.

And a good Dower is ſetled on her.

[5.] Alſo this Year, about *Michaelmaſs*, the King held a Council at *Windſor*, and from thence ſent Commiſſioners to all the Caſtles of *England*, and ſeized them to his own uſe, turning out the Conſtables or Governors whom the Earls and Barons had placed there, and putting in Others of his own choice; not ſparing his Favourite and chief Juſticiary *Richard de Lucy*, but took from him his Caſtle of *Angra* (where it was, I know not;) the like he did alſo with the Caſtles of his Earls and Barons in *Normandy*, where he appointed *Richard* Biſhop of *Wincheſter* his Lieutenant, in the room of *William de Curcy*.

[1.] And the ſame Year, not long after, the King cauſed the Walls and Caſtles of *Leiceſter* to be demoliſhed, as likewiſe the Caſtles of *Groby*, *Treſk*, *Maleſart*, and the New Caſtle at *Alverton*, with thoſe of *Framingham* and *Bungey*, and almoſt all the Caſtles of *England* and *Normandy* that had been fortified againſt him in the late War, except the Caſtle of *Paſci*, or *Pacey* in *Normandy*, which he kept in his own hands, and placed a Gariſon therein; as likewiſe in the Caſtle of *Mont-ſorrel*, which was ſworn to be his own Propriety by the Recognition of the legal Men of the *Vicenage*.

[2.] About the beginning of *October* this year, *Gilbert* Prince of *Galloway*, who had before ſlain his Brother *Uchred*, came into *England*, under the ſafe Conduct of the King of *Scots*, and did Homage to King *Henry* the Father, and ſwore Fealty to him againſt all Men, and gave the King, to be reſtored to his Favour (or Peace) One Thouſand Marks of Silver, and his Son *Duncan* for an Hoſtage or Pledge for his Peaceable and Loyal Behaviour.

This I have taken notice of, to let the Reader ſee the great Authority the *Scotiſh* Princes had in thoſe days over the Countries where they commanded, in which they exerciſed a Power little ſhort of that of the King himſelf.

[3.] But, to come to Matters of greater importance. About *Whitſontide* came over hither the Biſhop of *Troyna*, with other Biſhops and Noblemen, being Ambaſſadors, from *William* King of *Sicily*, to deſire the King's Daughter *Joanna* in Marriage for the King their Maſter: Upon which King *Henry* ſummon'd the Archbiſhops, Biſhops and Earls, with the Wiſe Men of the Kingdom, to meet him at *London*, to conſult what Anſwer he ſhould return; who all approving the Propoſal, the King ſent the Ambaſſadors to viſit his Daughter; and when they ſaw her, they were ſo extremely taken with her Beauty and Perſon, that they deſired the Mariage might be concluded as ſoon as poſſible: and ſome of them were immediately ſent back to acquaint their Maſter with King *Henry*'s conſent to the Match, whilſt the reſt remained here, till all things could be got ready for conveying her over. This being done, the King ſent the Archbiſhop of *Canterbury* and *Roüen*, with divers other Biſhops and Noblemen to conduct her through *France* to the *Mediterranean* Sea, and then the Biſhops took their leaves; whilſt ſhe perſuing her Voyage under the Conduct of *Giles* Biſhop of *Eureux* and others, arrived ſafe at *Palermo* in *Scicily*, and within a few days after ſhe was married to the King by the ſame Biſhop: and the King then ſetled upon her ſeveral Lands and Territories for her Dower by his Charter, with his Seal of Gold, which he ſent to King *Henry*; a Draught of which our Authors have given us, to whom I refer the Curious Reader.

I

I have nothing elſe worth relating under this Year, but [4.] that *William* Earl of *Glouceſter* dying without any Heir-male, left all his Eſtate to *John* the King's youngeſt Son, on condition he married *Haviſe* or *Aviſe* the Earl's youngeſt Daughter, if that the Pope would allow the Mariage: the King accepted of the Grant, and thereupon allow'd her Five Elder Siſters certain Rents or Annuities in Money, in lieu of their Shares of the Eſtate.

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[4.] *R. H. p.* 316. *a. C.B. Col.* 1114. *R. H. ib.*

E. of *Glouceſter* dying without any Heir-Male, leaves all his Eſtate to *John* the K's youngeſt Son, provided he married his youngeſt Daughter.

Having done with Domeſtick Buſineſs, let us now look over into *Ireland*, and ſee in what poſture the *Engliſh* Affairs ſtood there this Year.

[5.] About the middle of *May* that Valiant Earl *Richard* (Sir nam'd *Strongbow*) Juſticiary of *Ireland*, deceas'd at *Dublin*; [1.] of whoſe Death, as ſoon as *Raymond* his Son-in-Law (who was then in *Deſmond*) had notice by a Letter from his Lady *Baſilia*, he endeavour'd to keep it private from the *Iriſh*; and immediately thereupon called a Council of his moſt experienced and truſty Friends, to conſider what was beſt to be done in the preſent Conjuncture: And ſince *Raymond* was ſuddenly to depart for *England*, they reſolv'd to remove the Gariſon out of *Limerick*, it being ſo remote from the Reſt of the *Engliſh* Territories, and to diſperſe it into the Maritime Towns, and the ſtrong Places in *Leinſter*, to reinforce them, and to leave the Charge and Defence of that City to *Donald O Brien*, Prince of *Tuomond* and *Limerick*, as one of the King of *England*'s Barons, who gave new Hoſtages and took freſh Oaths to defend the Town, and reſtore it to the King upon demand, and in the mean time to preſerve the Peace. But the *Engliſh* were no ſooner over one end of the Bridge, but *Donald* cauſed the other end to be broken down, and the City to be ſet on Fire; though what advantage he could have by ſo doing, I cannot ſee, ſince he might have kept the Town without deſtroying it: But this is certain, that *Raymond* finding himſelf diſappointed in his deſign, by the Treachery of this *Iriſh* Prince, march'd back with the Army to *Dublin*; where, ſo ſoon as he arriv'd, he aſſiſted at the Funeral of his Father in-Law Earl *Richard*, whoſe Body was buried in the Church of the *Holy Trinity*, where his rude Monument, or Effigies, is ſtill to be ſeen, being commonly call'd *Strongbow*'s Tomb.

[5] *Id. ib.* Earl *Strongbow* dies at *Dublin*.

[1] *G. C. L.* 2. *c.* 14.

Raymond (then in *Deſmond*) upon the News of it conſults with his moſt truſty friends what was to be done.

He is ſuddenly to go for *England*.

Raymond commits *Limerick* to the Charge of *O Brien*.

Who breaks down the Bridge, and ſets the City on Fire.

I know the *Iriſh* Annals place the Death of Earl *Richard* above-mention'd, under the Year following, *viz.* A. D. 1177. But ſince all our *Engliſh* Hiſtorians, who ſay any thing of his Death, agree in placing it under this; I chuſe to do ſo likewiſe, as the truer Account, and ſhall therefore here put together all the reſt of the Actions of this Year, that immediately follow'd this Earl's Deceaſe.

Raymond goes back to *Dublin*, and aſſiſts at his Father-in-Law's Funeral.

His Monument ſtill to be ſeen in the Church of the *Holy Trinity*.

[2.] Upon which certain Commiſſioners were ſent in all haſte into *England* to acquaint the King with the Change of Affairs in *Ireland*, who forthwith diſpatch'd away *William Fitz-Adelm* as his Juſticiary thither, with Ten Knights, or Men at Arms, of his own Houſhold, to attend him; and joyned to his Aſſiſtance *John de Curcy*, with whom he ſent Ten others of the ſame Quality; as alſo the Old brave Souldiers *Robert Fitz-Stephen* and *Miles Cogan*, each with the like number to be ready to attend their Commands: Whereupon *Raymond* hearing they were Landed, march'd to *Wexford*, and receiv'd them with great Reſpect, and forthwith deliver'd up all the Cities, Gariſons, Forts and Hoſtages of *Ireland* to *William Fitz-Adelm* as the King's Seneſcal or Juſticiary.

[2.] *Id ib. c.* 15. *William Fitz-Adelm* ſent Juſticiary into *Ireland*.

Raymond, upon the News of their Landing, goes to *Wexford*, and delivers up all the Cities, Gariſons and Hoſtages to *Fitz-Adelm*.

But

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The Lord *Hugh de Lacy* treacherously murther'd by an *Iriſh* Labourer.

But I ſhall now defer treating further of the Affairs of that Kingdom till the enſuing Year; and only note under this, That (according to the Annals of *Ireland*) the Lord *Hugh de Lacy* was treacherouſly murther'd at a place call'd *Dervah* by an *Iriſh* man; and it was in this manner: He was going to build him a Caſtle there, and being about to lay the Foundation, he would have ſhewn this aukward Fellow how to work with a Pick-Axe; but as he ſtooped down to do it, the *Iriſhman* having him alone, and at advantage, cut off his Head with an Axe, and ſo put an end both to the Deſign and to that poor Lord's Life.

[3.] *B. A. C. G. Col* 1433. *Huguſon* the Legate Summons a Synod at *Weſtminſter*.

The Two A. Bps. diſpute about Precedency.

The Affront that is offer'd on both ſides.

The Legate cites the A Bp. of *Canterbury*, as the Contriver of the Affront, to anſwer it before the Pope.

He appeals from the Legate.

The Council breaks up in diſorder, and the Legate ſoon after goes for *Rome*.

I ſhall now conclude with the Eccleſiaſtical Affairs of this Year. [3.] About *Mid-Lent*, King *Henry*, with the King his Son, came to *London*, and Cardinal *Huguſon* the Pope's Legate ſummon'd a Synod at *Weſtminſter* of all the Biſhops of *England*; where, when they were met, and he had taken his place, and *Richard* Archbiſhop of *Canterbury* had ſeated himſelf on his Right-hand, *Roger* Archbiſhop of *York* coming in, refuſed to take his Seat, which was left for him on the Left; alledging, That becauſe he was conſecrated Firſt, he ought to have Precedency before the other; which *Canterbury* refuſing to yield to him, the Archbiſhop of *York* ſate down in his Lap, but was preſently thruſt out by the Biſhops that ſate next, and flung to the ground; where being rudely treated both by the Feet and Hands of thoſe that ſtood round about, the Archbiſhop of *Canterbury*, to return Good for Evil, reſcued him from them; but the Legate caſting all the blame upon *Canterbury* (as if this Affront to the Apoſtolick See had been done by his contrivance) cited him to anſwer it before the Pope: then the Archbiſhop of *York* riſing up, went and caſt himſelf at the King's Feet, complaining of the Violence he had ſuffer'd, and accuſing the Archbiſhop of *Canterbury* as the Cauſer of it, who preſently appealed from the Pope's Legate as one prejudiced againſt him, whilſt the Archbiſhop of *York* likewiſe made his Appeal to the Pope againſt the other: and would not come to any Agreement with him, unleſs in the Preſence of the Pope himſelf, and that he had his Judgment in it: Whereupon the Council broke up in diſorder, and the Legate not long after took his leave, and went for *Rome*.

[4] *C B. Col.* 1109 Another Council held at *Wincheſter* about the Mariage of the K's Daughter.

The K at laſt patches up a Temporary Agreement between the Two A Bps.

[4.] After which another Great Council was held at *Wincheſter*, wherein the King endeavour'd to make up the Difference between the Two Archbiſhops, but all to no purpoſe; yet at laſt, by his Mediation, he patch'd up a Temporary Agreement between them; which was, That they ſhould maintain entire Peace and Concord for Five years enſuing, till the Pope ſhould determine this affair. Thus this warm diſpute ended, than which there cannot be a more pregnant Inſtance of the great Pride of the Prelates of thoſe times; who would rather venture making a Diviſion in the Church, than yield in the leaſt punctilio to one another.

[5] *Col.* 589.

But to make an end of this troubleſome Affair: I ſuppoſe theſe Differences between the Archbiſhops of *Canterbury* and *York* about Precedency and the Oath of Canonical Obedience, were fully ſetled before the Death of Pope *Alexander* the Third, which was not till Four years after this Quarrel; for [5.] *Radulph de Diceto* has given us a Bull of this Pope's, (though it comes in abruptly, without any date, or mention of the Occaſion upon which it was granted,) wherein

wherein he declares, that following the footſteps of his Predeceſſors (therein named) he prohibits for the future either of the Archbiſhops to require any Canonical Obedience of the other, or that the See of *York* ſhould be any ways ſubject to that of *Canterbury*, but according to the Primitive Inſtitution: only this diſtinction of Epiſcopal Honour ſhould be obſerv'd, that That Archbiſhop who was firſt Ordained, ſhould enjoy the Precedency. *Anno Dom.* MCLXXVI.

How far this laſt Clauſe was obſerv'd, I will not determine; but I find no more diſpute about the former demands after this time to have been between them. This I take notice of, becauſe though it is a remarkable piece of Church-Hiſtory, I find it in no other Author.

The Nation being now pretty well ſetled in Peace, [1.] the King kept his *Chriſtmaſs* at *Northampton* with his Two younger Sons *Geoffrey* Earl of *Bretaigne*, and Earl *John*; King *Henry* the Son being then at *Argenton* in *Normandy*, and Duke *Richard* at *Burdeaux*: This Latter preſently after *Chriſtmaſs* march'd forth with his Army, and beſieg'd the City of * *Auxe*, which the Viſcount of that Place held out againſt him, but he took it in Ten days; and then marching further, he laid Siege to the City of *Bayonne*, which the Viſcount *Ernald de Bertram* defended as well as he could; but this he alſo made to yield in Ten days time more; and then marching further towards the Borders of *Spain*, he took in ſome other Caſtles and ſmall Places and made thoſe of *Navarre* and *Biſcay* ſwear to keep Peace with the King. Theſe Countries being thus quieted, he return'd into *Poictou*, and ſent his Father notice of his good ſucceſs. *Anno Dom.* MCLXXVII.

[2.] King *Henry* the Elder alſo hearing that a Great Baron of *Normandy*, called *Ralph de Doles*, was lately dead, and that his Daughter and Heir, together with her Territories and Eſtate, had been violently ſeiz'd by her Relations, wrote to the Young King his Son, then in *Normandy*, commanding him immediately to raiſe the Militia of that Dutchy, and reduce thoſe Territories, and reſcue the young Lady (who was the King's Ward) which in Obedience to his Father's Commands, he forthwith did, and ſo the Caſtle of *Doles* was preſently ſurrender'd upon his coming before it.

[3.] The King ſoon after the Feaſt of St. *Hilary*, or Thirteenth of *January*, held a Great Council at *Northampton*, with the Biſhops, Earls and Barons of his Kingdom; to which came Ambaſſadors from the Earl of *Flanders* to acquaint him, That the *French* King had deſir'd the Earl's two Nieces (Daughters of *Matthew* late Earl of *Boloign*) in Marriage; the Elder of them for his Son *Philip*, the Younger for *Lewis*, Son to *Theobald* Earl of *Blois*; yet their Maſter would diſpoſe of neither of them without the King's conſent: ſo great a deference did the neighbouring Princes then expreſs for King *Henry*.

But now there fell out an Affair that ſhews the High eſteem, which the Princes of *Europe* had of the Judgment and Authority of the King of *England* and his Great Council; [4.] for *Alfonſo* King of *Caſtile* (who had married *Eleanor* the King's Daughter) having great Quarrels with *Sanctio* King of *Navarre* concerning certain Caſtles and Territories which had been (as they alledg'd) unjuſtly taken and detained from each other; they both at laſt conſented to give mutual Security to ſtand to the Judgment of the * *Court* (or Great Council) of the King

[1.] *B. A. R. H.* Duke *Richard* with his Army beſieges *Auxe*, and takes it.
* *Akenſem Civitatem.*
And the City of *Bayonne.*
And ſome other Caſtles and ſmall Places on the Borders of *Spain.*
And ſo returns into *Poictou.*

[2.] *B. A. Ralph de Doles* his Caſtle ſurrender'd to the Young King.

[3.] *Id. R. H ib.* A great Council held at *Northampton.*

[4.] *Id. ib.* The Kings of *Caſtile* and *Navarre* refer their Differences to be decided by the K. of *England*'s Great Council.

* *Curia.*

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King of *England*: Whereupon, for the determination of this Controverſy, there came divers Biſhops and Noblemen Ambaſſadors from both theſe Kings, with ſeveral Learned Advocates to plead their Cauſe; and with them likewiſe Two ſtout Champions (one for each ſide) to undertake a ſingle Combat, in caſe the King of *England*'s Court ſhould think fit ſo to determine Matters.

Theſe Ambaſſadors arriving about the beginning of *Lent*, came to *Windſor*, where they preſented to the King the Charter or Agreement made between the Parties, whereby they bound themſelves under very great Penalties (as upon the Forfeiture of certain Caſtles and Territories) if they did not abide by the Judgment of the King of *England*, and that a firm Truce ſhould continue between them in the mean time, as appears at large by the Charter it ſelf; for which I refer the Reader to our Author, for fear ſome may think me unneceſſarily tedious.

This Agreement, as alſo the Allegations on both ſides, being read before the King at *Windſor*, he ſent his Meſſengers over all *England* to Summon the Archbiſhops, Biſhops, Earls and Barons to appear before him at *London* on the Firſt *Sunday* in *Lent*, where the Archbiſhop of *Canterbury*, and almoſt all the Biſhops of his Province came, except thoſe that were hindred either by Buſineſs or Sickneſs, or where the Sees were vacant; the Archbiſhop of *York* was prevented by Sickneſs, but the Biſhop of *Durham* came thither, and with him the Biſhop of *Candida Caſa*, or *Whithern* in *Galloway*, as a Suffragan to the Archbiſhop of *York*. [5.] Beſides theſe, there came alſo ſo many *Abbots*, *Deans* and *Arch-Deacons*, that their Number is not eaſy to be reckon'd: There likewiſe appear'd all the Earls, Barons, and * Great Men of *England*, who met in the † Great Hall of the King's Palace, together with Four Commiſſioners from thoſe Kings (Two on each ſide) who were to hear and report the Judgment that ſhould be given: There appear'd alſo their Proctors or Advocates, who were to ſet forth the particular Rights of their reſpective Maſters.

The Great Aſſembly that met about this Affair at *London*.

[5] *C. B.*

* *Magnates.*

† now *Weſtminſter-Hall.*

Then, becauſe the Earls and Barons of *England* did not underſtand their Language, the King Commanded the Advocates to give in their Maſter's ſeveral Pleas, Demands and Allegations on both ſides in writing to him within Three days; at the end of which, the Ambaſſadors of both Kings produced their Demands and Pleadings before the Great Council of *England*; but they being very long, our Author has omitted them, and only given us thoſe ſhort Concluſions or Iſſues, in which both Parties joyn'd and agreed; which being read, King *Henry* cauſed the Ambaſſadors of both Kings to be ſolemnly ſworn upon the Evangeliſts, before all there preſent; That their Maſters ſhould ſtand to his Judgment, as well concerning the Reſtitution of the Places demanded, as the Truce; and that if they did not obſerve it, they ſhould then render their Bodies into his hands.

Their ſeveral Pleas and Allegations to be given in within Three days in writing, ſo interpreted, as that the King and his Barons might underſtand them.

The Ambaſſadors ſworn to ſtand to the Judgment of his Great Court.

[1] *Id. ib.*

[1.] Then the Archbiſhop of *Canterbury*, and the Biſhops, Earls and Barons of *England*, upon a full hearing of the Cauſe on both ſides, gave their Judgment to this effect: "That *Sanctio*, King of *Navarr*, "ſhould render up to his Uncle, the King of *Caſtile*, the ſeveral "Towns and Caſtles there mention'd, which his Father had for ſome "years poſſeſs'd, and had unjuſtly taken away from the King of "*Caſtile*, while he was a *Minor*: They alſo adjudged a like Reſtitu-

Upon a full Hearing of both ſides, the Judgment given.

tion

" tion to be made by King *Alfonſo* to *Sanctio* of all Places taken from " him in the time of the late Wars between them; the Names of " which Places on both ſides are now unknown to us.

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[2.] " This Judgment of the Biſhops and Great Men is very ſhort, " and is follow'd by the Exemplification thereof by way of Charter, " under King *Henry*'s Seal directed to both Kings, reciting all the " Proceedings and Claims on each ſide, and then giving Sentence " concerning the mutual Reſtitution of the Places therein mention'd, " with a Confirmation of the late Truce that had been made be- " tween them for Ten years; and further appointing his Son-in-Law " King *Alfonſo* to pay his Uncle *Sanctio* the Sum of Three Thouſand " *Morobiteens*, a Sort of *Mooriſh* Money, by Three equal Payments " every year, for the Space of Ten years; concluding with a Re- " cital of the Oath which their Ambaſſadors on both ſides had taken " on their behalfs, either to ſtand to his Judgment concerning theſe " Matters, or elſe to ſurrender their Bodies into his Power.

[2.] *Id. ib.* An Exemplification of the Judgment by way of Charter, under K. *Henry*'s Seal to both Kings.

Though the Judgment is called the K's. yet it was the Act of the Great Council of the Nation.

This Charter (witneſſed by moſt of the Biſhops and Great Men) being very long, I have only given you the Heads of it, and refer the Reader to the Original for his farther ſatisfaction. But I have been the more particular in the Relation of this whole Affair, becauſe we may not only learn from thence, That though in the Charter it ſelf the Judgment is called the King's, (as being given in his Great Council) yet it appears plainly by the Judgment it ſelf, that it was alſo the Act of the Biſhops, Earls, Barons, and other Great Men of *England*; without whoſe Advice and Conſent, in thoſe days, our Kings acted nothing conſiderable, either concerning War or Peace, relating to Themſelves or their Neighbours.

[3.] *Idem ib.* The Ambaſſadors having had great Preſents, return home.

[4.] *B. A.* During this Tranſaction, a young Nobleman, Brother to the E. of *Ferrers*, was privately murther'd.

The K. ſwears a ſevere Revenge upon the Citizens.

[3.] This Council being thus happily ended, and the King having beſtow'd great Preſents upon the Ambaſſadors of *Caſtile* and *Navarre*, diſpatched them home with much ſatisfaction; not long after the King ſent ſome of his own Noblemen on an Ambaſſy to the ſaid Kings, that ſo he might by them know how they received his Judgment.

* *Parentibus.*
† *Nobilium.*

The better Sort of Citizen's Sons were wont to make nightly Excurſions, *&c.*

I ſhall ſay no more concerning this Affair, but only, that whilſt it was in agitation, [4.] a young Nobleman, Brother to the Earl of *Ferrers*, was privately murther'd by night in the Streets of *London*; and when it was told the King, he was ſo very angry, and troubled at it, that he ſwore he would take a ſevere Revenge upon the Citizens for his Death; for it ſeems it was a Cuſtom for a Hundred or more of the Sons or * Kinſmen of the † better Sort, or Gentlemen of that City, to make nightly Excurſions upon the Houſes of the Rich, and rob them; and if they found any Man abroad in the Night, they kill'd him without Mercy; ſo that few durſt walk the Streets after it was dark for fear of them. And then our Author proceeds to tell us by the bye, how that about Three years before, theſe Blades endeavour'd to rob the Houſe of a certain Rich Citizen; and had done it, but that the Maſter of the Houſe being a ſtout Man, and forewarn'd of their coming, had arm'd himſelf, and with a great many Worthy Citizens and their Servants, ſet upon the Thieves already broke into his Houſe; and having ſeiz'd one of them, and in Scuffle cut off his Hand, the reſt got out and ran away; and that the next day this Man being

And to kill People without Mercy.

Some about Three years before reſolving to rob a Wealthy Citizen's Houſe, one had his Hand cut off in the Scuffle, and was taken; and upon promiſe of his Life confeſſes his Accomplices, whereof one of them was hanged.

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brought before *Richard de Lucy* the King's Juſticiary, the Thief upon a promiſe of his Life confeſs'd his Accomplices, of whom many were taken, but others fled; among thoſe that were apprehended, was a certain Rich Citizen call'd *John the Old*; who, when he could not clear himſelf by the Tryal of Water (i. e. *Water Ordeal*) he offer'd to the King Five Hundred Marks for his Life; but becauſe he could not prove his Innocence by *Water-Ordeal*, the King would not take the Money; ſo he Commanded, that the Sentence ſhould be executed upon him, and accordingly he was hang'd.

[5.] *B. A. R. H. p.* 323. *a. Water Ordeal* ſtill continued.

I have put down this Story as ſhort as I could, to ſhew the Reader the ill Government of this Great City in thoſe times, and that the old way of tryal by Water ſtill continued; as alſo that the King's Juſtices ſcorned to pardon notorious Robbers for Money; though this Man offer'd Five Hundred Marks for his Life, which was a great Sum in thoſe days.

[1.] *Idem Ib.* E. of *Flanders* comes over to viſit *Tho. Becket*'s Tomb, where the K. meets him, & afterwards goes with him to the Sea-ſide, and gives him Five hundred Marks towards his deſigned Voyage to the *Holy Land.*

Not long after the King kept his *Eaſter* at *Reading*, where it being told him, that the Earl of *Flanders* was about to come over into *England* to viſit the Tomb of the New St. *Thomas* of *Becket*; the King made what haſte he could to meet him at *Canterbury*, which he did the day after his arrival; and when he had ſtayed there ſome days to perform his Vow, the King accompany'd him to the Sea-ſide, and at his departure gave him Five Hundred Marks towards his intended Voyage to the *Holy-Land*, which he had ſometime before vowed to undertake.

[2.] *Idem Ib.* After the K's Pilgrimaging to ſeveral Shrines, he goes to *Gaitintun*, where many Biſhops, Earls and Barons meet him to conſult about the Welfare of the Kingdom.

After this the King himſelf went on Pilgrimage to the Shrines of St. *Edmund* the King and Martyr, and to that of St. *Audery*; the Former of whom lay enſhrin'd at St. *Edmundsbury*, and the Latter at *Ely*; from whence he went as far as *Gaitintun*, (which is ſuppoſed to be *Gayton* in *Cheſhire*) where met him at his Summons *Roger* Archbiſhop of *York* and divers other Biſhops, together with many Earls and Barons to treat of the Welfare and Settlement of the Kingdom. When they had long conſulted about it, ſeveral of the *Welſh* Nobility came and ſwore Fealty to the King, and he transferr'd that Aſſembly from thence to *Windſor*, whither he took the Archbiſhop of *York* and other Biſhops along with him, and where alſo met him all the Earls, Barons, and Knights of *England*, with Horſe and Arms, to go whitherſoever the King ſhould Command them; and when they had treated farther there about the Peace and Settlement of the Kingdom, He, by the Advice of his Biſhops, Earls, and Barons, removed the Conſtables of ſeveral Caſtles in the *North* of *England* and *Scotland*, and committed them to the Cuſtody of ſome Knights of his own Family and others, the chief of whom were *William Stuteville*, whom he made Governor of the Caſtle of *Rocksborough* in *Scotland*, and *Roger Stuteville* of the Caſtle of *Edenburgh*; but to *Roger* Archbiſhop of *York* he gave the Cuſtody of the Caſtle of *Scarburgh*, and the Cuſtody of the Caſtles of *Norham*, *Berwick*, and *Durham*, to divers other Perſons of Note, whoſe Names need not be mention'd.

Several *Welſh* Nobility come and ſwear Fealty to him there.

The Aſſembly transferr'd to *Windſor*, whither the Lords and Knights come, to go where the K. ſhould command

The K removes ſeveral Conſtables of Caſtles, placing others in their room.

[3.] *B. A. C. B. Col.* 1127.

The K. commands the *Welſh* Kings to meet him at *Oxford*, who with many other Noblemen did Homage there to him.

From *Windſor* the King went to *Oxford*, where he had Commanded the *Welſh* Kings or Princes, and the moſt Potent Men of that Country to meet him (viz. *Rees ap Griffin* King of *South Wales*, *Cadwallan* King of *Delwain*, *Owen de Kevilian*, *Griffin* Lord of *Bromfeild*, *Madoc* Son of *Gervet Chone*, and many Others of the moſt Noble Families of *Wales*, who

who all did Homage, and ſwore Fealty to him againſt all Men, and that they would keep peace with him and his Kingdom; then the King beſtow'd on Prince *David* (who had married his Half Siſter) all the Land of *Ellesmere*, and to King *Rees* the Country of *Mereonith*.

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The Lands he beſtows on the Kings, *David* and *Rees*.

But the moſt Remarkable thing concluded on in this Great Council, [4.] was, That there King *Henry* made his Son *John* King of *Ireland*, by virtue of the Bull formerly granted from Pope *Alexander*; but by the Title of King of *Ireland* it is plain, there was no more intended than Vice Roy, or Feudatary King at moſt, ſince King *Henry* himſelf never was ſtiled otherwiſe than Lord of *Ireland*, and the Oath of Fealty was taken to the King in the firſt Place, and then to Earl *John* his Son.

[4] *Id. ib.* And in this Great Council he makes his Son *John* K of *Ireland* by virtue of Pope *Alexander's* Bull.

The Title ſignified no more than of Feudatary K. or *Vice-Roy*.

But to give you at once whatſoever was done farther in this Council, [5.] the King then alſo beſtow'd divers Provinces and Cities of *Ireland* amongſt his Great Men and Others, who had the chief hand in the Conqueſt of the Country: As to *Robert Fitz Stephen* and *Miles Cogan* the Kingdom of *Cork*, for the Service of Sixty Knights, to hold of himſelf and his Son *John*, except the City of *Cork*, and one Cantred or Hundred next adjoyning, which the King reſerved to Himſelf and his Heirs: The King gave alſo to *Hubert Fitz-Herbert*, and *William* the Brother of Earl *Reginald*, and *Jollan de la Pomeray*, their Nephew, the Kingdom of *Limeric* for the Service of Sixty Knights: but ſometime after, upon their refuſal of this laſt Territory, becauſe it was not fully ſubdued, the King beſtow'd it on *Philip de Breüſe* for the ſame Service. Alſo Abbot *Benedict* ſays, That this year, when the King had reſtor'd the Earl of *Cheſter* to all the Caſtles and Lands that belong'd to him, as well on this ſide the Sea as beyond it; he then enjoyn'd him to go over into *Ireland* to help to ſubdue the petty Princes of that Country to the King's Obedience and his Sons, on whom the King had lately beſtow'd that Kingdom.

[5] *Id. p.* 323. He gives divers Provinces and Cities of *Ireland* to ſuch great Men as had aſſiſted him in this Conqueſt.

E. of *Cheſter* reſtored to all his Caſtles and Lands, to go & help to ſubdue *Ireland*.

[1.] On the *Sunday* before *Aſcenſion* day the King was at *Wincheſter*, where, by his Precept, all the Earls, Barons, and almoſt all the Knights or Tenents that held of him *in Capite*, met him all well prepared with Horſe and Arms to receive his Commands; for at that time he had order'd moſt of the Ships of *England* and *Normandy* to be ready at *Portſmouth* and *Southampton* to tranſport them together with himſelf: Then on *Aſcenſion* day the King gave them leave to go home, and appear again at *Wincheſter* on the Firſt of *July*, then and there to execute his Commands.

[1.] *Id. ib.* All the Earls, Barons, and Tenants *in Capite* attend the K. at *Wincheſter* with Horſe and Arms.

At the time appointed the ſaid Earls, Barons, and Tenents *in Capite* met him again at *Wincheſter*, being all ready to paſs over with him into *Normandy*, but he ſtill [2.] deferr'd his Voyage till certain Ambaſſadors were come back from the King of *France*, to whom he had ſent them, to know whither he would ſtand to his Agreement, made at the Contract of Mariage between his Two Daughters, *Margaret* and *Alice*, and King *Henry*'s Sons, *Henry* and *Richard*; and whither he would give them the Lands he had promiſed them on that conſideration: But though theſe Ambaſſadors return'd not preſently themſelves, yet they ſent over one *John de Raneville* to let the King know the effect of their Negotiation; [3.] which was, That he would not part with any more Territories, but yet expected that *Richard* Earl of

[2] *Id. ib.* He defers going over with them into *Normandy*, till he heard whither the K. of *France* would ſtand to the contract of Mariage between their Children.

And give the Lands he had promiſed upon their ſaid Intermariage.

[3.] *Id. ib. R. H. p.* 325. *b.* King *Lewis* would not part with any Land, but expected *Richard* ſhould marry his Daughter *Alice*.

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The King of *England* by his Biſhops appeals from the Legate to the Pope.

Poictou ſhould marry his Daughter *Alice*; and that if he did not, the Pope's Legate was ready (according to his Holineſs's Command) to put all his Dominions under an *Interdict*. Upon this the King having ſent for ſome of his Biſhops (*viz.*) *Richard* Archbiſhop of *Canterbury*, *Geoffrey* of *Ely*, *Bartholomew* of *Exeter*, and *John* Biſhop of *Chicheſter*, and other Wiſe men of his Kingdom, conſulted with them what he ſhould do in this difficult matter, who all adviſed him to Appeal to the Pope himſelf againſt the Partiality of his Legate, which the Biſhops alſo did, putting the King, themſelves, and the whole Kingdom under the Pope's immediate Protection; and the King ſent to the Archbiſhop of *York*, for him and his Province to make the ſame Appeal as the Archbiſhop of *Canterbury* had done in his: This was about the 12th of *July*.

[4.] *B. A. R. H. ib.* 325. *b.* The K. with his army paſſeth over Sea.

And then ſends his ſon *Geoffrey* to reduce *Bretaign*.

[4.] Notwithſtanding this Appeal, the King, having remain'd almoſt all this time at *Wincheſter* to be cured of a ſore Leg he had got by the kick of an Horſe, about the middle of *Auguſt* paſſed from *Portſmouth* into *Normandy*, and Landed at a Place call'd *Kapwic*, whither almoſt all the Earls, Barons, and Knights of *England* (who had lately met at *Wincheſter*) follow'd him, expecting a War. So ſoon as the King arriv'd, he ſent his Son *Geoffrey* into *Bretaign* to reduce his Enemies in that Province.

The two Ks. meet at *Roüen* and Cardinal *Peter* comes to them ſtill threatning the Interdict.

The King of *England* deſires time till he could ſend to the K. of *France*.

About the End of *Auguſt* the Two Kings came to *Roüen*, and Cardinal *Peter* the Pope's Legate came thither to 'em, ſtill threatening by the Pope's Command to put all the King of *England*'s Dominions under an *Interdict*, unleſs his Son Earl *Richard* was preſently married to the Lady *Alice*, Daughter to the King of *France*: The King, ſenſible of the Danger that was impendent over Him and his Kingdom, deſired ſome longer time of the Cardinal to make an end of this difference, and till he could ſend Meſſengers to King *Philip*. This being propoſed and agreed to, a Treaty was began between them; and on the 21ſt of *September* the Two Kings came to a Conference at *Turic* in preſence of the Legate and Great Men of both Nations, where the King of *England* gave his Faith, That Earl *Richard* his Son ſhould marry the Lady above-mention'd, if her Father would, upon the Mariage with her, give him the City of *Bourges*, with its Appurtenances, as was before covenanted between them; and to *Henry* his Son-in-Law, all the *French Veuxin* (that is, all the Land between *Giſors* and *Pontoiſe*) which he had already promiſed to give him with his Eldeſt Daughter *Margaret*: But becauſe the King of *France* would not perform his Covenants, therefore neither would King *Henry* then permit his Son *Richard* to marry that Princeſs; yet at this Conference, by Mediation of the Legate and Noblemen of both Kingdoms, there was a Peace and Final Concord made between the Two Kings under their Seals, and it was alſo confirm'd by their mutual Oaths; the Heads of which (ſince it would be tedious to ſet the whole down at length) are to this effect: [5.]

The King of *England* promiſes to marry his Son to the King of *France*'s Daughter, if he would agree to the former Covenants.

At laſt upon Conference they agree.

[5.] *Id. p.* 325. 326. The Heads of the Agreement between the two Ks.

I. They agreed to take upon them the Croſs, and go together to *Jeruſalem* to fight againſt the Infidels.

II. They agreed to be Confederates; ſo that if either of them were injured, they ſhould mutually aſſiſt each other.

III. That

III. That all manner of Diſcord might ceaſe between them, they granted to each Other, That from thenceforward Neither of them ſhould demand of the other any Lands, or any thing elſe they were in poſſeſſion of, except what was in diſpute between them in *Auvergne*, and except the Fee of *Raoul-Caſtle*, and the ſmall Fees and Diviſions, or Limits of Lands in *Berry*: about which, if they could not agree between themſelves, there were then Three Barons and as many Biſhops to be named on either part, who were to determine their Right according to the Oaths of ſuch Laymen, as beſt underſtood and knew it, and they were to ſtand to their Determination. *Anno Dom.* MCLXXVII.

IV. That if either of the Two Kings ſhould dye in their Journey, the Other ſhould have the management of the Men and Money, and the whole care of the Expedition.

V. That in caſe they ſhould both dye in the Journey, they were before they ſet forth to chuſe ſome of their * honeſt and faithful Subjects or Vaſſals, to whom they ſhould commit their Money, the Leading and Government of their Souldiers, and the Ordering of the whole Expedition. * *De probis & fidelibus hominibus noſtris.*

VI. They were to appoint ſuch Governors of their Dominions in their abſence, as in all difficulties ſhould aſſiſt, and mutually defend each others Territories.

VII. That Tradeſmen, Merchants, and all Others, as well Clerks as Laymen, with all their Goods, ſhould be ſecure and free from moleſtation in both their Dominions.

Theſe Articles being thus reduced into the form of a Charter, were ſeal'd and witneſs'd in the Preſence of Cardinal *Peter*, the Pope's Legate, as alſo of divers Biſhops, Earls, and Barons of both Kingdoms there particularly nam'd; but though the Peace between both Kings continu'd firm during the Life-time of King *Lewis*, yet that Article concerning their joint Undertaking the *Holy War* was never perform'd. Theſe Articles reduced into the form of a Charter.

[1.] This Treaty being thus concluded to the great ſatisfaction of both Princes, King *Henry* went to *Vernueil*, where, at the Petition of the Good Men of *Grammont*, in the Preſence of *Richard* Biſhop of *Wincheſter*, and divers other Biſhops, Earls, and Barons of his Dominions, he made certain Statutes for the Common Benefit of the People of *Normandy*, *Aquitain*, *Anjou*, and *Bretaign*, which he confirm'd under his Great Seal, to this effect: [1.] *B. A. R. H. p.* 326. *b.* K. *Henry* then goes to *Vernueil*, and there makes divers Statutes.

"That no Man ſhould preſume to take the Goods of a Vaſſal for "the Debt of his Lord, unleſs the Vaſſal himſelf was a Pledge or "Surety for that Debt; yet the Rents of Vaſſals, which they were "to pay to their Lords, ſhould be paid to their Lord's Creditors, "not to the Lords themſelves.

[2] After this the King by his Writ ſummon'd the Earls and Barons of *Normandy* to meet him at *Argenton* on the Ninth of *October*, ready with Horſe and Arms for his Service; and then went to *Alençon*, and ſent his Son *Richard* into *Poictou*, to ſubdue thoſe Enemies that had there taken up Arms againſt him. [2] *B. A.* The King of *England* ſummons his Earls and Barons of *Normandy* to appear at *Argenton*.

[3.] But

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[3] *Id. ib.* Young K. *Henry* not meeting with Succeſs in *Berry*, his Father with a great Army goes thither, and ſubdues the Noblemen.

[3] But King *Henry* hearing that the King his Son met with no very good Succeſs in *Berry*, (whither he had lately ſent him on the like affair,) he raiſing a Great Army, preſently march'd thither to his Aſſiſtance; and having taken divers Caſtles in thoſe Parts, he made the Noblemen of that Country ſubmit to his Will: And from thence going into the Province of *Lymoſin*, he there impleaded divers Earls, Barons, and other Gentlemen of that Country, for taking part with his Sons againſt him, and Fined every one of them according to their deſerts; and then returning again into *Berry*, he and the King of *France* met at *Graſſere* to treat about the County of *Auvergne*, to whom the ſupreme Dominion thereof did belong, whither to the King of *France* or to King *Henry* as Duke of *Aquitain*, which by the Earls and Barons of that Country (Aſſembled for that purpoſe) was found to be the Dominion of the Duke of *Aquitain*: But the King of *France* being not ſatisfy'd with this determination, the matter was again referr'd to Six Biſhops and Six Barons, equally choſen by both Parties; and ſo the Buſineſs reſted for that time.

From thence goes to *Limoſin*, and impleads ſeveral Noblemen, & Fines them.

He meets the K. of *France* at *Graſſere*, and treats with him about *Auvergne*.

The Earls and Barons of that Country give it to K. *Henry*.

[4] *R. H. ib. G. B.* K *Henry* returns to *Grammont*, where the E. of *Marche* agrees to ſell his Earldom to him.

[4.] This Treaty being ended, King *Henry* return'd again to *Grammont*, where came to him *Audebert* Earl of *Marche*, who having not long before loſt his only Son, now agreed to ſell his Earldom to King *Henry* for Fifteen Thouſand Founds of *Anjou* Money, Twenty Mules and Twenty Palfreys, and confirm'd this Sale by his Charter in the preſence of *John* Archbiſhop of *Bourdeaux* and *Poictiers*, and divers other of the Clergy and Laiety, as you may find in *R. Hoveden*, who has given it us at large. And ſo ſoon as the King had taken the Homages and Allegiance of the Barons and Knights of that Country, he went into *Anjou*, there to keep his *Chriſtmaſs*.

[5] *G. C. Lib.* 2. *c.* 18. *Limerick* fired by the Inhabitants. *Philip de Breüſe* thereupon returns to *Cork*.

I ſhall now give a ſhort Relation of the *Iriſh* Affairs that happen'd this year, *Philip de Breüſe* having (as you have already heard) the Kingdom of *Limerick* beſtow'd upon him by the King; [5.] *Robert Fitz-Stephens* and *Miles Cogan* went about this time to conduct him to his New Government; but when he came near *Limerick*, the Inhabitants rebelling, ſet the Town on Fire to prevent their Entrance; upon which Accident his Conductors offer'd their Aſſiſtance for the recovery of that City; but *Philip* refuſed the kindneſs, being unwilling to ſettle among ſuch wild ſort of People, and ſo returned to *Cork*.

[1] *R. H. ib.* *Wexford* committed to *William Fitz-Adelm*. And *Waterford* to *Robert Poer* the King's Mareſchal.

[1.] Sometime after this, the King committed unto *William Fitz-Adelm* his Sewer, the Cuſtody of the Town of *Wexford* and its Appurtenances, (though more for Favour than any good Service;) and likewiſe on *Robert Poer* his Mareſchal he beſtow'd the Government of the City of *Waterford* with its Appurtenances; and gave to *Hugh de Lacy* the Cuſtody of *Dublin*, with all its Dependancies, which were very large, *(viz.)* the whole Territories of *O Felan* and *Kildare*, with the Countries of *Ophaly* and *Wicklow*, together with the Services of the County of *Methe*; all which then belong'd to the Territory or Dominion of *Dublin*.

Hugh de Lacy has the Cuſtody of *Dublin*, with its Dependancies.

I ſhall now proceed to relate the Reſt of the Actions of Note that happen'd this Year in *Ireland*, though I cannot ſet down the Months in which they happen'd, becauſe our Author has been very remiſs in that

that, only we may ſuppoſe them to have been done in the Spring and following Summer. *Anno Dom.* MCLXXVII

I told you the laſt Year, that the King had ſent *William Fitz-Adelm* thither as his Juſticiary, who acting with a great deal of Covetouſneſs, Oppreſſion, and Meanneſs of Spirit (of which our Author gives us divers Inſtances) hinder'd all further Conqueſts in that Kingdom: [2.] But *John de Curcy* wholly miſliking his Management, was reſolv'd, by his own private Intereſt, to undertake ſome notable deſign, as a Volunteer without any Commiſſion from the Deputy, who was now become contemptible, as being neither careful to provide for thoſe under his Command, nor yet formidable to his Enemies; which gave *Curcy* the better opportunity to draw out of the Forces about *Dublin* (which through the Sloth of the General, and for want of Pay were much weakned) Two and Twenty choice Knights, and about Three Hundred other Men at Arms, and with no greater Force he boldly attacked the Kingdom of *Ulſter*, which had not been hitherto attempted by the *Engliſh* Arms: And firſt he beſieg'd the City of *Doun*, the Metropolis of that Province, and took it without any difficulty; *Dunleve*, a petty Prince then in it, running preſently away, as not being provided to make any defence. Cardinal *Vivian*, the Pope's Legate (who was then newly arriv'd in *Ireland*) being inform'd of this, endeavour'd to make Peace between *Roderic* King of *Ulſter* and *John de Curcy*, but without any effect: Whereupon *Roderic* and *Dunleve* raiſe an Army of Ten Thouſand *Iriſh* in a few days, and both march towards *Doun* with hopes to recover it; which *Curcy* perceiving, he thought it not for his advantage to be ſhut up in a ſmall Fortreſs he had built in a corner of the City; and therefore drew out ſome of the Men he had there, being in all not above Seven Hundred, and went up towards them, reſolving to try the Fate of a Battle, which proved very ſharp and cruel, but at length he obtain'd the Victory with a mighty Slaughter of his Enemies, though not without a conſiderable Loſs on his own ſide.

[3.] *Giraldus Cambrenſis* in the ſame Chapter tells us of Four other Battles this *Curcy* fought in *Ulſter*, yet does only name them, and the Places where they were fought, without aſcertaining the time when, or the Succeſs of thoſe his Engagements.

Stanihurſt alſo in his Hiſtory of *Ireland*, paſſeth them over as briefly: But [4.] Dr. *Hanmer* in his Chronicle of that Nation, from a Book written in *Latin* by an *Iriſh* Fryar, and Tranſlated by Dr. *Dowdall* Archbiſhop of *Armagh* into *Engliſh*, gives us a fuller Account of them; which, ſeeing they are not mention'd in any of the *Iriſh* Annals, I ſhall but juſt touch upon them from that Author.

The Firſt was fought on *Midſummer*-day following, before the Walls of *Doun*, with Fifteen Thouſand *Iriſh*, in which *Curcy* was Victor, and beat them ſo ſufficiently, that the *Ulſter* Men had no great ſtomach to ſet upon the *Engliſh* afterwards.

[5.] The Second was in *Ferns* againſt Eleven Thouſand *Iriſh*, the *Engliſh* not being above a Tenth part of the Number; in which Fight the Latter were routed, and Sir *John Curcy* and Sir *Amoric* St. *Laurence*, his ſworn Brother, were fain to ſave themſelves by flight in an old Caſtle, where they lay *perdue* till their Forces could be rallied; and the

[2] *Id. ib. c.* 16.

Fitz-Adelm, through his Covetouſneſs, Oppreſſion, *&c.* makes no further Conqueſts in *Ireland*.

John de Curcy boldly invades *Ulſter*.

He takes *Doun*.

Cardinal *Vivian* mediates a Peace, tho' without effect.

Roderic and *Dun-Leve* raiſe an Army to recover it, but they are miſerably beaten by *Curcy*.

[3.] *Id. ib.* Four Battles fought by *John de Curcy*.

[4] *Hanmer's* Hiſt of *Ireland*, p. 152.

He beats the *Ulſter* Men.

[5.] *Id. ib. p.* 153, 154.

In the Battle at *Ferns* his Army was routed, and He and St. *Amoric*, St. *Laurence* forced to fly, till their Forces could be rallied.

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the night following having ſent out Spies into the Enemie's Camp, which they found without either Centries or Guards; they preſently march'd with all the Forces they had, and taking the *Iriſh* aſleep, kill'd them without any reſiſtance, ſo that not above Two Hundred of them eſcaped: but of this laſt Succeſs, *Giraldus* ſays nothing.

But falling again upon them by Surprize, the *Iriſh* were almoſt totally cut off.

[1.] *Id. p.* 155. The Third Battle was at *Uriel*, near the *Newry*.

The Third was fought in that part of *Ulſter* call'd *Uriel*, (which ſeems to have been the Country about the *Newry*) near which River the *Iriſh* being then encamp'd, a certain Fryar ſhewing the *Engliſh* a Ford that was paſſable, they got over, and fell upon the *Iriſh*, Commanded by one *O Han lan*, being about Six Thouſand, and the *Engliſh* One Thouſand; the Conflict was very ſharp, but the *Engliſh* Foot giving ground, left *Curcy* in the midſt of his Enemies, till his Friend Sir *Amoric St. Laurence* coming to his Relief, they again rallied, and encouraged their Souldiers, who charged the *Iriſh* ſo briskly, that they forced them to retreat: but the Slaughter was ſo great on both ſides, that each of them drew off without boaſting of the Victory.

O Hanlan commanded the *Iriſh*, who were 6000, and the *Engliſh* but 1000.

The Slaughter ſo great on both ſides, that neither could much boaſt of the Victory.

[2.] *Id. p* 157. The Fourth Battle at the Bridge of *Ivori*, which he obtained with Honour.

[2.] The Fourth was at the Bridge of *Ivori*, where *Curcy* again prevailed, and ſlew many of his Enemies. Theſe were the Great Acts of that *John de Curcy*, who Commanded thoſe *Engliſh* Forces that ſubdued *Ulſter*; after which he built many Caſtles in convenient places for the Security of it, and eſtabliſh'd there a firm Peace.

He builds ſeveral Caſtles in *Ulſter*, and eſtabliſhes Peace.

[3.] G. C. *l.* 2. *c.* 17. *Miles Cogan* invades *Connaught*.

[3.] While *John de Curcy* was thus imployed in reducing *Ulſter*, *Miles Cogan*, who was Conſtable and Governor of *Dublin*, under *William Fitz-Adelm*, Seneſchal of *Ireland*, with Forty Knights, Two Hundred Horſemen, and Three Hundred Archers, paſſed the River *Shannon*, and invaded *Connaught*, upon whoſe approach the Inhabitants burnt their own Cities and Towns, hid their Proviſions in Caves under-ground, and drove their Cattle into Faſtneſſes; nevertheleſs the *Engliſh* Forces marched as far as *Tuam*, the Metropolis of that Province, and ſtayed Eight days; but not finding any Subſiſtence there, they return'd to the *Shannon*, where *Roderic* Prince of *Connaught* came againſt them with Three great Bodies of Men; and in a Wood adjoyning there was a ſharp and bloody Engagement, and many of the *Iriſh* were ſlain; but *Miles* and his Men got ſafe to *Dublin* with the Loſs only of Three Horſemen.

Upon which the Inhabitants burn their Cities, hide their Proviſions, and drive away their Cattle.

Roderic comes out againſt him with three Great Bodies, & had a ſharp diſpute; but *Cogan* got ſafe to *Dublin* with the Loſs only of three Horſemen.

[4.] *Ib. c.* 18.

[4.] After this *William Fitz-Adelm* was recalled from the Government for his evil Adminiſtration, and *Hugh de Lacy* was made by the King chief *Seneſchal* or Deputy of *Ireland*, and *Robert Poer* Governor of *Wexford* and *Waterford*.

There was nothing elſe conſiderable done in *Ireland* this year, but only that in a General Synod held at *Dublin* by Cardinal *Vivian* the Legate; he publickly ſet forth the Right of the King of *England* over *Ireland*, ſtrictly forbidding both the Clergy and Laiety, under the pain of *Anathema* or *Excommunication*, to preſume to depart from their Fealty and Allegiance.

[5.] This

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[5.] This Year the King went into *Anjou*, and kept his *Chriſtmaſs* at the City of *Angiers*, where the chief Nobility of that Country were ſummon'd to attend him during that Feſtival; then returning into *Normandy* after *Eaſter*, and having a great Mind to go for *England*, he ſent Ambaſſadors to the King of *France* for his Protection for all his Territories on that ſide of the Sea, who preſently by way of Letter granted it; which being very extraordinary, I ſhall here ſet down at length: "*Lewis* King of *France*, to all to whom theſe Preſents ſhall "come, *Greeting*; Know ye, that We have received into our Cuſto- "dy all the Lands of our moſt Dear Brother *Henry* King of *England* "on this ſide the Sea, if he ſhall pleaſe to go over into *England*, or "go on Pilgrimage, *viz.* to the *Holy Land*; and that if his Bayliffs, "or Officers, ſhall require us, we ſhall truly, without deſign, give "them our Counſel and Aſſiſtance for the defence and protection of "the ſame. Given at *Bois de* * *Vincennes*.

[5.] *R. H. C. B. Col.* 1137.

The King of *France* gives the K. of *England* Letters of Protection

* *Vincenas.*

France being for the greateſt part now in Peace, I find nothing there worth Notice, but that [1.] King *Henry* having the laſt Year ſent his Son *Richard* into *Poictou* to ſubdue his Enemies, he had made War upon them ever ſince. The Sum of thoſe Actions was, That he marched with a Great Army to the City of *Oſſea*, on the Borders of *Spain*, and there found the Earl of *Bigorre* kept Priſoner by the Citizens, whom he cauſed to be releaſed, he delivering to Earl *Richard* for his Ranſome the Town of *Clermont*, and the Caſtle of *Mumbrun*; after which the Earl alſo took *Genzai* and *Martillian*, and ſeveral other Caſtles which he razed to the ground; and the Earl *Engoleſme* ſurrendered to him his City of the ſame name, as alſo the Caſtle of *Montiniac*, both which Places he diſmantled by throwing down their Walls. But to return to *England*.

[1.] *R. H. p.* 332. *a.*

Earl *Richard* ſent by his Father into *Poictou*, to ſubdue his Enemies.

He releaſes the E. of *Bigorre*, who had been kept Priſoner.

Takes *Genzai* and *Martillian*.

Has the City of *Angoleſme* ſurrendred to him.

[2.] About the beginning of *July* King *Henry* arrived from *Normandy*, and by the way to *London* paid his Devotions at the Shrine of the New Saint *Thomas*; and when he heard that *William* Archbiſhop of *Rheims* was come over upon the ſame Errand, he ſtayed for his coming about *London*, where he received him very ſplendidly; and after he had perform'd his Devotions to this reputed Saint, he return'd home again.

[2.] *G. B. Col.* 1138.

The K. arrives from *Normandy*, and pays his Devotions at the Shrine of St. *Thomas*.

[3.] Some time after the King's return from *Normandy*, being at *Woodſtock*, he made his Son *Geoffrey* a Knight; who preſently paſſing over into *Normandy*, did there (as alſo in *France*) follow Torneaments, or the manly Exerciſe of Tilting; wherein he was ambitious of gaining Reputation by his Valour, becauſe his Elder Brothers *Henry* and *Richard* had already acquired great Honour in thoſe Military Performances. The Reader is to take notice, that theſe Tiltings on Horſeback with Spears were then very much in faſhion; but at laſt, becauſe of the miſchief that often happen'd thereby, they were forbid by the Pope's Decree.

[3.] *R. H. p.* 331.

He makes his Son *Geoffrey* a Knight.

His Military Exerciſes.

Tilting then very much in faſhion, but afterwards forbidden by the Pope.

But I can meet with nothing further to have happened conſiderable in Civil Affairs, and therefore I will give an Account of ſome Eccleſiaſtical Matters in *France*, where [4.] *R. Hoveden* gives us a long Relation, how that the *Arian* Hereſy, as he terms it (or rather the Doctrine of the *Albigenſes*) having been the year before condemn'd in a Synod of all the Biſhops of *Languedoc*, the Kings of *England* and *France*

[4] *Id. p.* 327.

The Kings of *England* and *France* reſolv'd to root the *Arian* Hereſy out of their Dominions.

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France were reſolved to root thoſe reputed Hereticks out of their Dominions too; but firſt of all they ſent the Cardinal of St. *Chrogonus*, the Pope's Legate, with divers of the Archbiſhops and Biſhops of *France* to try if they could convert them: Theſe Clergymen were backed by great Forces under the Conduct of *Raymund* Earl of *Tholouſe*, the Viſcount of *Touraine* and other Noblemen, who, in caſe of Obſtinacy, were to aſſiſt the Cardinal in expelling them out of thoſe Parts.

[5.] *Id. ib.* Earl of *Tholouſe*, and the Pope's Legate cite the Heads of them before them.

Whereupon the [5.] Earl and Legate arriving at the City of *Tholouſe* (which was no ways able to reſiſt them) they cited the Heads of thoſe reputed Hereticks before them, beginning with *Peter Moran*, one of the Richeſt Citizens they had, and likewiſe their chief Teacher; but he being convicted and condemned for ſeveral reputed Heretical Opinions, and not being deſirous then to dye a Martyr, thought it his beſt way openly to recant them; however notwithſtanding he was ſentenced to be publickly whipped, and his Eſtate to be confiſcated; at which ſevere proceedings his Followers were ſo terrified, that many of them came in, confeſſed and abjured their Opinions, only Two of them, whoſe Names were *Raymond* and *Bernard*, and ſome few other of their Preachers refuſed to recant, yet, being ſummon'd, they appeared, having firſt obtained a ſafe Conduct for their coming and returning back; the Proceſs againſt them is very long, but the Sum of it is to this effect: [1.] That they produced the Articles of their Faith in writing, containing ſeveral paſſages which were judged bordering upon Hereſy; therefore the Biſhops would have them give an account of their Faith in Latin, But they not being able to do that, the Cardinal and Biſhops were fain to Examine them in their Mother-tongue; in which when they anſwer'd alſo as if they had been true Catholicks, the Earl of *Tholouſe* and Others laid many wicked Opinions to their charge, as that they had preached up Two Gods; that Mariage and Baptiſm of Infants were unlawful, with divers other Heretical Doctrines, all which they poſitively deny'd; yet being urg'd to abjure them upon Oath, they utterly refuſed it, juſtifying themſelves by the words of our Saviour, ***Swear not at all.***

Beginning with *Peter Moran* their chief Teacher, but tho' he recanted, he was ſentenced to have his Eſtate confiſcated.

Many thereupon abjured.

Raymond and *Bernard*, with a few more of their Preachers, refuſing to recant, appear upon Summons.

[1.] *Id. p.* 328.

Many wicked Opinions laid to their Charge.

Therefore when (after Admonition) they ſtill perſiſted in refuſing to Swear, the ſaid Cardinal and Biſhops in the preſence of all the People, Excommunicated the ſaid *Raymond* and *Bernard* and their Abetters, and order'd that all Princes ſhould drive them out of their Territories; then the Earl of *Tholouſe* and other Great Men of that Province bound themſelves by Oath, That for the future they would be neither moved by any Prayers or Rewards to favour thoſe Hereticks, as they were then call'd.

Upon their refuſing to abjure, they are Excommunicated, and their Abetters.

Thus have I here given you (as briefly as I could) *Roger Hoveden*'s Account of the Proceedings in *France* againſt theſe *Albigenſes* or *Waldenſes* (as ſome call'd them) who, by what has been here laid to their charge, ſeem'd then to have held the ſame Opinions with the *Manichees*, and divers other antient Hereticks: Yet for all this, that they were not *Manichees*, appears by their antient as well as modern Confeſſions of Faith, being the ſame People that were driven out of *France* by thoſe cruel Perſecutions, and fled chiefly to thoſe of their own Religion, who liv'd in the mountainous Parts of *Savoy* and *Piemont*, and who have continued there till our times under the name of *Vaudois*.

Theſe were the *Albigenſes* or *Waldenſes*.

They fled to the Mountainous parts of *Savoy* and *Piemont*, and are now call'd *Vaudois*.

[2.] *Mez-*

[2.] *Mezeray* in his Hiſtory diſtinguiſhes them from the *Manichees*, and ſays that many of them being perſecuted in *Thrace*, whither they had been tranſplanted by the *Greek* Emperor *Joannes Zimiſces*, got by Land into *France*, and there lay conceal'd (as to their Opinions) for ſome years; but theſe were Strangers, and could never encreaſe to that Multitude, as to make up the greater part of the City of *Tholouſe* as they now did.

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[2.] *A.D.* 1163. *Mezeray* diſtinguiſhes them from the *Manichees.*

An Eclipſe of the Sun.

I find nothing elſe remarkable that happen'd this Year, but that there was an Eclipſe of the Sun on the Thirteenth of *September*, of which *Gervaſe* of *Canterbury* has given us an exact Account.

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[3.] This year the King kept his *Chriſtmaſs* at *Wincheſter*, his Sons *Geoffrey* and *John* being with him, for young King *Henry* was in *Normandy*, and Duke *Richard* in *Poictou*; but in [4.] *Lent* following *Henry* the Son return'd into *England*, and the King his Father and He kept their *Eaſter* together at *Wincheſter*. Not long after this *Richard de Lucy*, Juſticiary of *England*, reſigning his Office, became a Chanon Regular in the Abby of *Lewis*, which he had lately founded: after whoſe Diſmiſſion, the King held a Great Council at *Windſor*, and by the Common Advice of his Archbiſhop, Biſhops, Earls and Barons, he divided *England* into four parts or Circuits, and to every one he appointed Diſcreet men to do Juſtice in the Land: aſſigning to every Circuit (except the laſt) five Juſtices, for whoſe Names as well as thoſe of the Counties aſſign'd them, I refer you to my [5.] Author, thinking it enough to mention, That *Richard* Biſhop of *Wincheſter*, and *Richard* the King's Treaſurer were appointed the Two chief Juſtices for *Hampſhire* and the reſt of the *South Weſtern* Countries; and *Geoffrey* Biſhop of *Ely*, and *Nicholas* the King's Chaplain, were the Two chief Juſtices for *Cambridgſhire*, and the reſt of the Counties there mentioned; *John* Biſhop of *Norwich*, and *Hugh Murdac* the King's Clerk, were the Two chief Juſtices for *Norfolk* and the reſt of the Counties there recited, whereof *Middleſex* is one, which yet was not before mention'd in the former Diviſion, and theſe Six, *viz. Geoffrey de Lucy*, *John Cumin*, *Hugh de Gaerſt*, *Ranulph de Glanvil*, *William de Bendings* and *Alan de Furnellis*, who were before appointed Juſtices in the * King's Court to hear the People's Suits, had now the Seven *Northern* Counties (beginning with *Nottinghamſhire* and *Derbyſhire*) aſſigned them for their Share.

[3] *G. B. R. H. p.* 332. *a.*

[4] *Id. ib.* 337. *a.*

Richard de Lucy reſigns his Office of Juſticiary, and comes the Chanon Regular.

The K. holds a Great Council at *Windſor.*

He divides *England* into four Circuits.

[5] *Id. ib.*

* *Curia Regis.*

From whence the Reader may obſerve, that the King did not by his own Authority alone, without the Advice and Conſent of the Great Council of the Kingdom, take upon him to appoint theſe Itinerant Juſtices; ſo that the Kingdom was now divided into but four Circuits, where as the former Diviſion was into Six; for which alteration it is difficult to give a Reaſon at this great diſtance of time.

But not by his ſole Authority, but by the Conſent of the Great Council.

You may likewiſe further obſerve, That Biſhops and Clerks (that is, Men in Holy Orders) did ſtill act as Judges in Cauſes of Life and Death, notwithſtanding the late Canon made againſt it; for how otherwiſe could they be ſaid to have done Juſtice throughout the Kingdom?

Biſhops and Clerks ſtill acted as Judges in Cauſes of Life and Death.

[1.] *C. B.*

After this nothing happen'd either here or in foreign parts, only that [1.] *Lewis* King of *France*, being now very much broken with Age, reſolved to have his Son *Philip* crown'd King in his Life-time;

K. *Lewis* reſolves to have his Son *Philip* Crowned in his Life-time.

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and to that end ſummon'd the Eſtates of the Kingdom to meet at *Rheims*, but on the Day appointed for this Solemnity, the young Prince fell ſo deſperately ill of a Cold or Fright which he had taken upon loſing himſelf all night in the Woods, as he rode a hunting, that the King his Father grieved extreamly from him, inſomuch that He reſolved to come over into *England* on Pilgrimage to the Tomb of the New St. *Thomas*, to implore his Aſſiſtance for the Recovery of the young Prince's health, or (as our [2.] *Monkiſh* Writers relate) was Commanded by that reputed Saint in a Dream ſo to do: But this is certain, that notwithſtanding the *French* Nobility did all they could to diſuade him from it, yet he did come into *England* (being attended by *Philip* Earl of *Flanders* and divers other Princes and great Lords;) and ſo ſoon as he arriv'd, the King met him at *Dover* on the 22d of *Auguſt*, and from thence conducted him to *Canterbury*, where he ſpent Two days in Prayers at the Saint's Tomb, at which he offer'd a weighty Golden Cup, and beſides beſtowed upon the Monks of that Church for ever yearly One Hundred Meaſures of Wine to be delivered to them at a certain place in *France*, without any Charge or Duty; and he likewiſe granted, that whatever thoſe Monks ſhould buy in his Kingdom for their own Uſe, it ſhould be free from all Tolls and Cuſtoms; all which he confirmed by his Charter under his Seal.

But his Son falls ſick that very day it ſhould have been perform'd.

[2.] *Id. ib. R. H. p.* 337. *b.*

His Father was admoniſh'd in a Dream to viſit St *Becket's* Tomb for *Philip's* Recovery.

He comes to *Canterbury* and K. *Henry* from *Dover* conducts him thither.

He prays and offers at the Shrine.

Gives the Monks 100 Meaſures of Wine yearly for ever.

And ſeveral other Privileges, which he confirms by his Charter.

[3.] The Third day after King *Lewis*'s arrival there, King *Henry* conducted him back to *Dover*, and the next day (which was the Twenty-ſixth of *Auguſt*) he ſet Sail for *France*: During this time of his abſence, his Son *Philip*, through the Mediation of St. *Thomas* (as you muſt ſuppoſe the King his Father believed) recovering his former Health, He then by publick Edict commanded all the Princes and Great Men of his Kingdom, both Eccleſiaſtical and Secular, to meet at *Rheims* on the Feaſt of *All-Saints*, to Crown his Son, and then the Solemnity was perform'd. *Henry* the Young King of *England* as Duke of *Normandy*, carrying before him from his Preſence Chamber to the Church, the Golden Crown, with which he was to be Crowned: and *Philip* Earl of *Flanders* the Sword of that Kingdom; and the other Dukes, Earls, and Barons, took their Places according to their ſeveral Offices; [4.] but King *Lewis* could not be there; for it ſeems upon his Return from *England*, as he made a Viſit to St. *Dennis*'s Shrine, he got a great Cold, and fell into a Dead Palſey, by which he loſt the Uſe of the Right-ſide of his Body, and never after perfectly recover'd it.

[3.] *Id. ib.*

His Son *Philip* recovers his health.

The Princes and Great Men commanded by Edict to meet at *Rheims*, and Crown his Son there on *All-Saints* day.

He was Crowned accordingly.

[4.] *R. H. p.* 338. *a.*

To conclude this year, [5.] I cannot omit a ſtrange Prodigy that happen'd in the *Chriſtmaſs* Holy-days near *Derlington* in the Biſhoprick of *Durham*, where "at a place call'd *Oxen-hall*, the Earth rais'd it "ſelf up to a great Heighth in the manner of a lofty Tower, and re"main'd all that day till the evening (as it were fixed and unmovea"ble) in that poſture; And then on the ſudden it ſunk down again "with ſuch a horrid noiſe, that it terrified all the Neighbourhood: "and the Earth ſo ſuck'd it in, that it made there a deep Pit, "which continues as a Teſtimony to this day. This is ſuppoſed by [1.] Mr. *Camden* to be thoſe Wells or Pits now called *Hellkettles*, which, how well they anſwer the foregoing Deſcription, I ſhall leave to others to judge.

[5.] *Id. ib.*

A ſtrange Prodigy that happened near *Derlington* of the Earth's heaving up it ſelf to a great heighth, and abiding ſo all day.

[1.] New Edit. of *Britannia*, *p.* 774.

The

The Kings of *England* and *France* being now at Peace, there were no conſiderable foreign Wars, unleſs for reducing of ſome Rebels in *Aquitain* to their Obedience, [2.] for Duke *Richard* having been very much provoked by the Injuries and Affronts of a certain Nobleman called *Geoffrey de Rancuna*, he was reſolv'd to bring down his pride; and therefore in the beginning of *May* he march'd, and beſieged his ſtrong Caſtle of *Tailborgh*, which was ſo deſperate an Enterprize, that none of his Predeceſſors before him ever durſt attempt it, being (beſides the natural ſtrength of its Situation) very well provided both with Men, Proviſion and Ammunition: but the Duke, having firſt deſtroyed the Country round about it, laid cloſe Siege to the Town and Caſtle it ſelf, and the Gariſons preſuming upon their great Strength; ſallied out upon the Duke's Army, which not only beat them back to their very Gates before ever they could ſhut them, but ent'red the Town at their Heels, and put to the Sword all they found in the Streets, ſparing none but thoſe that fled to the Caſtle; the Lord of which was forced to Surrender it within a few days after.

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[2] *R. D. Col.* 603.

Duke *Richard* Beſieges *Tailborgh*-Caſtle, belonging to *Geoffrey de Rancuna.*

He enters the Town, and puts all to the Sword that were found in the Streets. And in a few days after the Caſtle it ſelf was ſurrendred to him.

So ſoon as the Duke had got it into his poſſeſſion, he commanded the Walls to be batter'd down, and the like he did by ſeveral other Caſtles that only ſerved as encouragements for Rebellion in that Country; all which when Duke *Richard* had luckily finiſhed, he returned into *England* to his Father with much Honour.

He batters down the Walls of this, and ſeveral other Caſtles that only ſerved as Encouragements to Rebellion. And then returns into *England* with great Honour.

[3.] Alſo this year Duke *Geoffrey* (the certain time indeed is not ſet down) by the King his Father's commands went over into *Bretaigne*, and there raiſing an Army, waſted the Lands of *Guiomar de Launs*, till he forced him to ſurrender himſelf to his mercy. From whence you may obſerve the great Inſolence of the Noblemen of thoſe times, who if they had but Two or Three ſtrong places in their Cuſtody, thought themſelves an equal match for their Prince, though they often found themſelves miſtaken in their Account.

[3.] *R. H. p.* 337. *b.*

Duke *Geoffry* goes into *Bretaigne*, and waſtes the Lands of *Guiomar de Launs*, till he made him yield to his Mercy.

[4.] But to look back upon the affairs of *Ireland*, the *Engliſh* Intereſt this year received a very great Blow, by the loſs of Two valiant Commanders (*viz.*) *Miles Cogan*, and *Ralph*, Son to *Robert Fitz-Stephen*, who going toward *Liſmore* to treat with the men of *Waterford* about ſome affairs, reſolved to lodge with an *Iriſh*-man one *Mac-Tyre* the night following, for he had invited them to his Houſe; but while they ſtayed in the Fields expecting the *Waterford* men, their pretended Entertainer ſtealing out upon them unawares with a party of men, killed them both with five other Knights; and immediately thereupon *Mac Tyre* and *Mac-Carty* with all the *Iriſh* in thoſe parts revolted from the *Engliſh* Allegiance, and deſigned to deſtroy *Robert Fitz Stephen*, whom they beſieged in *Cork*: his Nephew *Raymond* hearing in what diſtreſs he was, preſently ſhipped himſelf at *Wexford* with Twenty Knights, and about an Hundred others, ſome being Horſe, and others Bowmen, who landing at *Cork* encountred the Enemy, killed many of them, cauſed Others to fly, and forced the greateſt Part of them to ſue for peace.

[4.] *G.C. l.* 2. *c.* 18.

Miles Cogan & *Ralph*, the Son of *Robert Fitz-Stephens*, treacherouſly ſlain.

Raymond relieves his Uncle *Fitz-Stephens*, whom the *Iriſh* had beſieg'd in *Cork*.

Richard Cogan ſucceeds his Brother in the Government of *Cork*.

The King hearing of the death of *Miles*, ſent *Richard Cogan* his Brother with a choice Band of men to ſucceed him in the Government of the County of *Cork*; a man no way inferior to his Brother, for Courage and Martial knowledge.

(5.) *Hugh*

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[5.] *Id. ib.* The *Iriſh* quietly ſubmit to the prudent Government of *Hugh de Lacy*.

[5.] *Hugh de Lacy* at this time Governed *Ireland* with great Prudence and Moderation; he recalled ſuch as had been violently thrown out of their Habitations, ſo that in many places the lands were again ſtocked and cultivated; and in a ſhort time, he eſtabliſhed the *Engliſh* in Peace by his Generoſity and kind Behaviour, and by this means ſo alluring the *Iriſh*, and obliging their Great Men, that he was much ſuſpected to have aimed at the ſupreme Dominion, of that Nation.

[1.] *R. H. p.* 332. *b.* C. G. *Col.* 1446. The Second Council of *Lateran*. Out of *England* there went but four Biſhops. Three and Thirty Decrees made there. The *Albigenſes* and all of their Opinion declared Hereticks.

[1.] *England* affording us nothing worth remarking in Eccleſiaſtical matters, I ſhall make bold to give you ſome Account here of that famous Council, called the Second *Lateran*, which was held this year at *Rome*; and to which, all the Biſhops of *England*, *Scotland* and *Ireland* had been ſummoned the year before by the Pope's Legates, and at which moſt of the Princes of *Europe* aſſiſted by their Ambaſſadors, as alſo all the Clergy repreſented by their Biſhops: yet out of *England* there went no more than Four Biſhops, becauſe they affirm'd that no more were neceſſary to be ſent to any Council. In this Synod were made Three and Thirty Decrees, which you may find at large in *R. Hoveden*, and *Gervaſe* of *Canterbury*; the Chiefeſt of which were to eſtabliſh the Election of the Pope, which was to be made for the future by no leſs than Two parts of Three of all the Cardinals there preſent. But thoſe which I ſhall take moſt notice of, are the declaring the *Albigenſis*, and all of their Opinion in *Gaſcony* and other places, Hereticks; the reſt, as wholly relating to Eccleſiaſtical matters, I omit.

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[2.] *R. H. p.* 339. *b* The Young K. of *France* wholly influenced by *Philip* E. of *Flanders*. He uſes his Mother, Uncles and Father's Friends very ill. Young K. *Henry* comes into *England* to acquaint his Father with it. *Philip* treated his Relations. Both Kings go into *Normandy*, where the Father received the Oaths and Pledges of the *French* Nobility to ſtand to his Judgment. He raiſes an Army, and enters *France*.

[2.] King *Henry* this year kept his *Chriſtmaſs* at *Nottingham*, where *William* King of *Scots* was preſent; but in *France* things grew very turbulent, for the Young King taking advantage of his Father's Indiſpoſition, was in all things directed by *Philip* Earl of *Flanders* through whoſe advice he began to tyrannize over the People, and to deſpiſe and hate all thoſe that either loved his Father, or were his Friends; and ſo perſecuted his Mother, that he forced her out of his Dominions, and uſed *William* Archbiſhop of *Rheimes*, Earl *Theobald*, and Earl *Stephen* his Uncles by the Mother-ſide very harſhly: at whoſe requeſt King *Henry* the Son went into *England* to his Father, to inform him how *Philip* the Young King of *France* had treated his Relations through the inſtigation of the Earl of *Flanders*. Upon this Information, they both paſs'd into *Normandy* before *Eaſter*, where the Queen of *France*, with her Brothers, Earl *Theobald* and *Stephen*, were; and ſeveral others of the *French* Nobility came to them, and gave the old King of *England* their Oaths and Pledges, that they would not recede from his Judgment; Upon which he raiſed a great Army, with an Intention to enter *France*, and revenge the Injuries the young King had done his Mother, and Uncles:

[3.] *Id. ib.* Before any ſtility, upon a Conference between Old K. *Henry* and *Philip*, Peace was made.

But before they came to any Acts of Hoſtility, [3.] King *Henry* the Father came to a Conference with King *Philip* between *Giſors* and *Trie*, at which ſometimes by fair words, ſometimes by thoſe more harſh, he at laſt ſo effectually prevail'd with him, that againſt the Advice of the Earl of *Flanders* and *Robert Clement*, the Young King was reconciled to his Mother and Uncles, and received them into favour, appointing Her to receive Seven pounds of *Paris* money every day

for

for her Diet, and promiſing to allow her her full Dower whenever his Father ſhould die. *Anno Dom.* MCLXXX.

In this Agreement the Earl of *Flanders* was alſo included, as appears by Two Letters of this Kings to *Ranulph de Glanville*, inſerted by * *Giraldus Cambrenſis* in his Manuſcript Treatiſe *de Inſtructione Principis*, wherein he lets him know that he had made a firm Peace between the King of *France* and Earl of *Flanders* on theſe conditions, that the Earl of *Flanders* and all his Adherents, ſhould return to the Allegiance of the King of *France*; and that all Caſtles and Priſoners taken in the late War ſhould be reſtored on both ſides; and laſtly, that the Earl of *Flanders* ſhould renounce all his Right to the County of *Vermandois*; and that at the ſame time King *Henry* had alſo reconciled the Queen of *France* to her Son King *Philip*, together with the Archbiſhop of *Rheims*, the Duke of *Burgundy* and other Great Men who had taken her part, and that he had made a firm Peace with the ſaid Earl.

In this Agreement the Earl of *Flanders* included.

* *In. Bib. Cotton. Jul. C.*

[4.] At this Conference likewiſe King *Henry* the Elder (for greater Caution) received Homage of the Earl of *Flanders* in the preſence of the King of *France*, and on that conſideration granted him yearly one Thouſand Marks to be received at his Exchequer in *London*; and in Recompence thereof he was to find the King of *England* every year for his Service, when he was thereunto ſummon'd, Five Hundred Knights or Horſemen for Forty days.

[4.] *R. H. ib.* The E of *Flanders* does Homage to the K. of *England* for One Thouſand Marks *per Ann.* and he is to find 500 Horſe for 40 days.

[5.] The ſame year *Lewis* the Seventh, King of *France*, died at *Paris* on the Eighteenth of *September*; and ſoon after his Son, the New King *Philip* and King *Henry* came to another Conference at the ſame place as before; and there renewed the ſame Peace and Agreement (and that in the ſame words) as had been made already between his Father and Himſelf, (except that Covenant of taking the Croſs, and going to the *Holy Land*) and confirmed it with their Oaths, as you may find in our Author at large.

[5.] *Id. ib. p.* 339. *a.* K. of *France* dies.

Another Conference, where the ſame Peace was renew'd between the Ks. of *England* and *France*.

[1.] This year alſo (though *R. Hoveden* does not ſet down the exact time) the King appointed *Ranulph de Glanville*, Chief Juſticiary of all *England*, by whoſe wiſdom and Advice the Laws of King *Edward* (which had been before confirmed by *William* I.) were again renewed; which Laws ſince they are already ſet down at the end of King *William* the Firſt's Reign, need not here to be further mention'd, only the Reader may obſerve, that theſe Laws of King *Edward*, were ſtill in force in this King's Time.

[1.] *Id. ib. Ralph de Glanville* appointed Chief Juſticiary.

K. *Edward's* Laws again renewed.

I find nothing elſe remarkable to have been performed this year in *England*, [2.] only that all the old money being very much adulterated was called in, and coined anew by the King's Command under the care and management of *Philip Aymari* native of *Tours* in *France*; [3.] and He alſo ſeverely fined, and otherwiſe puniſhed the falſe Coyners for abuſing the Alloy, and corrupting the old Money.

[2] *R. D. Col.* 611.

New Money coined in *England*, and the Old call'd in.

[3.] *R. H. p.* 341.

As for Foreign Affairs, the moſt conſiderable was, [4.] That *Henry* Duke of *Saxony* (the King's Son-in Law) having ſeized upon certain Revenues belonging to the Archbiſhop of *Cologn* which lay in the Duke's Dominions, the Archbiſhop complain'd thereof to the Emperor, accuſing him not only of that, but of Perjury and Treaſon againſt his Imperial Majeſty, who thereupon cited him to appear at the

[4.] *R. H. p.* 339. *a.*

A. Bp. of *Cologne* accuſes the D. of *Saxony* to the Emperor of Perjury and Treaſon.

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He is cited to appear at the Emperor's Court.

the Court, or Dyet of the Empire, where he coming upon ſafe conduct, was accuſed of the aforeſaid Crimes, and perceiving he ſhould be condemned, (without making any defence to what was laid to his charge) privately withdrew into his own Dominions, which for his Contumacy, were forthwith adjudged forfeited, and his Perſon proſcribed; whereupon the Archbiſhop of *Cologne* being back'd with the Emperor's Forces, immediately Invaded the Duke's Territories; but He being ſeveral times defeated in divers Battles, he found himſelf at laſt reduced to that extremity, that he was forced to ſubmit to the Emperor's mercy; whereupon he was baniſh'd his Country for ſeven years; but afterward, at the Interceſſion of the Pope and the Kings of *France* and *England*, the Emperor releaſed four years of the Term preſcribed; the Duke being thus Exil'd came to his Father-in-Law King *Henry*, who was then in *Normandy*.

The A. Biſhop with the Emperor's Forces invades the Duke's Territories.

He is baniſh'd his Country for 7 years, but the Emperor remits four of them.

This being [5.] the Twenty Seventh year of King *Henry*'s Reign, he kept his *Chriſtmaſs* at the City of *Mans*, and not long after he appointed by his Edict what Arms every man in all his Dominions beyond the Seas, ſhould have ready for the Defence of his Country; *viz.*

The D. in his Exile comes to K. *Henry* into *Normandy*.

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He that was worth in Goods One Hundred pounds of *Anjou* Money, was to have a Horſe, and entire Arms of a Horſeman; every man that was worth Forty, Thirty or Five and Twenty Pounds of the ſame money in Goods, was to have an Iron Cap, a Gorget, a Lance and Sword: and all others to have a *Wambais* (*i. e.* a Coat quilted with Wool, or ſuch like matter) an Iron Cap, a Lance and a Sword, or elſe Bows and Arrows; and he prohibited all Men from ſelling their Arms, or pawning them, and ordained that at their deaths they ſhould go to their next Heirs. When the King of *France* and Earl of *Flanders* heard of this Law, they likewiſe cauſed their Men to be Armed after the ſame manner.

[5.] *Id. p.* 348. An Aſſize of Arms appointed by the K. in all his Dominions beyond the Seas.

K. of *France* and Earl of *Flanders* make the ſame Aſſize of Arms for their Men.

Though this Tranſaction does not properly belong to our *Engliſh* Hiſtory, yet I thought fit to inſert it, for the Reader to ſee that in thoſe times the Common People of *France*, as well as thoſe of *England*, were not abſolute Slaves and Vaſſals, for the very meaneſt of them were capable of bearing Arms for the defence of themſelves and their Country: and you will find by the Aſſize of Arms, which was not long after made in *England*, that the Privileges of the People as to this matter were much the ſame: and which is a plain proof, That *conſtant ſtanding Armies* were not then in faſhion in *France*.

[1.] *Id. p.* 350. *a.* The K. of *England* makes Peace between the K of *France* and E. of *Flanders*.

[1.] While King *Henry* ſtayed at *Barfleur* expecting his paſſage into *England*, there happen'd a freſh difference between the King of *France* and the Earl of *Flanders*, about the Earl of *Clermont*; and King *Henry* was ſent for to *Giſors* by the King of *France*, and there at a Conference made them Friends; and from thence went to *Cherburgh*, and ſo ſet Sail for *England*, and arrived at *Portſmouth* the Twenty-fifth of *Auguſt*, and brought along with him *William* King of *Scots*, whom he had ſometime before ſent for into *Normandy*, in order to make a firm Reconciliation between Him and the Biſhops of St. *Andrews* and *Aberdene*, who had been forced out of that Kingdom by his harſh uſage; but King *Henry* could not ſettle that affair, as appears by the many Letters, the Pope afterwards wrote to the King of *Scots* to permit thoſe Biſhops quietly to enjoy their *Biſhopricks*; which the King diſobeying, *Alexis* the Pope's *Legate* there with *Roger* Arch-

K *Henry* comes into *England*, and brings with him the K. of *Scots*, hoping to reconcile him to the A. Bps of St. *Andrews* and *Aberdene*, whom he had driven out of *Scotland*.

But the *Scotiſh* K. remain'd inflexible.

Archbiſhop of *Tork*, and *Hugh* Biſhop of *Durham*, pronounced the Sentence of *Excommunication* againſt the King of *Scots*, and put his Kingdom under an Interdict. *Anno Dom.* MCLXXXI.

[2.] Then King *Henry* not long after his return made an Aſſize or Law concerning men's having and keeping of Arms in *England*, (which ſeems to have been made in imitation of that lately publiſh'd beyond Sea:) But ſince it is ſomewhat long, I ſhall only give you an Abſtract of it, referring the Reader to the Law it ſelf at large in our [3.] Author, which You ſhall alſo find tranſlated among the Laws at the Latter end of this Reign.

[2] *Id. p.* 350 *a.* The Subſtance of this Aſſize, or Law.

[3.] *Id. ib.*

I. Whoſoever hath a Knight's Fee, ſhall have a Coat of Mail, an Helmet, a Shield, and a Lance: and every Knight ſhall have ſo many Coats of Mail, Helmets, Shields, and Lances, as he hath Knight's Fees.

II. Every Free Lay-man that hath in Goods or Rent to the value of Sixteen Marks, ſhall have a Coat of Mail, an Helmet, a Shield, and a Lance.

III. Every Free Lay-man that hath in Goods Ten Marks, ſhall have an Iron Gorget, an Iron Cap, and a Lance.

IV. All Burgeſſes, and the whole Community of Freemen, ſhall have a *Wambais*, a Cap of Iron, and a Lance, *&c.*

This is ſufficient to let you ſee, that the Common People of *England*, who were of any Subſtance, were not then ſuch Vaſſals to their Lords, as Some men (for what Ends they themſelves beſt know) would make them; ſince you may here find, that even the meaneſt Burghers and Farmers were to keep the Arms above-mention'd, and which were alſo to go to their Heirs for the defence of Themſelves and the Kingdom againſt Foreign or Domeſtick Enemies. Nay it further ſhews you, That the Kings of *England* did not then Govern by a *Standing Army*; for if they had, the King would have been ſo far from Commanding thoſe of ordinary condition to be Armed, that he would rather have taken away thoſe they had, as the King of *France* does at this day.

But to give you ſome account of the Affairs of *Ireland*. [4.] This Year the Suſpicions concerning *Hugh de Lacy*'s ſeizing the Kingdom of *Ireland* ſtill encreaſing, eſpecially, becauſe he had without the King's leave married the Daughter of the King of *Connaught*, he was recall'd from his Government, and *John* Conſtable of *Cheſter*, and *Richard de Pec* were ſent by the King to undertake that Charge; but before *Hugh* left *Ireland*, and in the time of his Government, he had built very many Caſtles, and placed Gariſons in them for the Security of the Kingdom.

[4.] *G. C. l.* 2. *c.* 21.

Hugh de Lacy upon ſuſpicion is recalled and New Governors appointed in his room.

Theſe [5.] Two Governors above-mention'd were ſent into *Ireland* in Summer-time, and I find nothing done by them there, but the following Winter, *Hugh de Lacy* was reſtor'd to the King's Favour, and having ſatisfied him of his Fidelity, had the Government of that Country again committed to his Charge, and *Robert* of *Shrewsbury*, a Clerk, was joyned with him in Commiſſion by the King, as his Co-adjutor

[5.] *Id. ib.* *Hugh de Lacy* reſtor'd to the Government of *Ireland*, and *Robert* of *Shrewsbury* is joined with him in Commiſſion.

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adjutor and Counſellor: Upon his Reſumption of the Government, he built many other Caſtles for the Security of the *Engliſh* Intereſt.

[1] *R. H. p.* 348. *b.* The A. Bp. of *Dublin* brings thither the Son of the K. of *Connaught* as a Hoſtage for the Tribute his Father had agreed to pay the King

I ſhall here alſo take notice of ſome other paſſages relating to *Ireland*, [1.] whilſt the King continued in *Normandy*. In *February* *Laurence* Archbiſhop of *Dublin* brought thither with him the Son of *Roderic* King of *Connaught* as a Hoſtage for the Tribute his Father had lately agreed to pay the King; and the Archbiſhop deceaſing there not long after, the King preſently ſent *Geoffrey de la Haye* (one of his Clerks) into *Ireland* to ſeize the Revenues of the Archbiſhoprick. At the ſame time alſo *John*, Conſtable of *Cheſhire*, and *Richard de Pec*, were ſent to take the Government of the City of *Dublin* out of the hands of *Hugh de Lacy*, for the Reaſon already given.

At the A Bp's Death, *Geoffrey de la Haye* ſeizes his Revenues.

Hugh de Lacy diſcharged from his Government of *Ireland*.

[2.] And to put whatever relates to *Ireland* together, the King not long after his Arrival in *England* beſtow'd that Biſhoprick upon *John Cumin* his Chaplain; though the Annals of *Ireland* relate, that he was unanimouſly Elected by the Clergy of *Dublin*: which is to be thus underſtood, That the King recommended him, and they choſe him.

[2.] *Id. p.* 350 *b.* *John Cumin* made A. Bp. of *Ireland*.

[3.] Alſo this Year died *Roger* Archbiſhop of *York*, who had in his Life-time ſcraped together a great Sum of Money, which he bequeathed to divers Biſhops to be diſtributed amongſt the Poor: But ſo ſoon as the King heard it, he vacated his Teſtament, as being made upon his Death-bed, and ſent to all his Juſtices, requiring them to make diligent Inquiſition concerning the Money of the ſaid Archbiſhop, and to confiſcate it to the King's uſe; alledging, That the Archbiſhop himſelf had formerly iſſued out a Decree, forbidding any Eccleſiaſtical perſon to make any Will or * Device of his Goods, unleſs it were done in perfect Health.

[3.] *Id. p.* 351 *a.* *Roger* A. Bp. of *York* deceaſes, and leaves his great Wealth to be diſtributed among the Poor.

K. Henry vacates his Teſtament, and confiſcates his Eſtate to his own uſe.

* *Deviſa.*

[4.] The ſame Year alſo deceaſed Pope *Alexander* the Third, who, by his long Reign of Two and Twenty Years, as alſo by his humbling King *Henry*, and afterwards, by the Aſſiſtance of the *Venetians*, vanquiſhing the Emperor *Frederic Barbaroſſa*, and making him put his Neck under his Feet, advanc'd the Papal Power to a far higher Degree than ever it had been hitherto. Cardinal *Imbaldus* Biſhop of *Oſtia*, ſucceeded him by the Name of *Lucius* the Third.

[4] *Id. p.* 350 *b.* Pope *Alexander* 3d. dies; who had more advanced the Papal Power, than ever any one had done before.

Cardinal *Imbaldus*, Bp. of *Oſtia*, ſucceeds him by the Name of *Lucius* the 3d.

Anno Dom. MCLXXXII.

[5.] The King kept his *Chriſtmaſs* at *Wincheſter*, and not long after the Young King *Henry*'s undutiful Carriage cauſed his Father to go over into *Normandy*, becauſe of the freſh Troubles and Vexations which his Son ſtill procured him there; for He and his Queen being now with her Brother King *Philip*, through his inſtigation the King her Husband wrought all the miſchief imaginable againſt his Father, notwithſtanding the ſolemn Oaths he had taken to be obedient and faithful to him; he now again demanded of him *Normandy*, or ſome other Province of his Dominions for his ſhare; yet at laſt he once more returned to his Duty, and ſwore to ſubmit to his Father's Will and Advice, and that he would never recede from it, nor deſire more for his own Expences than one Hundred Pounds a-day of *Anjou* Money, nor any more for his Wife than Ten Pounds a-day of the like Money: And further, the King granted to pay One Hundred of his Knights, or Menial Servants, their Wages for that year; and ſo for the preſent all Differences

[5] *Id. p.* 351 *a.* Young K. *Henry*'s undutifulneſs, cauſes his Father to go to *Normandy*.

Young K. *Henry* ſubmits himſelf to his Father's will.

ferences between them are compos'd. However, this Agreement did not last long, the Quarrel between them breaking forth a new by reason of the Inconstancy and Undutifulness of this Young Prince. *Anno Dom.* MCLXXXII.

[1] After this King *Henry* the Father set on foot a Treaty between *Philip* King of *France* and the Earl of *Flanders*, concerning several Differences that were then between them, which by the King of *England*'s means were at last agreed; but because they are foreign to our *English* History, I purposely omit them: only at this Assembly the Earl of *Flanders* deliver'd up to King *Henry* the Charter which the King his Son had formerly made him, and also discharged both Him and his Brothers from all Agreements made between them during the late War.

[1] *Id. ib.* The Differences between the K of *France* and the E. of *Flanders*, made up by K. *Henry*'s means.

The Earl delivers up the Charter to K. *Henry*, which his Son had formerly made him.

[2.] This Year also (though the expres time is not set down) King *Henry* sent *William* Earl of *Albemarle*, with some other of his Courtiers, Ambassadors to the Emperor *Frederic*, to desire him, that he would mitigate his displeasure against *Henry* Duke of *Saxony* the King's Son in Law, who had been not long since deprived of his Dominions by the Sentence of the Princes of the Empire (as you have already heard:) But all that these Ambassadors could obtain of the Emperor, was, That the Duke being condemn'd to Banishment, all those that should accompany him, might have Free Liberty to return again into their own Country; the Emperor also granted to *Mathilda*, Dutchess of *Saxony*, the King's Daughter, out of respect to the King her Father, That if she would remain in *Germany*, she might quietly enjoy her Joynture; but if she rather chose Banishment with her Husband, the Emperor only agreed, that he would appoint some to preserve it for Her. So, when the time came, that was prefix'd for the Duke's departure, he went away accompanied with his Wife and Children, and divers Earls and Barons and other People of Quality, who all came into *Normandy* to King *Henry*, and were received very kindly by Him; but not long after the Duke gave those Noblemen his Followers, leave to return home, on whom the King of *England* bestow'd many Presents; but the Duke and his Dutchess continued Three years in *Normandy*, being all that time nobly maintain'd, till at last the Duke went on Pilgrimage into *Spain* to St. *James*'s Shrine, whilst the Dutchess remain'd with the King her Father at *Argenton*.

[2] *Id. ib. b. p.* 352. *a.* K. *Henry* sends Ambassadors to the Emperor in behalf of the D. of *Saxony*.

The Emperor grants that all who went away with him might freely return to their own Country.

And the Dutchess his Wife if she would tarry in *Germany*, might enjoy her Joinsture; or if not, he would order it to be kept for her.

The Duke with his Wife and Children, *&c.* goes to K. *Henry* his Father in Law, who receives 'em all very kindly.

I shall say no more of this Duke *Henry*, who for the Greatness of his Spirit, was Sirnam'd the *Lion*; but that being thus deprived of his Dominions, he could never obtain an entire Restitution of them, having been Lord of all *Saxony* and *Bavaria*, and, as some Authors relate, his Territories extended from the *Adriatic* to the *Baltic* Sea; only some years after the Emperor restored unto him that part of his Dominions, containing at this day the Dutchies of *Hanover*, *Zell*, and *Wolfenbottle*, and the present Dukes are lineally descended from that Duke *Henry* by *Mathilda*, Daughter to *Henry* King of *England*.

The Noblemen that accompanied him, return back.

The D. goes on Pilgrimage to St. *James*'s Shrine in *Spain*.

Thus much I thought fit to insert (though not directly within the bounds of our History) out of a particular Honour to that antient House, which hath given the World divers great Emperors, besides so many gallant Princes, and particularly the present *George Lodowic*, Electoral Duke of *Brunswick* and *Lunenburgh*; who, being the Eldest Son of that most accomplish'd Princess *Sophia*, the Electoress

The D. is after some time restor'd to part of his Dominions.

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An Account of the Relation of the Houſe of *Hanover* to the Crown of *England*.

Dowager of *Brunſwick*; hath by her near Relation to the Blood-Royal of *England*, again renew'd the antient Alliance between this and that moſt Illuſtrious Family.

[3.] In Eccleſiaſtical Affairs nothing happen'd conſiderable this year, only that *Geoffrey* the King's Natural Son, who had been near Eight years before Elected Biſhop of *Lincoln*, though he had never yet received Conſecration, was now preſſed by the Pope to receive it, but being unwilling to accept it (finding himſelf unfit for ſo great a Charge) He, by the Advice of the King his Father, freely reſign'd it again into His hands, who not long after made him his Chancellor, and conferr'd alſo upon him Five Hundred Marks *per Annum* Penſion: *R. Hoveden* places this under the laſt Year, but ſince *Radulphus de Diceto*, *Matt. Paris*, and *Matt. Weſtminſter* do all agree to put it under this, I rather chuſe to follow them, becauſe I take them to be in the Right, according to our Account, who begin the Year about *Chriſtmaſs*: and this Reſignation was made at *Marlburgh* at the Feaſt of *Epiphany*.

[3] *R. D. Geoffrey*, the K's. Natural Son, reſigns the Biſhoprick of *Lincoln* into his Father's hands, who ſometime after made him his Chancellor.

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[4] This Year the King kept his *Chriſtmaſs* at *Caën*, having all his Three Sons with him, the Dutcheſs of *Saxony* his Daughter, and the Duke her Husband; as alſo the Archbiſhops of *Canterbury* and *Dublin*, and divers other Biſhops and Barons: After the Solemnity was over, the Old King Commanded *Henry* his Son to take Homage of *Richard* Earl of *Poictou*, and *Geoffrey* Earl of *Bretaigne* his Brothers; upon which he received the Homage of *Geoffrey*, but *Richard* refuſed to pay it to him; but afterwards He offer'd it, and then his Brother would not receive it; whereupon the Earl of *Poictou* grew very angry, and retiring from Court went to his own Country, where he built new Caſtles and fortified the old; Young King *Henry* follow'd him, and with the Earls and Barons of that Country that adhered to him, very much preſſed and ſtraitned Earl *Richard*; but when he ſaw Earl *Geoffrey* come alſo with an Army to the Young King's aſſiſtance, and found he was not able to reſiſt them, (both his Brother's declaring againſt him) he was forced to reconcile himſelf to his Father, and ſent for his Aſſiſtance, who raiſing a great Army, march'd with all ſpeed and beſieg'd the Caſtle of *Limoges*, which but a little before had been deliver'd to his Son King *Henry* by the Governor of it: and This was the Cauſe of a freſh Quarrel, which yet needs ſome farther Explanation.

[4] *R. H p.* 352. *b.* The Young K. receives the Homage of *Geoffrey* his Brother, but Earl *Richard* refuſes, and goes to *Poictou*.

His Brother K. *Henry* follows, and preſſes him very hard, and *Geoffrey* comes in to the Young K's Aſſiſtance.

Richard reconciles himſelf to his Father, and prays his Aſſiſtance.

[5] *Radulphus de Diceto* tells this Story ſomewhat otherwiſe than our Author, and is alſo more particular in the Relation of it, and tells us that King *Henry* would have had his Son *Geoffrey* Earl of *Bretaigne* do Homage to the Young King his Brother for that Country, becauſe the Kings of *France*, as Supreme Lords thereof, had antiently granted the Homage of it to the Dukes of *Normandy*, which was perform'd accordingly by Earl *Geoffrey* at *Angiers*; but *Henry* the Father having alſo granted the Dutchy of *Aquitain* to his Son *Richard* and his Heirs; the Young King thereupon declared to his Father, that he was for all that bound to aſſiſt the Barons of *Aquitain*, then in Arms againſt his Brother *Richard* by divers ſtrict Confederacies, for it ſeems they were Diſcontented with Earl *Richard* for his over-great Severity: But the true Reaſon why the Young King ſaid he

[5] Col. 617. *Rad. Diceto*'s more particular Relation of this matter.

he had done this, was, becauſe his Brother had ſeized upon and fortified the Caſtle of *Clerevalle*, which had always been under the Government of the Earls of *Anjou*; yet that he might not incur his Father's diſpleaſure, he promiſed to let him enjoy that Caſtle, provided *Richard* would do him Homage, and ſwear Fealty to him for it: At which words Earl *Richard* grew very angry, ſaying, "It was "very unfit, that he himſelf, being come from the ſame Father and "Mother, ſhould acknowledge his Elder Brother for his Superior "by any badge of Subjection; but as his Father's Eſtate was due to "him by the Right of *Primogeniture*, ſo he himſelf challeng'd an "equal ſhare in the Succeſſion, to what came by his Mother's ſide: Which put the Old King into ſuch a Paſſion, that he was reſolv'd to bring down his haughty Spirit; and ſo not only gave the King his Son leave to make War againſt him, but likewiſe Commanded Earl *Geoffrey* to aſſiſt his Brother in that War as his Liege Lord; ſo the Young King at firſt took up Arms, not as againſt his Father, but in Aſſiſtance of the *Poictovin* Barons, who were then weary of the ſevere Government of Earl *Richard*.

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The true Reaſon why young K. *Henry* made War upon *Richard*.

But to go on with this War, according to the Relation of our firſt Author [1.] *R. Hoveden*; who ſays, That after the delivery of the Caſtle of *Clerevalle* by Earl *Richard*, thereby to obtain a Peace; the King's Three Sons above-mention'd came all to *Anjou* to meet their Father, and to make a laſting Agreement between themſelves, and there they All ſwore perpetual Fidelity to the King, and to yield him conſtant Honour and Service, and alſo to maintain a firm and durable Peace among themſelves according to his Order; and He appointed *Mirabel* for the Place where they were to make this Confirmation. But ſince the Barons of *Aquitain* (to whom the Young King had ſworn) were not yet come, the Father ſent his Son *Geoffrey* to Summon them to be preſent at this Agreement, and commanded them in the mean time to abſtain from all Hoſtilities; but Earl *Geoffrey* being wholly unmindful of his Duty to his Father, as alſo of the Oath of Fidelity he had ſo lately taken to him, made a private League with his Father's Enemies, and hired the *Brabanters* to invade and ſpoil his Territories.

[1.] *R. H.* 353. a. E. *Richard* delivers up the Caſtle of *Clerevalle*.

The K's three Sons come to *Anjou* to meet their Father, and there are all reconciled to him.

Duke *Geoffrey* makes afterwards a private League with his Father's Enemies.

[2.] When the Young King heard this, he beſeeched his Father, that he would immediately make Peace between Earl *Richard* his Brother, and the Barons of *Aquitain*, that ſo he might have Aſſiſtance againſt his Rebellious Brother: Whereupon the King at his Intreaty promiſed his Endeavours to preſerve Peace, according as it was ordain'd the laſt Summer, and that all Wrongs done by either Party ſhould be ſatisfied; or if this did not pleaſe thoſe Barons, that he would do them Juſtice according to the Judgment of his * *Court*, with which the Young King ſeemed then well enough pleaſed, yet the Caſtle of *Clerevalle* was ſtill to remain in his Father's hands. And thus having at length obtain'd what he deſired of him, he went with his leave to *Limoges*, to bring (as he pretended) Earl *Geoffrey* his Brother, and the Barons of *Aquitain* to ſome terms of Agreement; but in the mean time he ſent his Queen privately to her Brother the King of *France*, [3.] for it ſeems Earl *Geoffrey* had been formerly too cunning for his Father, and having before made a ſecret Confederacy with the Young King his Brother, they had both together enter'd the Caſtle

[2.] *Id. ib.* The Young K. perſwades his Father to make Peace between his Brother *Richard* and the Barons of *Aquitain*.

* *Curiæ ſuæ.*

Clerevalle ſtill to be in Old K. *Henry*'s hands.

[3.] *C. G. Col.* 1463.

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Young *Henry* and *Geoffrey* confederate againſt their Father, and ſhut up themſelves in the Caſtle of *Limoges*, which they fortify.

Their ill treatment of their Father when he came to the Gates of the Caſtle.

Caſtle of *Limoges*, by the Conſent and Advice of the Viſcount of that place; and then ſhutting up the Gates, they fortified themſelves within it. The News of which coming to Old K. *Henry*'s Ears, he immediately went thither with a deſign to make Peace; yet having but a few Followers in his Train, he was not only kept out, but alſo ſhot at by ſome from within; inſomuch that ſome of the Arrows pierced the Coat he wore over his Armour, and wounded a certain Knight before his face, and both He and his Son *Richard* (who was now reconciled to him) were forced for that time to remove their Quarters to another place; but ſoon after, when King *Henry* the Father had made himſelf Maſter of the City of *Limoges*, [4.] and went out to parley with his Sons, who were then lodged in the Caſtle, the Guards that were with them did let fly their Arrows even before their faces againſt the King's Perſon, and one of them had ſhot him directly in the Breaſt, had not his Horſe by a lucky toſſing up of his head juſt at that time received it in his Forehead; and yet this Inſolence his Sons never thought fit to puniſh, but ſtill underhand held Correſpondence with the Rebellious Barons of *Poictou*.

[4] *Id. ib. R. H. p.* 353 *a.*

The Old K. narrowly eſcapes being ſhot with an Arrow.

[5.] At length notwithſtanding this, King *Henry* the Younger came to his Father, and ſolemnly proteſted, That unleſs thoſe Barons would yield and throw themſelves at the King's Feet, he would utterly renounce them: So (upon his Fathers promiſe of Pardon) he went and treated with them again; but finding them (as he affirm'd) ſtill Refractory, and that they would not comply, he ſeemingly pretended to forſake their Party, and return to his Father, laying all the blame of theſe Actions upon his Brother *Geoffrey*, and with great Submiſſion deliver'd up unto him his Horſe and Armour in aſſurance thereof.

[5.] *Id. ib.* Young K. *Henry* comes to his Father, and promiſes him to renounce the rebellious Barons, and lays all the blame on his Brother *Geoffrey*.

[1.] But it was not many days ere that either from an apprehenſion of his Father's being reſolv'd to revenge himſelf upon thoſe Barons, whom (as their Protector) he thought himſelf in Honour obliged to defend, or elſe through the Inſinuations of ſome Turbulent Spirits that were near him, whoſe Element was not Peace, he ſuddenly withdrew from the King, and enter'd into freſh Confederacies with thoſe very Barons; but finding his Power ſhort of his Will, and deſpairing of Succeſs, he quickly return'd, and breaking out into an extreme Paſſion in the preſence of his Father, fell proſtrate before the *Shrine* of St. *Martial*, and there in a fit of Devotion ſwore preſently to take upon him the Croſs, and moreover to give over all worldly buſineſs.

[1] *Id. ib. b.* Yet again withdraws from the K. his Father, and enters into freſh Confederacies with thoſe Barons.

But ſoon returns again to him, & ſwears to take the Croſs.

[2.] This ſtrange and ſudden Paſſion melted his Father to ſuch a tenderneſs, that he beſought his Son with Tears to alter thoſe precipitate and headſtrong Reſolutions, and to tell him truly what induced him thereunto, whither Indignation or Religion? To which the Son proteſted, That it was meerly for the Remiſſion of the Sins he had committed againſt his Perſon, and that unleſs he would give him now his permiſſion, (without which he could not go) he would there immediately kill himſelf in his preſence. The Father having uſed all poſſible Endeavours to diſſwade him, to no purpoſe, ſpake thus to him, "*Son, God's Will be done, and Yours; as for your ſetting out, ſince You* "*are reſolved upon it, I will take ſuch Order as ſhall befit your Dignity,*

[2] *Id. ib.*

His Father diſſwades him from it, but all to no purpoſe.

nay,

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"*nay, in your Equipage You ſhall exceed the Preparations of any who hath* "*hitherto undertaken that Service.*

[3.] Then the Son (whilſt he found his Father in this tender humour) again beſought him, to deal favourably with thoſe in the Caſtle of *Limoges*, and with the Barons of *Aquitain*, and to vouchſafe them his Pardon; to which at laſt (though very unwillingly) He yielded, provided they would give Hoſtages for ſecuring their future Fidelity to him, which they ſeem'd at firſt contented to do; But when the King ſent ſome of his Men to receive thoſe Pledges, they were kill'd upon the Spot by thoſe that were to have deliver'd them; which the Young King (being now again joyn'd with thoſe Rebellious Barons) took no care to revenge, but, on the contrary, ſlighting the Vow he had made of undertaking the *Cruſado*, ſtill became more inveterate againſt his Father: Yet after this he ſeem'd again inclinable to Peace, and ſent for one *Maurice de Croun* and ſome other Barons to treat about it; but when they came to the place of meeting, ſome of their Retinue were murthered in the Young King's preſence, by thoſe that were as much Enemies to Peace as they were to the King his Father.

[3.] *Id. p.* 353. *b.*

The Young K. obtains his Father's promiſe to pardon the *Limogeois* and Barons of *Aquitain* upon Hoſtages to be given for their Fidelity.

But they kill'd thoſe were ſent to receive them.

The Young K. becomes more inveterate againſt his Father.

[4.] Neither was Duke *Geoffrey* any whit better, for upon his deſire of Two Commiſſioners to be ſent him to treat of Peace, the one of theſe at the Enterview received a Wound, though indeed it proved not very dangerous; whilſt the Other was flung from off the Bridge into the Water, the Duke himſelf looking on.

[4] *Id. ib.* And E. *Geoffrey* was no better to him.

After this, he deſired by all means to ſpeak with his Father, and was accordingly admitted to his preſence, and then deceitfully, (under colour of Peace) he begg'd his leave to go into the Caſtle of *Limoges* to the King his Brother, that ſo he might prevail with him and the reſt of the King's Enemies to ſubmit; yet no ſooner was he got in, but he pillag'd the rich Shrine of St. *Martial* which was in that Caſtle, and alſo carried away all the Gold and Silver Plate (which was of great Value) that belonged to that Monaſtery; after which a Truce was granted him, but ſo ſoon as ever he had got over the Bridge, he renounced it, and having payed his Souldiers with the Spoils of St. *Martial*'s Shrine, he marched off in Triumph.

E. *Geoffrey* pillages the rich Shrine of St. *Martial.*

A Truce granted him, but he ſtrait renounces it.

[5.] In the mean time *Richard* Archbiſhop of *Canterbury* with ſeveral Biſhops of *England* and *Normandy* came to *Caën*, and there in the publick Audience of all the People pronounced Sentence of Excommunication againſt all thoſe who any ways hindered the Peace between the King and his Sons, but excepted the perſon of the Young King, who now wanting Money, went to the Church of St. *Mary* of the *Rock*, and there ſtripped the Shrine of St. *Adamator* of its Gold Cover, and carried away all the Treaſures of that Church; but ſome days after, when he found he was not able to do his Father any great hurt, being at the Caſtle of *Martel* near *Limoges*, he fell ſick out of pure ſpite and Indignation, firſt of a Fever, and then a Bloody-flux, which never left him till he died.

[5.] *Id. ib. p.* 354. *a.* *Richard* A. Bp. of *Canterbury*, with divers *Engliſh* Bps, *&c.* come to *Caën*, and Excommunicate all thoſe that hindred the Peace between the King and his Sons.

The Young K. pillages the Shrine of St. *Adamator.*

He falls ſick at *Martel.*

When he perceived himſelf paſt all hopes, he ſent to deſire the King his Father to come to him, that ſo he might beg his pardon for his great undutifulneſs; [1.] but He being diſſwaded by thoſe about him from going thither, becauſe of the wicked men that were near his Son's perſon, He only ſent him his Bleſſing together with his Ring, in

[1.] *G. B.*

The Old K. ſends him his Bleſſing, and his Ring, in token of his Pardon.

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[2.] *R. H. ib.* He confeſſes his Great Sin of Rebellion againſt his Father.

He dies of a Fever and a Flux.

He orders his Corps to be interr'd at *Roüen.*

[3.] *Id. ib.* Yet his Corps is firſt buried in the Cathedral Church of St. *Julian*, at *Mans.* But it is taken up again, and deliver'd to the People of *Roüen*, and was buried there in the Church of St. *Mary.*

Young K. *Henry*'s Character.

in token of his Pardon, which having received, [2.] he called to him the Biſhops and other Religious Men that were by, and firſt in private and then in publick confeſſed his Great Sin in rebelling againſt ſo indulgent a Father; and then after Abſolution, putting on Sack-cloth, and cauſing a Rope to be tied about his Neck, with very penitent expreſſions he intreated the Biſhops and other Religious Men there preſent to pull him out of the Bed to a Couch or Pallat hard by, which he had ordered to be made of Aſhes, and being laid down thereon, and having received the Euchariſt, he expired: When his Servants had embalmed his Body, and wrapt it in Bull-hides, they put it in a Leaden Coffin, and buried his Brain and Bowels at Caſtle *Martel* where he died: then they carried the Corps towards the City of *Roüen* to be there enterred according to his laſt Will.

[2.] But whilſt they by the way reſted at the City of *Mans*, and placed the Corps in the Cathedral Church of St. *Julian*, and would have the next morning removed it, the Biſhops, Clergy and People of that City would not ſuffer it to go, but to ſhew their great affection to the deceaſed Prince, there honourably buried it; but when the People of *Roüen* heard of it, they were very much incenſed, and threatned, that unleſs the Body was ſpeedily delivered to them, they would come and take it away by Force; of which when the King was inform'd, he commanded the Corps to be taken up again, and delivered to the People of *Roüen* to be there buried, according to his Son's laſt Will, which was accordingly done, and the body again buried in the Church of St. *Mary.*

I cannot diſmiſs this melancholly Subject, without giving you a Character of this unfortunate young Prince, whoſe Inconſtancy and Diſobedience to his Father after ſo many Promiſes and Oaths to the contrary, were ſuch very great faults, that without doubt they tended to the ſhortening of his days; yet had he alſo Noble Vertues and Endowments: As to his Perſon, he was very tall, and of a lovely Preſence, which gained him the good will and Reſpect of all that ſaw him; and as he was valiant, ſo he was alſo merciful and ready to forgive, good natur'd, but too eaſy to be led away by Flatterers from his duty: in ſhort, what one ſays of him is very true, that as he was at firſt ſpoiled by his Father's over Indulgence, ſo he was afterward ruined by his too great Severity; for whilſt he ſaw both his younger Brothers Inveſted with large Dutchies in which they themſelves Commanded, it was a great Mortification to him to ſee himſelf (now paſt his Nonage) to have no more than the bare Title of a King, without any real Power or Authority; which his Father, (Jealous of a correſpondence with his Enemies) would never allow him; ſo that the Coronation which his Father propoſed for the greateſt ſecurity of his Son's Title, and his own Happineſs, proved one cauſe of the greateſt miſchief and diſturbance that happen'd in his whole Reign.

This Example may teach all ſucceeding Kings, that as the Power, ſo neither the Title of a King can well be communicated to more than one at a time; and therefore the Prince (though ſolemnly Crown'd, yet ſince He never actually Reign'd,) his Name is not inſerted at this day in the Catalogue of our *Engliſh* Kings.

So

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[4.] So ſoon as King *Henry* heard of the Death of this Young Prince, he was extremely afflicted, and bewailed his Loſs more than ſo undutiful a Son could well deſerve; and indeed the Father was the greateſt Mourner, all thoſe about him thinking it a very fortunate Accident.

[4.] *Id ib.* Old K. *Henry* bewails his Death exceedingly.

Not long after his Death moſt of thoſe that had taken his part againſt the King, made their Peace, and were reconciled to him, only Earl *Geoffrey* the Third Son ſtill ſtood out: yet did not the King's grief hinder him from minding his buſineſs, for he vigorouſly carried on the Siege of the Caſtle of *Limoges*, till at laſt it was deliver'd to him upon Conditions; and not long after, all the Caſtles held by his Enemies in that Country, were ſurrendered; Some whereof he Gariſoned with his own Men, Others he Demoliſhed, not leaving one Stone upon another.

Moſt of thoſe that had taken the Young K's part, now make their peace with the Father.

The K. vigorouſly carries on the Siege of *Limoges*, which with ſeveral Other Places was deliver'd to him, and which he either Gariſon'd or Demoliſh'd.

[5.] Not long after the Young King's Death, the King of *France* demanded of King *Henry* for the Dower of his Siſter the Young King's Widow, the whole Country of *Veuxin François*, together with the Caſtles and ſtrong Places which his Father King *Lewis* had given in Mariage with her; upon which Demands coming to a Conference between *Giſors* and *Trie*, they thus at laſt agreed; That the Widow, for releaſing her Right in all the before-demanded Premiſes, ſhould receive every Year of the King of *England* at *Paris* One Thouſand Seven Hundred and Fifty Pounds of *Anjou* Money, as alſo the like from his Heirs ſo long as She lived: But this ſeems but a very ſmall Joynture for a Princeſs, and therefore I ſhould rather chuſe to read it (as * *Daniel* in his Hiſtorical Collections has made it, who inſtead of 1750 *l.* puts) 17050 *Anjouin* Pounds.

[5.] *Id. ib.* The King of *France* demands the Dower of Young K. *Henry*'s Widow.

* *P.* 92.

[1.] After theſe Tranſactions *Geoffrey* Earl of *Bretaigne* returned to his Father, and was reconciled to him, as he was alſo to his Brother Duke *Richard*, whom King *Henry* Commanded to receive Homage from his Brother Earl *John* for the Country of *Poictou*, but the Duke would not take it from him.

[1] *R. H. Ib. b.* *Geoffrey* returns, and is reconciled to his Father, and his Brother *Richard*.

But to ſay ſomewhat of Eccleſiaſtical Affairs; [2.] Pope *Lucius* being hard put to it by the *Romans*, who had now taken up Arms againſt him, (in defence of ſome Privileges they claim'd,) he ſent his Legates to all Kings and Princes as well Eccleſiaſtical as Secular, for an Aid to defend St. *Peter* (that is, Himſelf) againſt his Enemies; and among Others they came to King *Henry* and requir'd Aid of him and the Clergy of *England*: the King hereupon conſulting with his Biſhops and Clergy concerning his Requeſt, they adviſed him to give an Aid ſuitable to his own Honour and good Will, both for him and themſelves; for it was more tolerable, and pleaſed them better, that he ſhould be again reimburſed from them, than that the Pope's Legates ſhould be permitted to come into *England* to take it, by which means there might ariſe a Cuſtom to the detriment of the Kingdom; ſo the King upon their Advice, gave the Pope a great Aid in Money, with which, and what he received from other Princes, he made a Peace with the *Romans*, which was very neceſſary for Himſelf and his Church.

[2] *Id. ib. b.* The Pope is diſtreſſed by the *Romans*, upon ſome difference about their Privileges.

He ſends his Legates to all Ks. and Princes for an Aid.

K. *Henry*, by the Advice of his Bps and Clergy, gave the Pope a great One.

Pope *Lucius* makes a Peace with the *Romans*.

[3.] This Year alſo there was another Treaty or Conference between King *Henry* and *Philip* King of *France* between *Giſors* and *Trie*, where, on the Tenth of *September*, he did Homage to the King of

[3] *Id p.* 355 *a.* K. *Henry* doth Homage to the *French* K. for all his Tranſmarine Dominions.

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France for all his Tranſmarine Domihions, which he would never until that time perform.

Before I conclude this Year I ſhall ſay ſomething of the Affairs of [4] *Ireland*; which Kingdom King *Henry*, having before conferr'd upon his Son *John*, (as you have already heard) he now reſolv'd that he ſhould go over thither, and about the beginning of *Auguſt* the King ſent *John Cumin* Archbiſhop of *Dublin* to put things in order againſt his Arrival; and not long after *Philip* of *Worceſter*, a Brave and Valiant Commander, was with Forty Knights ſent over to be *Seneſchal* of *Ireland*, in the room of *Hugh de Lacy* (or rather *John* of *Cheſter* and *Richard de Pec*, who had been ſent thither the laſt Year:) The Firſt thing that *Philip* did after he got thither, was to ſeize again, as the King's Demeaſnes, all the Lands which *Hugh de Lacy* had aliened and ſold away.

[4] *G. C. L. 2. c. 24.*
K. *Henry* gave the Dominion of *Ireland* to his Son *John*, and reſolves to ſend him over.
John Cumin A. Bp of *Dublin* ſent before to prepare things againſt his coming.
Hugh de Lacy diſcharged from his Government, and *Philip* of *Worceſter* ſent in his room.
He exacts from the Clergy a great Tribute of Gold and Silver.

In the beginning of *March* he went to *Ardmagh* with a great Army, and exacted and forced from the Clergy a great Tribute of Gold and Silver; and from thence went to *Doun*, and ſo return'd with the Tribute to *Dublin*; but the King's affairs growing imbroil'd with his Sons this Year, he could not put his deſigns in Execution, in ſending his Son Earl *John* over thither, till above Two years after.

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[5] This being the Thirtieth Year of King *Henry*'s Reign, he kept his *Chriſtmaſs* at *Mans*; and all things being now quiet, he ſtayed in *France* till the beginning of *June*. Some time after he came over into *England*, bringing the Dutcheſs of *Saxony* his Daughter along with him; and made a ſtrict Peace and Agreement between his Three Sons, *Richard*, *Geoffrey*, and *John*; which being put into writing, was confirm'd by all their Oaths in the preſence of Queen *Eleanor* their Mother, their Brother-in-Law *Henry* Duke of *Saxony*, and divers Others; for this Duke was now arrived in *England*, and ſome time after his Dutcheſs brought him forth a Son at *Wincheſter*.

[5] *R. H. ib.*
K. *Henry* comes into *England* with the Dutcheſs of *Saxony*, his Daughter.
A firm Peace made between him and his Three Sons.
The Dutcheſs of *Saxony* brought to bed of a Son.

[1.] The *Welſhmen* having been very inſolent, in waſting the King's Lands, and killing his Men; wherefore, to ſubdue them, the King march'd againſt them with a powerful Army as far as *Worceſter*: Whereupon *Rees* Prince of *South-Wales* fearing his Numbers, came thither upon Safe Conduct granted and ſwore Fealty to him, and alſo promiſed to deliver to him his Own Son and Grandchildren as Hoſtages: but when he ſhould have brought them to the King, they would not come with him.

[1.] *Id. p. 356. a.*
The Prince of *South-Wales* ſwears Fealty to K. *Henry* at *Worceſter*.

And they had very good reaſon for their ſo doing, for they well remember'd how cruelly the *Welſh* Hoſtages had been before treated by this King upon the Inſurrection of *Owen* Prince of *North-Wales* (as you have already heard.) This Action in the *Welſh* Chronicles is placed Two years ſooner; but ſince I am not ſatisfied which is in the Right, I rather chuſe to follow my Author.

[2.] *R. D.*
The A. Bp. of *Cologne* and E. of *Flanders* come to *England* to viſit the Tomb of *Tho. Becket*.
They come to *London*, and are ſplendidly entertain'd at *Weſtminſter*.

I find little elſe Conſiderable to have happen'd this Year, unleſs it were that [2.] *Philip* Archbiſhop of *Cologne*, accompanied by *Philip* Earl of *Flanders*, came over into *England* on Pilgrimage to the Tomb of *Thomas Becket*; from whence they went to *London*, and were there received with a Solemn Proceſſion at St. *Paul*'s Church, and moſt magnificently entertain'd at the King's Palace at *Weſtminſter*, during the

the Five days they ſtayed there; in which time the Archbiſhop, by the King's Mediation, was reconciled to *Henry* Duke of *Saxony*, who ſuffer'd Exile upon occaſion of the War, which had been begun upon that Archbiſhop's Account; [3.] and not long after King *Henry* ſent Ambaſſadors to the Pope, to deſire him to intercede with the Emperor on the behalf of the ſaid Duke his Son-in-Law: theſe going into *Italy*, found the Pope at *Verona*, whither after ſome time the Emperor alſo arrived; at laſt his Holineſs obtained of him, that the Duke of *Saxony* might return home before the time aſſign'd for his Baniſhment was expired, and then the Emperor releaſed the Duke of *Saxony* of the Oath he had before taken to the contrary.

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The A. Bp. is reconciled to the Duke of *Saxony*.

[3.] *R. H. p.* 355. *b.*

The Pope obtains of the Emperor, that the Duke may return from his Baniſhment, and releaſes him of his Oath to the contrary.

[4] *Id. ib.*

In Eccleſiaſtical Matters what happen'd moſt conſiderable, was, the Death of [4.] *Richard* Archbiſhop of *Canterbury*; who though he was a Good and a Pious Man, yet could not avoid the Stories the Monks made of his Death, as being foretold him by a terrible Man in a Viſion, who, he thought, ſaid to him, *Thou haſt deſtroyed the Goods of the Church, and therefore I will deſtroy Thee from the face of the Earth:* But the true Reaſon of theſe Relations, was, becauſe he was no friend to the Monks.

The A. Bp. of *Canterbury* dies.

[5.] *C. G.*

Sometime after the Archbiſhop's deceaſe, [5.] the Biſhops of *England* and the Prior, and ſome of the Monks of *Canterbury* Aſſembled at *London*, by the King's Command, to chuſe a new Archbiſhop; where the Biſhops differing with the Prior and his Monks about the Election, the Former choſe *Baldwin* Biſhop of *Worceſter:* but this being done without the privity of the Monks, and they looking upon it as a Breach of their Privilege, (who alone claim'd the Right of Election) declared againſt it, and Appealed to the Pope; but the King himſelf going down to *Canterbury*, with much Intreaty prevail'd with them to ſend *Alan* their Prior with the better part of their Convent again to *London*; ſo they, meeting at the Chapter-houſe at *Weſtminſter*, declared the former Election void; yet, for quietneſs-ſake, they alſo agreed to Elect the ſaid Biſhop of *Worceſter* for their Archbiſhop, and he was Conſecrated accordingly. This is the Sum and Iſſue of this great Controverſy, of which *Gervaſe* of *Canterbury* hath given us ſo long and particular a Relation.

The Bps. of *England* and the Prior and Monks of *Canterbury*, meet at *London* to chuſe a new A. Bp.

The Bps. without the Other's privity, chuſe *Baldwin* Bp. of *Worceſter*.

Upon this Difference between them the Monks appeal to the Pope.

The Prior and Monks at a ſecond Meeting declare the Election void, yet for quietneſs-ſake they chuſe the ſame perſon.

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[1] This Year the King kept his *Chriſtmaſs* at *Windſor*, and ſome time after (though the Month is not mention'd) *Heraclius*, Patriarch of *Jeruſalem*, with the Great Maſters of the *Knights Templars*, and *Hoſpitallers* came as Ambaſſadors from *Baldwin* (Sirnam'd the *Leper*) King of *Jeruſalem*, whom King *Henry* met at *Reading*, where they preſented him with the Royal Banner, the Keys of the Sepulchre, and thoſe of the Tower of *David*, and City of *Jeruſalem*; together with Pope *Lucius*'s Letter, in which he very earneſtly excited the King to undertake the Relief and Protection of the *Holy-Land*, being then in great diſtreſs by the Invaſion of *Saladine*, King of the *Turks*, or *Saracens*.

[1] *R. H. p.* 358. *a.*

Heraclius the Patriarch of *Jeruſalem* and Others come to ſollicit the K. to ſend Relief to the *Holy-Land*.

[2] *Id. ib.*

A Great Council of both the *Engliſh* and *Scotiſh* Nation meet to conſider what Anſwer to return.

[2] The King promiſed to return them an Anſwer on the Firſt *Sunday* in *Lent*; at which day He, with the Patriarch, the Biſhops, Abbots, Earls and Barons of *England*, and *William* King of *Scots*, Earl *David* his Brother, with the Earls and Barons of that Kingdom, all

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all met at *London*, and there deliberating and adviſing about this great Affair, they unanimouſly agreed, the King ſhould firſt conſult the King of *France* about it, and ſo the Council was diſſolved; yet the King gave leave to all his Subjects, as well Clerks as Laicks, to take the Croſs; and thereupon *Baldwin*, Archbiſhop of *Canterbury*, *Ranulph* Juſticiary of *England*, *Walter* Archbiſhop of *Roüen*, *Hugh* Biſhop of *Durham*, and divers other Biſhops in *England* and beyond Sea, with very many Earls, Barons, and Knights of *England*, as alſo of all the reſt of the King's Dominions beyond Sea, undertook the *Cruſado*.

The K. gives all his Subjects leave to take upon them the Croſs. Abundance of both Clergy and Laiety undertake the Cruſado.

But the Council adviſe the K. not to go himſelf thither.

But *Radulphus de Diceto* and *Bromton*'s Chronicle give us a more particular Account of this Tranſaction, telling us, That the Common-Council of the Kingdom being Aſſembled at *Clerkenwell*, and the King with great Adjurations commanding them to counſel him what they thought beſt he ſhould do; Whither go in Perſon to the Succour of *Jeruſalem*, or elſe not to quit the Government of *England*, which by his Coronation-Oath he was in the firſt place bound to protect and defend: Upon mature deliberation it ſeem'd to them All to be much more for the Good of the King's Soul, that he ſhould govern his own Kingdom at home, than to go away and make War in the *Eaſt*.

[3.] *Col.* 1145.

[3.] *Bromton*'s Chronicle further adds, "That when the King gave "the Patriarch this Anſwer, That though he could not deſert his "Territories for fear of the Invaſion of the *French*, yet however he "would grant very large Supplies in Money towards the Recovery of "the *Holy-Land*: The Patriarch not being at all pleas'd with "this Offer, told Him plainly, That it ſignified next to nothing, for "every part of *Europe* ſent Money, but none of them an experienc'd "Commander; and that *he had much rather have ſuch a Man without "the Money, than the Money without ſuch a Man.* So the Patriarch departed fruſtrated of his deſign: but when the King went with him to the Sea-ſide to take his leave of him, the Patriarch gave him very harſh words, which I ſhall here forbear to repeat; and upon the King's ſtill excuſing himſelf from going to the *Holy-Land*, becauſe if he did, he ſaid, His Sons would rebell againſt him in his abſence; the Patriarch in great Anger reply'd, *And no wonder, for from the Devil they came, and to the Devil they would go.* This he ſpoke, reflecting upon an old [4.] Story of a certain Counteſs of *Anjou*, the King's great Grandmother, who being accounted a Sorcereſs, was ſaid to have flown out of a Window while ſhe was at Maſs againſt her will, and was never ſeen afterwards.

The K. promiſes the Patriarch large Supplies of Money, but that does not pleaſe him.

The K. goes with the Patriarch to the Sea-ſide, who there gives him very harſh words.

[4.] *Id. ib.* The Patriarch goes into *France*.

So the Patriarch finding nothing like to be done in his Affair, took Shipping, and paſſed over into *France*. [5.] But the King himſelf preſently follow'd him, and ſo ſoon as he arriv'd in *Normandy*, held a Conference with the *French* King about the Relief of the *Holy-Land*, and then they both engaged to give very good Aſſiſtance in Men and Money: But this pleaſed not the Patriarch neither, for he hoped he ſhould have carried back with him for the defence of it either the King of *England*, or One of his Sons, or ſome other Man of great Conduct and Authority; but becauſe he could not do this, he return'd much diſſatisfied. Indeed it ſeems ſtrange, that the King being ſo much afraid of his two Eldeſt Sons, did not Command either one or both of

[5.] *R. H. p.* 359. *a.* The Ks. of *England* and *France* promiſe Relief for the *Holy-Land*.

But the Patriarch being diſſatisfied, goes from thence too.

of them to undertake this Expedition, by which means he had not only prevented all the future Troubles they gave him, but alſo the going of his Son *Richard* into *Paleſtine* after he was King, which happened mightily to his own prejudice, as well as to that of the Kingdom. *Anno Dom.* MCLXXXV.

If the K. had ſent One of his Sons, he had prevented their future troubling of him.

[1.] King *Henry* not long after his arrival in *France* gather'd together a great Army, and ſent word to his Son Earl *Richard* (who had lately fortified *Poictou* againſt him, and alſo vanquiſh'd Earl *Geoffrey* his Brother,) that unleſs he would ſurrender that Province to Queen *Eleanor* his Mother free, and in Peace, he would march againſt him Himſelf, and ſubdue him with all his Power: with which Meſſage Earl *Richard* being terrified, render'd *Poictou* to his Mother, and quietly return'd to his Father's Obedience; and ſo the Quarrel ended for that time.

[1.] *Id. ib.* K. *Henry* raiſes an Army to ſubdue his Son *Richard*, who had fortified *Poictou* againſt him.

Upon which *Richard* ſubmits to his Father.

We ſhall conclude this Year with ſome Account of the Affairs of *Ireland*.

Sometime this Year [2.] King *Henry* ſent his Ambaſſadors to Pope *Lucius*, of whom he deſired many Requeſts; all which the Pope denied except one, to wit, That he might Crown which of his Sons he pleas'd King of *Ireland*; and He did not only confirm it by his Bull, but, as a Token of his Confirmation thereof, ſent the King a Crown of *Peacock's* Feathers interwoven with Gold: And in the End of *March*, before the King went into *Normandy*, he Knighted his Son *John* at *Windſor* in order to ſend him over into *Ireland* to Govern there as King or Vice-Roy, being then near Twenty years old.

[2.] *Id.* p. 359. a. Pope *Lucius* gives K. *Henry* leave to Crown which of his Sons he would, K. of *Ireland*.

The K. Knights his Son Earl *John* at *Windſor*.

[3.] And having now prepared all things ready for his Voyage, he ſent him away accompanied by *Ranulph de Glanville* (then Juſticiary of the Kingdom,) who conducted him to his Ship, which he enter'd at *Milford*-Haven on *Wedneſday* in *Eaſter*-week about Evening, and arriv'd with the reſt of the Fleet at *Waterford* next day about Noon with Four Hundred Knights or Men at Arms, and many other ordinary Horſemen and Archers. Several Clerks or Chaplains were alſo ſent along with him, and among the reſt, our Author *Giraldus Cambrenſis* was by King *Henry* appointed his Chief Director.

[3.] G. C. *l.* 1. *c.* 31. Who goes into *Ireland*.

[4.] At the very firſt Arrival of Earl *John* there met him at *Waterford* all the conſiderable *Iriſh* of thoſe parts, who had been faithful to the *Engliſh*, and lived peaceably under them, who were notwithſtanding derided and deſpiſed by theſe new Comers and the *Normans* that went over with him: for the *Iriſh* wore very long Beards, with which theſe giddy-headed young Men play'd many Tricks and otherwiſe abuſed them; whereupon theſe men got themſelves out of Town, and repaired to their own home, from whence they departed with their Families and all they had, ſome to the King of *Limeric*, others to the King of *Cork*, and ſome to *Roderic* King of *Connaught*, to all whom they declared how baſely they had been abuſed and ill treated; and told them what a raw Youth their new Governour the King's Son was, and that he was accompanied and Govern'd by parcel of vain young Gentlemen like Himſelf, who wanted that Gravity and common prudence which was requiſite and neceſſary to protect and ſecure the Countrey.

[4.] *Ibid. c.* 35. The *Iriſh* coming to compliment Earl *John*, are deſpiſed by his *Norman* Followers.

They fly to the Ks. of *Limeric*, *Cork*, and *Connaught*, & make their Complaints to them.

[5.] Here-

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[5] Hereupon theſe Three Princes, who were at firſt reſolved to have come and waited upon Earl *John*, to acknowledge his Submiſſions and pay their Duties to him, ſuſpecting what might be the end of ſuch beginnings, concluded to Joyn together againſt the *Engliſh*, and enter into a League Offenſive and Defenſive to preſerve their Liberties and Country, and now became Friends, though they were before Enemies.

[5.] *Id. ib.* They were at firſt reſolv'd to come and pay their Submiſſion to him; but are diverted by the ill uſage thoſe others met with.

And enter into a League Offenſive and Defenſive to preſerve their Liberties.

[1.] Upon the news of theſe Diſturbances, King *Henry* remov'd all theſe Young People, who underſtood not the temper of the Nation, and put in Others of more experience, who had been formerly imployed in the Conqueſt of it; and recalling his Son, made *John de Curcie* Lieutenant of *Ireland*, who with the Army under his Command ſcowred the Countries of *Cork*, *Limerick* and *Connaught*, and made them quiet. To which *R. Hoveden* alſo adds, (very much to the diſhonour of Earl *John*,) That one main reaſon why Affairs went ſo ill in *Ireland*, was, becauſe the Earl neglecting to pay his Souldiers put the Money into his own Pocket, and yet loſt the greateſt part of his Army in petty Skirmiſhes againſt the *Iriſh*; ſo that he was at laſt reduced to great want of men, none being willing to undertake the ſervice: wherefore leaving Juſtices in his room to Govern the Country, and putting thoſe Souldiers he had left in fit Gariſons to defend it, he paſſed over into *England*, after about Nine months ſtay in *Ireland*.

[1.] *Id. ib.* K. *Henry* removes theſe Young men, and puts in others of more Experience.

Recalls his Son, & makes *John de Curcy* Lieutenant of *Ireland*.

The main Reaſon why Affairs went ſo ill in *Ireland* under E. *John*'s Government.

He comes over into *England* after Nine Month's time.

[2.] But before I diſmiſs this Subject, I ſhall give you the ſame Author's account of the State of Affairs there during Earl *John*'s ſhort Government, (*viz.*) that there were then in the Kingdom Three different Intereſts or Parties, One of the *Normans*, a ſecond of the *Engliſh*, and a Third of the *Welſh*; the Firſt were in a Great favour, the Second in leſs, and the Third in none at all; the *Normans* were Luxurious, much given to Wine, and being inſeparable companions to Earl *John*, refuſed to be ſent to the Marches or Borders againſt the Enemies, or placed in Caſtles far from the Sea; they were alſo great Talkers, Boaſters, and Swearers, very Proud and Contemners of all others; greedy of places of Honour and Profit, but very backward in undertaking any dangerous ſervice that might deſerve them; and for theſe reaſons, the old *Militia*, that firſt conquer'd that part of *Ireland*, ſeeing themſelves ſlighted, and the new men only carreſs'd, ſat ſtill and acted not at all, ſo that Earl *John* made a ſmall progreſs in the further ſubduing of that Country. After his return into *England*, we find nothing worth mentioning to have been acted in *Ireland* for ſeveral years, either for want of matter, or elſe of an Hiſtorian to relate it; for after *Giraldus*, (to whom we are beholding for this Relation, and who here puts a period to his Hiſtory,) *Ireland* only affords us ſome dry Annaliſts for divers Centuries.

[2.] *Id. ib.* Three different Intereſts in *Ireland*.

A Character of the *Normans* there.

The Old *Militia* diſcontented.

Earl *John* did nothing conſiderable in that Nation.

There happen'd nothing remarkable this Year in *England*, [3.] except that upon the late death of *Simon* Earl of *Huntington*, Son to *Simon* Earl of *Northampton*, the King reſtored that Earldom to *William* King of *Scots*, of which he had been deprived ever ſince the late War, but as ſoon as he had it, he reſigned it up to his Brother Earl *David*.

[3.] *R. D. C. M.* K. reſtores the Earldom of *Huntington* to *William* K. of *Scots*, who reſigns it to his Brother *David*.

There

[4.] There alſo happen'd this year ſo great an Earth-quake in *England*, as overthrew divers Churches and Houſes, and there was not long after almoſt a total Eclipſe of the Sun.

In Eccleſiaſtical matters, all that happen'd this year was the death of Pope *Lucius* III. in whoſe room *Hubert*, Archbiſhop of *Milain*, was elected Pope, who ſucceeded him by the name of *Urban* the *Third*.

King [5.] *Henry* continuing ſtill in *Normandy*, after having kept his *Chriſtmaſs* at *Damfront*, went from thence to a Conference with King *Philip* at *Giſors*, where he again renewed his Oath to him that he would give *Alice* the King's Siſter in mariage to his Son *Richard* and thereupon the King of *France* granted to Earl *Richard* with his Siſter, *Giſors*, and all that his Father *Lewis* had granted with his Daughter *Margaret* to the late King *Henry*, and alſo ſwore, he would never lay farther claim to thoſe Territories; then after this Conference the King went over into *England*, but never performed this Agreement, which was the cauſe of the great Troubles that afterwards enſued.

[1.] Soon after his Arrival there, he raiſed a great Army, and marched with it as far as *Carliſle*, intending to have paſſed into *Scotland*, to correct the inſolence of *Roland*, Son of *Uctred* Lord of *Gallway*, who taking advantage of the death of *Gilbert* his *Uncle*, and of the abſence of *Duncan* the Son (at that time a Hoſtage with King *Henry*) had then taken Arms: But when it came to the puſh, he prevented the King's marching againſt him, by coming to him to *Carliſle* where he made his Peace, and thereby kept what he had already got.

[2.] Not long after the King's return, *William* King of *Scots* came into *England*, and married *Ermengarda* the King's Coſen, Daughter of *Richard* Viſcount *Beaumont*, who was Son to a Daughter of King *Henry* the Firſt; this mariage was ſolemnized in the Chappel of the Mannor of *Woodſtock*, and King *Henry* kept a Great-Wedding for them for four days, and then reſtored to the King of *Scots* the Caſtle of *Maidens* (i.e. that of *Edinburgh*) which He beſtowed upon his Queen as an Augmentation of her Dower, and added to it an Hundred pounds a year Rent, and the ſervice of Forty Knights, which was counted a great Revenue in thoſe Times.

Nothing remarkable happen'd further in *England* this year; [3.] but in *France*, *Geoffrey* Earl of *Bretaign* being engag'd in a Tourneament at *Paris*, was unluckily flung from his Horſe, and before he could be taken up again, was trampled under the Horſes feet, and ſo miſerably bruiſed thereby, that he dyed in a few days after, being little more then Twenty Eight Years of Age. But the *French* Hiſtorians (who ought to know this matter beſt) ſay, he died of a Feaver notwithſtanding all the Phyſicians could do to prevent it; but all agree that his Death was a great affliction to King *Philip*, who order'd him to be buried at *Paris* in *Noſtredame* Church; thus King *Henry* laſt Two of his moſt undutiful Sons in the ſpace of Two years.

This Prince is alſo noted for a man of a handſome perſonage and of a fair Tongue, but of little or no Truth, or Sincerity, as appears by his carriage to his Father.

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[4] *Id. ib.* A very great Earthquake in *England*, and almoſt a total Eclipſe of the Sun.

Pope *Lucius* III. his Death, & *Hubert* A. Bp. of *Milain* ſucceeds him called *Urban* III.

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[5] *R. H.* K. *Henry* has a Conference with the K. of *France*, & *Alice* his Siſter is promiſed to be given to E. *Richard*.

K. *Henry* comes into *England*, but never performs this Agreement.

[1.] *Id. ib.* Marches with a great Army to *Carliſle*, deſigning for *Scotland*, but *Roland* the *Scot* meets, and makes his peace with him.

[2] *Id. p.* 360. *a.* *William* K of *Scots* comes into *England* and marries *Ermengarda* the K's Cozen.

He reſtores to him the Caſtle of *Edinburgh*, which he gives back to his new Queen, by way of Addition to her Dower.

[3.] *Id. ib.* *Geoffrey* kill'd in a Tourneament at *Paris*, by being trampl'd under the Horſe's feet, and is buried in *Noſtredame* Church.

[4.] As

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[4] C.G. Col. 1479. A freſh War like to be between the Ks. of *England* and *France*.

[4.] As ſoon as the Earl was dead, the Nobility of *Bretaign* took Arms, and Some of them joyned with the King of *France*, and Others of them with the King of *England*, whilſt a Third Party ſtood Neuter, ſo that there was like to have been a freſh War begun; [5.] for the King of *France* claimed the Guardianſhip of *Margaret*, the then only Iſſue to the late Earl, together with the Government of the Country, as Supreme Lord of the Fee: but the King of *England* would by no means conſent to it, and ſent over *Walter* Archbiſhop of *Roüen*, *William de Mandevill* Earl of *Albemarle*, and *Ranulph de Glanville* Juſticiary of *England*, as his Ambaſſadors, to mitigate that Young Prince's diſpleaſure, and at their requeſt the King of *France* granted a Truce until the Feaſt of St. *Hillary*; but in the mean time the Counteſs *Conſtance*, the Widow of Earl *Geoffrey*, whom he had left great with Child, brought forth a Son, whoſe Name was *Arthur*; of whom we ſhall ſpeak more in due time, when he ſhall come to lay claim to the Crown of *England*.

[5] R. H. p. 361. a. Earl *Geoffrey* leaves his Wife with Child of his Son *Arthur*.

[1.] *Id. ib.* A new War between the Ks. of *England* and *France* ready to break out upon a ſlight occaſion.

[1.] Yet the War between the Kings of *England* and *France* was again like to be renewed upon a very ſlight occaſion, which was this: One *Richard de Valls*, a Knight belonging to the King of *France*, fortifying his Caſtle of *Valls*, lying between *Giſors* and *Trye*, and *Henry de Ver* Conſtable of *Giſors* much reſenting it, he was reſolved to oppoſe him, and therefore came againſt it with a good Force; whereupon *Richard de Vall*'s Men ſallied out of the Caſtle to meet him, being led on by *Rader* his Son, who was kill'd in this Skirmiſh, and many of his Men ſo wounded, that they fled into the Caſtle; but *Henry de Ver* not daring to return again to *Giſors*, retir'd to *Richard* Earl of *Poictou*; which when the King of *France* heard, he Commanded all the Subjects of the King of *England*, both Clerks and Laicks, who were then in his Territories, to be ſeiz'd, together with their Effects, which was done accordingly; then the King of *England*'s Officers beyond the Seas did the like to the Subjects of the King of *France*: upon which, being ſometime after better adviſ'd by thoſe about him, he Commanded the King of *England*'s Subjects to be releaſed, and ſo things continued in the ſame ſtate they were all the reſt of the Year.

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[2] *Id. ib. b.* Pope *Urban* ſends two Cardinals to go as Legates into *Ireland* to Crown Earl *John*.

[2.] King *Henry* continuing ſtill in *England*, kept his *Chriſtmaſs* at *Guildford*; not long after which Feſtival, the new Pope *Urban* ſent over Cardinal *Octavian*, together with *Hugh de Nunant*, whom he had appointed to go as Legates into *Ireland*, in order to Crown Earl *John*; but the King thought fit for the preſent to defer it.

[3] *Id. ib. b.* But K. *Henry* carries them over into *France*, to be preſent at a Treaty between that K. and Him.

[3.] And to give the better colour to this delay; He alledged the weighty Affairs that required his Preſence beyond Sea; ſo carrying the Legates along with him, he paſſed over into *Flanders* in order to a Treaty, which he was ſuddenly to have with the King of *France*, at a Place called the Ford of of St. *Remy*, where they met; but at that Conference the *French* King made ſuch high demands, that they parted without any hopes of Peace. [4.] *Gervaſe* of *Canterbury* tells us what thoſe Demands were, *viz.* The Reſtitution of the Territories that were given in Mariage with Queen *Margaret* his Siſter, as alſo that his Siſter *Alice* ſhould be ſent home, ſince he did not marry her to Earl *Richard*, as he had ſo often promiſed.

[4] *Col.* 1486.

[5.] But

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[5.] But when the King of *France* could not obtain what he desir'd by Fair means, he resolv'd to do it by Force; and therefore raising a great Army, march'd to besiege *Gisors*; but King *Henry* hearing of it, sent *William* Earl of *Albemarle* against him with as strong a Force, and he hinder'd that design. This Action our Author places before King *Henry*'s last going over; but let it have been then or afterwards, the next Action we hear of the King of *France*, is, That not long after *Whitsontide* He having gather'd another great Army, besieg'd the Earls *Richard* and *John*, King *Henry*'s Sons, in *Castle-Radulf*, or *Raoul*; which their Father hearing of, came thither with a mighty Power to their Relief; then the *French* King drawing out his Forces also, they both stood against each other in Battle-Array; But through the Command of Pope *Urban* (by his Legates) and also through the Intercession of the Bishops and other Great Men of both Kingdoms, there was a Truce agreed on for Two years, upon condition, that the King of *France* should keep *Issodune* and another place during that time; whereupon they disbanded their Armies, and return'd home.

[5] *R. H. p.* 361. *b.*

The King of *France* with a great Army marches to besiege *Gisors*, but the E. of *Albemarle* hinders that design

He besieging K. *Henry*'s two Sons in *Castle-Radulph*, their Father comes to their Relief; and tho both Armies are drawn up in Battle-Array, a Truce is agreed upon for two Years.

[1.] As after the Peace was thus made, Earl *Richard* (against his Father's will) remain'd with the King of *France*; and such a great Intimacy grew between them, that they not only did often eat, but lay in the same Bed together: whereupon his Father (not without reason) grew very Jealous of him, and several times sent for him to return out of *France*; but he, making a shew as if he would Obey and return to his Father, went directly to *Chinon*, where his Treasure was, and seized and carried away the greatest part of it whither the Keeper of it would or no, and therewith fortified his Castles in *Poicton*, and would not come near his Father: Yet at length he once more return'd and did Homage to him before many of the Clergy and Laiety, and swore Fealty against all Men upon the Holy Gospels, and that he would never recede from his Advice and Obedience: But he was not much a Slave to this Oath neither; for not long after he undertook the *Crusado* among other Noblemen of *France*, without his Father's knowledge or consent; after this King *Henry* went into *Bretaign*, and there took the Castle of *Mountrelais* which *Hervy de Liuns* had seiz'd after the Death of Earl *Geoffrey*.

[1] *Id. p.* 362. *a.*

The great Intimacy between E. *Richard* and the K. of *France*.

E. *Richard* goes to *Chinon*, and carries away the greatest part of his Father's treasure, which was lodg'd there.

And therewith fortifies his Castles, but at last returns, and does Homage and swears Fealty to his Father.

K. *Henry* takes the Castle of *Mountrelais*.

But as Earl *Richard* was much to blame for his undutiful Proceedings towards his Father, so neither was the King to be excused for breaking the Agreement with the King of *France* concerning his Sister, and also the Engagement to his Son *Richard*, whereby he gave him Leave to betroth her in order to Mariage; and then notwithstanding all this, to keep him so long from enjoying her, which can be imputed to nothing else but the King's extravagant Lust, being not without good ground suspected to have debauch'd her himself, after the death of his old Mrs. *Rosamund Clifford*; or else Self-interest, as being loth to give up those Castles and Territories which his Son was to have with her, upon the Consummation of the Mariage.

The Father & Son both to blame; the One for his undutiful Carriage, and the Other for withholding his betrothed Wife from him.

This is all that happen'd this Year in Civil Affairs; but in Ecclesiastical Matters *Baldwin* Archbishop of *Canterbury*, having in his Company [2.] *Giraldus Cambrensis* (i. e. *Girald* of *Wales*) Arch-Deacon

[2.] *Itin. Cambria, cap.* 1.

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A. Bp. of *Canterbury*, as the Pope's Legate, makes a Viſitation into *Wales*, whom the Clergy there at firſt reſiſt, but at laſt ſubmit to him.

of *Landaffe*, (to whoſe Hiſtory of the Conqueſt of *Ireland* we are ſo much beholding) made his Viſitation into that Country as Legate to the Pope, being the Firſt Archbiſhop of *Canterbury* that ever viſited thoſe Parts: At firſt the Clergy of *Wales* began to reſiſt him, alledging the antient Liberties and Privileges of their Metropolitical Church of St. *David*'s; but they were forced for all that to ſubmit to him in this Viſitation, and the Archbiſhop perſwaded as many as he could to undertake the *Cruſado*, and prevail'd upon divers of the Noblemen of *Wales*, as appears by that Author's Account in his *Welſh* Itinerary above cited.

The A. Bp. perſwades divers of the Nobility to undertake the *Cruſado*.

[3.] In Foreign Parts nothing happen'd conſiderable, but the Death of Pope *Urban*; who, falling ſick with Grief for the great Loſs the Chriſtians had receiv'd in the *Holy Land*, deceas'd at *Ferrara*, [4.] to whom ſucceeded *Albert* his Chancellor, by the name of *Gregory* the *Eighth*: But he ſate but Two months, and then deceaſing, *Paulus*, Biſhop of *Præneſte*, took the Papal Chair, being call'd *Clement* the *Third*.

[3] C. G. Col. 1510. Pope *Urban*'s death.

To whom *Albert* ſucceeded by the Name of *Gregory* VIII.

[4] *Id. Col.* 1513. He dies two Months after, and *Paulus*, Bp. of *Præneſte*, is made Pope, and call'd *Clement* the *Third*.

[5.] On *Chriſtmaſs*-day King *Henry* was at *Caën* in *Normandy*, from whence he went to *Barfleur*, and ſo paſſed over into *England*; but ſo ſoon as the King of *France* heard he was gone, he gather'd a great Army, and threatened to lay *Normandy* waſte with Fire and Sword, if he did not reſtore *Giſors* with the Appurtenances belonging to it, or elſe marry his Son Earl *Richard* to his Siſter *Alice*. Upon notice of this, the King preſently return'd again into *Normandy*, and on the Twenty-firſt of *January* there was a Conference between them at the old Place, between *Giſors* and *Trie*, where were convened the Archbiſhops, Biſhops, Earls and Barons of both their Dominions. There was alſo at this Great Convention, the Archbiſhop of *Trie*, who preach'd ſo effectually to them, that all who were Enemies one to another ſeem'd now heartily reconcil'd, and receiv'd the *Croſs* from his hands. This Ceremony conſiſted in the faſtening of the Figure of the *Croſs* upon their Shoulders or Breaſt, with certain Prayers, and other Religious Rites; whereupon the King reſolved to go in Perſon to the *Holy-War*, and the King of *France*'s Men were to wear *Red Croſſes*, the King of *England*'s *White*, and the Earl of *Flanders* *Green* ones, for notes of diſtinction on their Cloaths and Armour.

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[5.] *R. H. p.* 365. *a.* The King of *France* threatens to invade *Normandy*.

K. *Henry* and the K. of *France* at a Conference are reconciled, and receive the Croſs.

The ſeveral Sorts of Coloured Croſſes the Two Kings and E. of *Flanders* were to wear for diſtinction.

[1.] After this Reſolution for an Expedition to recover the *Holy-Land*, the Council preſently debated on the manner and way of making and maintaining it; and in a very ſhort Space they agreed upon ſeveral Articles which would have carried on the War to good purpoſe, had they been proſecuted effectually. *Hoveden* recites them confuſedly, and hath ſeveral ſuperfluous Heads, which are not in *L'abbé*, or *Gervaſe* of *Canterbury*: But ſince this Conſtitution for raiſing an Aid for the recovery of the *Holy-Land* is expreſs'd more at large in *L'abbé*'s Collection of Councils, then it is any where elſe, I ſhall therefore from thence give you the Heads of it, that ſo the Reader may the better compare this Tranſaction (which was one of the greateſt that was known in that Age) with thoſe of our Times. The Title of this Conſtitution runs thus:

[1.] *Id. ib.* They agree upon Articles how to carry on and maintain the War.

The Heads of the Articles.

This

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[2.] This is the Eſtabliſhment for the Relief of the Land of *Jeruſalem*, made by *Philip* King of *France* and *Henry* King of *England*, and approved by the Common-Council of the Biſhops, Earls and Barons of their Dominions; That is to ſay,

[2] Vid. *Labbei* Concil. *Tom.* 10. *Col.* 1740.

I. Every one, both Clerk and Laick, that is not worth above One Hundred Shillings, for every Houſe he hath, where there is a conſtant Fire kept, ſhall pay Two Pence every year for Three years enſuing.

II. If he have more than One Hundred Shillings in Moveables, of every Pound he poſſeſſes in all the King of *France* his Dominions, he ſhall pay Two Pence of *Provence*-Money; and in the Dominions of the King of *England* on that ſide the Sea, Two Pence of *Anjou*-Money; and in *England* One * Shilling Sterling for the ſame Term.

* Where note, that the *Engliſh* Shilling was then of the ſame Value with 2d of *Anjou* Money.

III. He that hath One Hundred Pounds in Lands or Rents, or above, ſhall pay yearly Twenty Shillings.

IV. He that hath leſs than One Hundred Pounds in Rents, out of every Twenty Pounds ſhall pay Four Shillings, and out of every Forty Pounds Eight Shillings; Thoſe that have Moveables beyond One Hundred Shillings, ſhall ſwear, that out of every Twenty Shillings they will faithfully give Two Pence.

V. Is very little to the purpoſe.

VI. The Tenth of all Livings ſhall be due for the defence of the Land of *Jeruſalem*, from *Midſummer* 1184, for Ten years, ſaving the Right of the Lords of the Churches.

Out of this Eſtimation are excepted, for all Clerks, the Treaſure and Ornaments of their Churches, their Books, Horſes, Utenſils, Veſtments, *&c.* which are neceſſary for their daily Uſe; and for Knights or Souldiers, their Horſes, Arms, Veſſels and Cloaths for their Common uſe.

* Note, This Tax (tho' here call'd an *Alms*) was ſo grievous, that it was call'd in *France*, *la Saladine*, as being raiſed to make War upon that Prince.

For the Collecting of this * *Alms*, there ſhall be appointed in every Biſhoprick Two Brothers, one of the *Temple*, another of the *Hoſpital*; and in every Pariſh, they Two, with the Lord and the Prieſt of the Town (and Two of the beſt of the *Pariſh*) ſhall collect and keep this *Alms*.

Theſe Articles obliged not K. *Henry*'s Territories in *France*, till he had the Conſent of his own Bps. and Nobility there for the Levying of this Tax.

Notwithſtanding which Agreement between the Two Kings and the Biſhops or Great Men of both Kingdoms at the General Council above-mention'd, yet did not this Conſtitution oblige King *Henry*'s Territories in *France*, [3.] till he had by the Conſent of a Council of his own Biſhops and Nobility of *Anjou*, *Tourain*, and *Main* aſſembled at *Mans*, ordained the ſaid Tax to be levied in all his Dominions on that ſide the Sea, according to the above-recited Articles;

[3] *R. H. p.* 366.

Anno Dom. Mclxxxviii. and then the King appointed Two Clerks and Two Laymen as his Officers to collect theſe Tenths through all his ſaid Territories.

[4] *Id. ib.* K. *Henry* comes into *England*, and in a Great Council held at *Gaitington* had theſe Articles confirmed.

[5] *Col.* 1522.

[4.] All this being thus order'd, the King paſſed over into *England*, and arrived at *Wincheſter* by the end of *January*, and immediately after he aſſembled a Great Council of Biſhops, Abbots, Earls, Barons, and many other of the Clergy at *Gaitington*, where he cauſed to be recited and confirmed all thoſe Articles above-mention'd, which had been agreed on beyond Sea, about undertaking the *Croſs*. [5.] But *Gervaſe* of *Canterbury* is more particular in this affair, ann ſays, that the Biſhops and Great Men met at *Gaitington*, now *Gayton*, (ſome Eight or Ten Miles from *Northampton*) to treat about the Defence of the *Holy-Land*; and after much Debate, at length ſeveral other Articles, concerning ſuch as had taken, or would undertake the *Cruſado*, were agreed upon and publiſh'd: which ſince they differ from thoſe already concluded on in *France*, I ſhall here ſet down ſome of them.

All that take the Croſs, to be Abſolved from their Sins.

I. Every Clerk or Layman that ſhall take upon him the *Croſs* ſhall be freed and abſolv'd from all his Sins (of which he had been confeſſed and had repented) by the Authority of God, the Bleſſed Apoſtles St. *Peter* and St. *Paul*, and the Pope's Holineſs.

* *Servientes.* And to have the Tenths of their own Lands, and of their Tenents.

* *Hominum.*

II. It is alſo ordain'd, that Clerks, Knights, and * Eſquires, who ſhall undertake this Pilgrimage, ſhall have the Tithes of their own Lands, and of thoſe of their * Tenants, and alſo ſhall pay none themſelves.

There were likewiſe ſeveral other Articles then ordain'd, as againſt wearing rich Furs, or imbroidered Garments; as alſo againſt Second Courſes at Meals, and againſt Swearing, and playing at Dice during this Expedition, which I only mention; nor ſhould I perhaps have taken any notice of theſe Articles, but only to let the Reader obſerve, that they were not made by the King's ſole Authority, but were ordain'd by the Common-Council of the Kingdom, and that after a great deal of debate, though *Roger Hoveden* ſuppoſes them to have been only recited or publiſh'd there.

Theſe Articles not made by the K's ſole Authority.

[1.] *R. H. ib.* The K. ſends out his Officers to collect theſe Tenths.

[1.] When the above-mention'd Conſtitutions were thus agreed on, the King ſent certain of his Officers, both Clerks and Laicks, into all the Counties of *England* to Collect theſe *Alms*, (or rather forced Charity) and that in all Cities he cauſed all the Richeſt Men to be pick'd out, *viz.* in *London* Two Hundred, in *York* One Hundred, and ſo in all others proportionably, and made them all to appear before him at certain days and places; of whom he took the Tenth of their Moveables, according to the Eſtimation of Honeſt Men who underſtood them; and thoſe whom he found Obſtinate or Refractory, he preſently committed to Priſon, and there kept them until they had paid the utmoſt Farthing; The *Jews* alſo that were in *England* paid after the ſame Rate.

Thoſe that refuſed to pay, were impriſon'd till payment.

But

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But [2.] *Gervaſe* of *Canterbury* is more particular concerning this Taxation, and ſays, That all *England* was moſt grievouſly oppreſs'd in the raiſing of theſe Tenths, and that from the Chriſtians were raiſed Seventy Thouſand pounds, and yet were they ſtill to pay more Money; but from the *Jews* alone were raiſed Sixty Thouſand pounds; nor would they grant to any man Time for the payment, further than till *Good-Friday* following, unleſs it were to thoſe who were to pay Two Marks, or more; with whom the King deſired to ſpeak in private at *London* preſently after *Eaſter*, to try (as I ſuppoſe) whither he could wring more Money out of them.

[2.] *Col.* 1529, 1530. All *England* grievouſly oppreſs'd by this Tax.

But notwithſtanding theſe great Sums now raiſed, yet were they all diſſipated upon a War nearer home, which hinder'd thoſe Princes from going to the *Holy-Land*, though they had ſo ſolemnly ſworn it; for a new Quarrel happened between them upon a very ſlight occaſion, and it was this.

This Money all ſpent on another War nearer home, with the Occaſion of it.

[3.] About two or three Months after the making of this Peace, *Geoffrey* of *Luſignan*, a great Lord of *Poictou*, cauſed a certain Favourite of Earl *Richard*'s to be treacherouſly murther'd, but for what cauſe I do not find, only that this Injury ſo far incens'd the ſaid Earl, that in Revenge, he immediately made War upon him, and entering *Geoffrey*'s Territories, took many of his Caſtles, and kill'd his Vaſſals; but he being ſupported by King *Henry*'s Money, tranſmitted (as it was ſaid) to him under-hand, guarded himſelf ſo well, that the Earl could not ſubdue him; and the better to defend himſelf, he joyn'd with the Count of *Tholouſe*, who was then alſo in Arms againſt Earl *Richard*.

[3] *R. D. Col.* 639. Earl *Richard* makes War upon *Geoffrey de Luſignan*, a Lord of *Poitou*, takes his Caſtles and kills his Vaſſals. He alſo falls upon the E. of *Tholouſe*, and takes 17 of his Caſtles.

But He being not long after highly provok'd by certain other Injuries lately receiv'd, fell upon that Count's Dominions, took no leſs than Seventeen of his Caſtles about *Tholouſe*; of which the Count complaining to the King *France*, he preſently reſented this Violence to his Vaſſal as done to himſelf, and without ever giving Earl *Richard* any notice, enter'd his Territories and ſurpriz'd his Caſtles and Towns, forcing all the Inhabitants to ſwear Allegiance to himſelf; which raſh Action (my Author ſays) ſeem'd very unworthy ſo great a Prince, who ought to have better obſerv'd that Truſt, which King *Henry* at his departure for *England* had repoſed in him, of protecting his Dominions in *France* during his abſence; nor was King *Philip* contented with this, but ſoon after, either by Threats or Rewards, he drew over ſeveral Governors of Earl *Richard*'s Caſtles to his Party.

The King of *France* reſenting it, ſurprizes the Caſtle and Town of *Raoul* & makes the People ſwear Allegiance to Him.

He draws off ſeveral of E. *Richard*'s Governors of Caſtles.

All this is likewiſe confirm'd by the *French* Hiſtorians, with this difference only, That King *Philip*, before he fell upon Earl *Richard*, admoniſh'd him of his duty, and forbad him (as Supreme Lord of both him and the Count of *Tholouſe*) to carry on the War any farther againſt that Prince.

[4] *R. H. p.* 366. *b.* *Roger Hoveden*'s Relation of this Matter ſomewhat different from the former.

[4.] But *Roger Hoveden* gives us ſomewhat another and larger Account of the Occaſion of this War, which is to this effect: That about this time *Raymond* Earl of St. *Giles*, *Aimer* Earl of *Engoleſme*, *Geoffrey de Rancune*, and *Geoffrey de Luſignan*, and almoſt all the Great Men of *Poictou* confederating together, made War upon Earl *Richard*; who being too hard for them all in ſeveral Rancounters, took divers Priſoners, and among the reſt one *Peter Seillan*, who

Raymond, E of St. *Giles*, &c. makes War upon the K's Son, but is conquered.

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who lately had adviſed the Earl of St. *Giles* to ſeize upon certain Merchants or Tradeſmen that were Earl *Richard*'s Subjects, and to treat them very ſeverely. So the Earl (in return) kept this *Peter* cloſe Priſoner; and when the Earl of St. *Giles* found he could not redeem him, he gave Order to his Caſtellans and Souldiers to waylay and apprehend any of the King of *England*'s, or his Son Earl *Richard*'s Subjects: Within a little while after they ſeiz'd upon *Robert Poer* and *Ralph* his Brother, Two *Knights* of the King's Family, that had gone in Pilgrimage to St. *James*'s in *Spain*, (and were returning home,) and deliver'd them to Earl *Raymond*, who kept them in Priſon until his Servant ſhould be ſet free; yet Earl *Richard* would make no Exchange, for he ſaid the Reverence of the Pilgrimage they had undertaken was ſufficient to diſcharge them; but at laſt the King of *France* Commanded that they ſhould be ſet free, though it was neither out of reſpect to the King of *England* nor his Son *Richard*, but for the Reverence he bare to St. *James* the Apoſtle. However, the Earl of St. *Giles* did not releaſe them ſo much by the King of *France* his Order, as for the great Ranſom he had of them.

Robert Poer and *Ralph* his Brother, returning from Pilgrimage, taken Priſoners by the E. of St. *Giles*.

A great Diſpute about the Priſoners being Exchanged for *Peter Scillun*, St. *Giles*'s Servant.

At laſt they are releaſed for the Ranſom he had of them.

[5.] Earl *Richard* being thus incens'd, enter'd the Earl's Country with a powerful Army, waſting it with Fire and Sword, and beſieg'd and took ſome of his Caſtles near *Tholouſe*; whereupon the King of *France* hearing the Complaints of the Earl and People of that Country, ſent into *England* to King *Henry* to know whither the Damages that were done in his Dominions by his Son *Richard* were done by his Order; and if ſo, he demanded Reſtitution: King *Henry* return'd anſwer, That his Son had done nothing by his Directions, and that Earl *Richard* had acquainted him by *John* Archbiſhop of *Dublin*, that he had done nothing but with the conſent of the King of *France*.

[5.] *Id. ib.* Earl *Richard* enters the E. of St. *Giles*'s Country, and waſtes it.

The King of *France* complains to the K. of *England* of it.

[1.] But He in the mean time, without any notice, had raiſed a great Army and enter'd the County of *Berry*, and taken *Caſtle-Raoul*, which the Burgeſſes treacherouſly deliver'd to him, and proceeding forward got almoſt all *Berry*, except *Loches* and ſome other Caſtles of the King of *England*'s own Demeſnes: But when King *Henry* demanded a Reaſon of theſe Proceedings, it was told him, that they were done in revenge of thoſe Injuries Earl *Richard* his Son had done to the King of *France*, and Earl of St. *Giles*; thereupon the King of *England* adviſing with his Counſellors, ſent *Baldwin* Archbiſhop of *Canterbury*, and *Hugh* Biſhop of *Lincoln*, to the King of *France*, to perſwade him to terms of Peace: but when they could not prevail, King *Henry* went into *Normandy*, and Landing at *Barfleur* on the Eleventh of *July*, gather'd together from thence, and his other Territories, a great Army: In the mean time Earl *Richard*, to be even with the *French*, enter'd *Berry*, and deſtroy'd the Lands of the Earls and Barons that adhered to the King of *France*, and took ſome of them Priſoners.

[1.] *Id. p.* 367. *a.* The King of *France* with an Army enters the County of *Berry*, & takes *Raoul*-Caſtle by Treachery, and gets almoſt all *Berry*.

K. *Henry* ſends to the King of *France*, to perſwade him to Peace, but He refuſes.

K. *Henry* goes into *Normandy*, and raiſes a great Army.

E. *Richard* enters *Berry*, waſtes the Lands, and takes ſome of the Nobility Priſoners.

[2.] But that King upon the Earl's coming had left *Caſtle Raoul* to *William de Barres* to defend it, and return'd home; and knowing that King *Henry* was now arriv'd, he would not leave *France*, only ſent his Forces, under the Command of the Biſhop of *Beauvois* to waſte the King's Territories, and burn his Caſtles and Towns, which

[2] *Id. ib.* The King of *France* waſtes K. *Henry*'s Territories.

which was return'd by Earl *Richard*'s taking *Le Roches*, a ſtrong place near *Vendoſme*; then King *Henry* ſent *Walter* Archbiſhop of *Roüen*, *John* Biſhop of *Eureux* and *William* the *Mareſchal* to King *Philip* to demand Reſtitution for theſe Wrongs, who told him, That unleſs he made ſatisfaction, their Maſter defi'd him: the King of *France* thereupon anſwer'd, He would never deſiſt untill all *Berry* and the *Norman Veuxine* were deliver'd up to him; ſo much had this King's late ſucceſs tranſported him beyond the Bounds of Juſtice and Moderation. *Anno Dom.* Mclxxxviij.

K. *Henry* ſends to defy him unleſs he would make Reſtitution.

Yet the *French* Hiſtorians lay all the fault of this War at King *Henry*'s door, of whom they ſay King *Philip* demanded Satisfaction for the Injuries and Damage Earl *Richard* had done his Subjects; but that King *Henry* denying it, the King of *France* only did himſelf Right: But this does not ſeem probable, ſince *Henry* did not then deſire War, but Peace: Yet this is certain, that the King of *England* being provok'd by theſe Injuries, enter'd the *French* King's Dominions, and burning divers Towns, march'd very near *Mante*, where King *Philip* himſelf was then ſaid to be; near which Place Earl *Richard* and ſome of his Fathers Domeſtics skirmiſh'd with *William de Barres* and others of King *Philip*'s Men, and routed them, taking this *William* at firſt Priſoner; but being kept only upon his parole, he eſcap'd upon a little Nag belonging to his Lacquey.

The *French* Hiſtorians lay all the blame of this War upon K. *Henry*, but unjuſtly.

[3.] Then upon Earl *Richard*'s invading *Berry*, and that King *Henry*'s Forces had again march'd into the Territories of the *French* King, and there burnt and deſtroy'd ſeveral Caſtles and Towns; he thereupon ſent Meſſengers to King *Henry*, deſiring Peace, and offer'd to part with what he had taken in *Berry*.

[3.] *Id. ib.* The Two Ks. meet at *Giſors* to Treat of Peace, but can't agree.

The Two Kings came to a Conference at *Giſors*, and when they could not agree upon any Terms, the King of *France* in a great Rage cut down a well ſpread, flouriſhing Elm, between *Giſors* and *Trie*, where the Treaties of Peace uſed to be held between the Kings of *France* and Dukes of *Normandy*, and ſwore there ſhould never be any more held in that place.

The King of *France* cuts down the Tree, and ſwears there never ſhould be any more Treaties in that place.

[4.] When *Theobald* Earl of *Flanders* and the Other Earls and Barons of *France* ſaw this obſtinate humour of King *Philip*, they generouſly deſiſted from all further Hoſtility, and ſaid, They would never fight more againſt Chriſtians, until they return'd from their Pilgrimage to the *Holy Land*. Then the King of *France* ſeeing himſelf deſerted by his Friends and Confederates, deſir'd another Conference with King *Henry*, which he conſented to; and on the Morrow, being the Sixth of *October*, they met at a place called *Les Chaſteaux*, where the Terms propounded were, That the King of *France* ſhould reſign what he had taken ſince the Truce, and that Earl *Richard* likewiſe ſhould give up what he had taken from the Earl of St. *Giles*; but the King of *France* demanded of his Brother of *England*, that the Caſtle of *Paſſy* ſhould, for the farther ſecurity thereof, remain in his hands as a Pledge: But upon King *Henry*'s refuſing to grant this, they parted as great Enemies as they came: Whereupon the King of *France* in his Return took the Caſtle of *Palud*, and paſſing on to *Caſtle-Raoul*, he led the Plundering *Brabanters* from thence to *Bourges*, promiſing them their Pay; but ſeizing on them there, he took away their Horſes, Arms, and all their Baggage, and ſo left them to ſhift for themſelves.

[4.] *Id. ib.* Several *French* Lords lay down their Arms.

The Treaty of Peace renew'd, but without effect.

The King of *France* in his Return takes *Palud*-Caſtle.

He ſtrips the *Brabanters* of their Horſes, Arms, and all their Goods.

[5.] Then

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[5.] *Id. ib.* *Richard* offers to ſtand to a Tryal in the *French* King's Court.

[5.] Then Earl *Richard* offer'd to come to King of *France* his Court and ſtand to the Law there, for what had been done between Him and the Earl of St. *Giles*, that ſo he might make Peace between the Two Kings; which Propoſition much diſpleaſed his Father, that he ſhould condeſcend ſo far without asking his Advice or Leave.

[1.] *Id.p.*370.*a.* Another Treaty between the Two Ks. where the K. of *France* makes very fair Propoſals, but K. *Henry* would not accept of them.

[1.] After this on the 19th of *October* they had another Conference between *Bon-Molines*, and *Suleinni*, where the King of *France* offer'd King *Henry* apparently very fair Conditions, as to render back whatſoever he had taken by War, if he would give his Siſter *Alice* to Earl *Richard* his Son, that ſhe might at laſt become his Wife, and that he would permit him as his Heir, to receive the Homages and Fealties of the Subjects of all his Dominions: But King *Henry* being ſenſible of the ill conſequences of that, and the great Injuries and Miſchiefs he had received, by exalting his Son *Henry* to that Honour, utterly refuſed it; at which Earl *Richard* was exceedingly diſpleaſed, and therefore without the conſent or ſo much as knowledge of his Father, He did Homage to the King of *France* for all his Father's Territories in that Kingdom, and ſwore Fealty to him againſt all men; and then King *Philip* in conſideration thereof, gave him *Caſtle-Raoul* and that of *Iſſoudun*, with the whole Honour or Juriſdiction belonging to them.

E. *Richard* does Homage, and ſwears Fealty to the K. of *France*.

[2.] *Col.* 641. *R. de Diceto's* larger Account of this Tranſaction.

[2.] But *Rad. de Diceto* gives us a ſomewhat different but larger account of this Tranſaction, and ſays, that at this Enterview, when the King of *France* propoſed to reſtore thoſe Places he had taken, ſince their ingaging in the *Cruſado*, and that all things ſhould remain in the ſame ſtate, as they were before that time, the King of *England* made Anſwer that he thought it more Reaſonable to have a firm Peace made and eſtabliſhed by the Advice of their Biſhops and Barons, than to protract ſo dangerous a Controverſy any longer; which fair propoſal was oppoſed by Earl *Richard* his Son under this pretence, that if this Condition were agreed to, it would prove diſadvantageous to himſelf; for then he muſt give up *Cahors* and all that Country, with many other parts of his Dominion, which were worth above a Thouſand Marks a year, meerly for the Fee of *Caſtle-Raoul*, and the Caſtles of *Iſſoudun* and *Craſſay*, which were not his own Demeſnes neither, but only held of King *Philip*; whereupon the Earl paſſed off to another matter, deſiring of his Father (by the mouth of the King of *France*) that the Lady *Alice* might be given him to Wife, and alſo that he would ſettle his Kingdom upon him, as being his Right Heir, which the King imprudently refuſed, ſaying, If ever he did this, it ſhould be done voluntarily and not by compulſion; upon this his Son left him and went over to the King of *France:* Yet this Author ſays, he did Homage to that King for thoſe Territories, ſaving the Fealty he owed to his Father, and reſerving to him the Intereſt he had in them, ſo long as he lived.

[3.] *Col.*1536. E. *Richard* preſſes his Father to be declar'd his Succeſſor, and why.

[3.] But if *Gervaſe* of *Canterbury* may be credited, he ſays, that the reaſon why Earl *Richard* was ſo urgent with his Father to be declared his Succeſſor, was, becauſe the common Report was, that the King deſign'd to defraud him of the Kingdom, and ſettle the Crown upon Earl *John* his younger Brother; which, whither true or falſe, I will not affirm; but this is certain, that Earl *Richard* upon his

his Father's denying to ſecure his Suceeſſion to the Throne, preſently fell into a great Paſſion, and ſaid, *Well, That now ſeems to me very likely, which before was incredible.* What he meant by this, I will not take upon me to interpret; but our Author farther ſays, That immediately flinging away his Sword, he fell down on his Knees before the King of *France*, and did him Homage, imploring his Aſſiſtance, that he might not be defrauded of his Juſt Right: upon which all there preſent ſtood amaz'd, to ſee the Father and the Son parting from each other as utter Enemies; and the King himſelf was aſtoniſh'd at this Accident, as juſtly fearing the fatal Conſequences of it; and indeed He had too much cauſe to repent his thus provoking his Son and Heir without any juſt occaſion.

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He implores the King of *France*'s Aſſiſtance to preſerve his juſt Right.

[4.] All that could be procured at this Meeting, was, That the Two Kings concluded a Truce until the Feaſt of St. *Hillary*; and not long after Cardinal *Henry* Biſhop of *Alba*, whom the Pope had ſent to reconcile the Differences between the Two Kings, Anathematiz'd Earl *Richard* as a Diſturber of the Peace, which (to ſay truth) he ſeems to have juſtly deſerved, for thus contradicting his Father's reaſonable Propoſals only upon the Account of his own private Intereſt: whereby He quite broke off a Treaty, that was very near being concluded; though why King *Henry* ſhould deny him the Lady *Alice* for his Wife, there appears no reaſon, unleſs that were true which [5.] *Bromton*'s Chronicle relates to be generally believed, that the King had then debauched her and kept her for his Miſtreſs; which, if ſo, muſt needs raiſe a great heart-burning in Earl *Richard* againſt his Father, and perhaps might be one of the chief Cauſes of his taking part with the King of *France* againſt him. But whatever was the reaſon of it, 'tis certain King *Philip* gain'd a great advantage by thus ſetting the Son at odds againſt his Father, for otherwiſe he could never have been too hard for him: Thus all things continued quiet till the concluſion of the Truce.

[4] *R. D. Col.* 641. *R. H. p.* 371. *b.*

A Truce concluded, till St. *Hillary* following, between the Two Ks.

E. *Richard* anathematiz'd by the Pope's Legate.

[5.] *Col.* 1151. Lady *Alice* ſuppoſed to be debauch'd by K. *Henry*.

K. *Philip* takes advantage of the Difference between K. *Henry* and his Son.

This [1.] being the laſt Year of King *Henry*'s Reign, he kept his *Chriſtmaſs* at *Saumur* with but a very ſlender Company; for many of his *French* Earls and Barons had left him, and were gone with Earl *Richard* to the King of *France*, who both joyning together with the *Bretaigns* (to whom theſe Princes had given their Charters never to make a ſeparate Peace without them,) they all in a hoſtile manner entered King *Henry*'s Dominions, waſting and deſtroying them on every ſide.

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[1] *R. H. p.* 371 *b.*

The King of *France* and E. *Richard* waſte the K. of *England*'s Dominions.

[2.] During theſe Devaſtations, *John*, Cardinal of *Anagnia*, came as Legate from the Pope to the Two Kings to exhort them to Peace; and partly by Perſwaſions, and partly by Threats, obtain'd of them to ſtand to the Judgment and Determination of himſelf, and the Archbiſhops of *Canterbury*, *Rheimes*, *Roüen* and *Bourges*, and he appointed the day of meeting near *Fertè Bernard* to be Eight days after *Whitſontide*. Then the Cardinal and Four Archbiſhops pronounced Sentence of Excommunication againſt all Men, as well Clerks as Others, that ſhould hinder the concluding of this Peace, except the Perſons of the Kings themſelves; who both met again at the Time and Place appointed, with the Earls and Barons of both Kingdoms. At this Conference the King of *France* again demanded of his Brother of

[2.] *Id. ib.* All are to be Excommunicated that ſhould do any thing to hinder the Peace, except the two Kings.

A freſh Treaty between them.

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England, that his Siſter *Alice* might be given in Mariage to *Richard* Earl of *Poictou*, [3.] and that the Homages and Fealties ſhould be made him as in the laſt Treaty; and that Earl *John* his Brother ſhould receive the Croſs, and go to *Jeruſalem*.

[3.] *Id. p.* 372 *a.* Which again breaks off without Succeſs.

But the King of *England* ſaid, he would never conſent to it; yet he offer'd the King of *France*, that, if he would pleaſe, his Siſter *Alice* ſhould be given in Mariage to his Son *John*, and that all other things ſhould be perform'd more fully than he deſir'd: but the King of *France* would not yield to this, and ſo the Treaty by the unreaſonable ſtiffneſs of both Kings, broke up, without the wiſh'd-for ſucceſs.

[4.] *Id. ib.* The King of *France* values not the Threats of an Interdict.

[4] Then the Cardinal threatened the King of *France*, That if he made not Peace with the King of *England* upon thoſe Terms, he would Interdict his Dominions: whereupon King *Philip* boldly told him, *he valued it not, and ſaid it belonged not to the Church of* Rome *to pronounce Sentence againſt the Kingdom of France*, when only the King chaſtiſed his Vaſſals for their Contumacy and Rebellion, and the Injuries done to his Crown, and added, *That ſure the Cardinal had felt ſome of the King of* England's *Sterlings, i. e.* Pieces of Money ſo call'd; and ſo they parted greater Enemies than before.

[5.] *Id. ib.* The King of *France* takes divers ſtrong Caſtles and Towns from the King of *England*.

[5.] Whereupon the War breaking out afreſh, the King of *France* immediately after laid Siege to, and took *Fertè Bernard*, *Montfort*, *Beaumont*, and divers other ſtrong Caſtles and Towns, for at that time nothing ſtood before him; but the King of *England* being then in the City of *Mans*, and underſtanding that the King of *France* and Earl *Richard* his Son were marching that way, as if they would beſiege that City, he was much allarum'd at it, and durſt not ſtay and run the hazard of a Battle; but contrary to the Advice of his Biſhops and Barons quitted the City, though it was well ſtored with all manner of Proviſions: and leſt the *French* ſhould take the Subburbs, *Stephen de Tours* ſet them on fire, which getting over the Walls burnt down the City likewiſe.

K. *Henry* quits the City of *Mans* tho' well ſtored with all ſorts of Proviſions.

Stephen de Tours ſets the Subburbs on Fire, which likewiſe burnt the City.

[1.] *Id. ib.* The King of *France* defeats K. *Henry*'s Army.

The K of *England* with a few Followers gets into the Caſtle of *Chinon*.

That of *Mans* ſurrender'd to the King of *France*.

K. *Philip* takes in his March divers other Caſtles.

In the midſt of this Confuſion, the King of *France* approach'd the Bridge, which *Geoffrey de Burillun*, with many of King *Henry*'s *Engliſh* Souldiers endeavouring to break down, ſeveral of them were taken Priſoners, and *Geoffrey* himſelf in the Aſſault was wounded: but whilſt the reſt were trying to get back over the Bridge, the *French* enter'd the City along with them; [1.] King *Henry* perceiving this, (being not far off) though he had promiſed the Citizens Relief, yet preſently fled with Seven Hundred Horſe, the King of *France* purſuing him for Three Miles together; in which flight many of the *Welſh* Foot were ſlain, and if it had not been for the deepneſs of a Ford, which the *French* could not readily paſs, many more had periſhed: the King with a few got into the Caſtle of *Chinon*, and there fortified Himſelf, the reſt of his Followers returning back to the Caſtle of *Mans*, which ſtill held out; but the King of *France* and Earl *Richard* were immediately after received into the City with ſolemn Proceſſion, and then they fell to beſieging the Caſtle, which by means of their Warlike Engines and their Mineing, they got deliver'd to them in Three days, together with Thirty Knights, and Threeſcore Servants. After this the King of *France* in his March took the Caſtles of *Tron*, *Montore*, *Caſtle Chaumont* and *Ambois*, with divers others.

[2.] Then

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[2.] Then the day after the Feaſt of St. *Peter* and St. *Paul*, the King of *France* came and ſate down before *Tours*; and in a little time the River *Loyre* being then very low by reaſon of a great Drouth, the *French* got over, and clapping Scaling-Ladders to the Walls, took the Town by Storm, and in it Fourſcore Knights and a Hundred Servants. And thus by the Treachery of the *Poictovins*, and Rebellion of the *Bretaigns*, the King of *France* had now Conquer'd all *Touraine* and *Main*.

[2.] *Id. ib.* He takes the City of *Tours* by Storm.

The Treachery of the *Poictovins*, and Rebellion of the *Bretaigns*.

[3.] But whilſt he was imploy'd in this Siege, *Philip* Earl of *Flanders*, *William* Archbiſhop of *Rheimes*, and *Hugh* Duke of *Burgundy*, came in an amicable way to the King of *England*, who was then at *Saumur*, to make a Peace between Him and King *Philip*; which King *Henry* finding himſelf in a great ſtreight, was fain to conclude upon the *French* King's own Terms.

[3.] *Id. ib.* The K. of *England* forced to conclude a Peace with K. *Philip* upon hard terms.

Immediately after the [4.] Two Kings and Earl *Richard* with their Archbiſhops, Biſhops, Earls and Barons of both Kingdoms met on the day appointed between *Tours* and *Araſie*, where the King of *England* entirely ſubmitted himſelf to the King of *France* his Will, and then renew'd his Homage to him, becauſe in the beginning of the War he had defied him, and renounced his Dominions, as held of him; and the King of *France* had alſo diſclaimed his Homage.

[4.] *Id. ib. &.* K. *Henry* does Homage to the King of *France*.

[5.] Theſe were the Terms of Peace which the King of *France* preſcribed, and King *Henry* at laſt agreed to.

[5.] *Id. ib.* The Articles of Peace between the Two Kings.

I. That his Siſter *Alice*, whom the King of *England* had ſtill in his Cuſtody, ſhould be deliver'd to one perſon of Five, whom Earl *Richard* ſhould chuſe, and that ſhe ſhould be married to him at his return from *Jeruſalem*.

II. That Earl *Richard* ſhould receive the Fealties of all Subjects within his Father's Dominions; and that no Baron or Knight, that left his Father to follow him, ſhould return to him again, unleſs within one Month before they went toward *Jeruſalem*.

III. The time of that motion ſhould be in the middle of *Lent* next enſuing, when both the Kings and Earl *Richard* ſhould be at *Vezelay* at that Seaſon.

IV. All Citizens and Burghers of the King of *England*'s own Towns, ſhould be free all over *France*, paying only their old Cuſtoms; nor ſhould be impleaded for any thing, unleſs for forfeiture in Felony.

V. The King of *England* ſhould pay to the King of *France* Twenty Thouſand Marks of Silver.

VI. All the Barons of the King of *England* ſhould ſwear, That if the King of *England* doth not keep this Agreement, they would aſſiſt the King of *France* and Earl *Richard* againſt him.

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VII. The Cities of *Mans* and *Tours*, the Caſtles of *Ligdi* and *Trou*, were to remain in the hands of the King of *France* and Earl *Richard*, until all theſe things were perform'd.

Theſe Terms were very hard, and highly to King *Henry*'s diſadvantage; yet being now ſufficiently humbled, he was forc'd to ſubmit to them.

[1.] *Ib. ib.* Great Thunder and Lightning happened during the Enterview.

[1.] But it is very remarkable what this Author further relates, that during this Enterview, there happen'd a great Thunder, and a Flaſh of Lightening falling between the Two Kings, though without hurting any body, yet ſo affrightned them, that they drew back from each other for ſome conſiderable time; but then meeting together again, after a ſmall Interval, it thunder'd again more terribly than it had done before, the Weather continuing ſtill Fair; which ſo aſtoniſh'd poor Old King *Henry*, that he had fallen from his Horſe, had he not been kept up by thoſe that ſtood about him; and that he then wholly ſurrender'd himſelf to the King of *France*'s Will, and ſign'd the above-written Peace; at the Concluſion of which he deſir'd to have a Liſt or written Catalogue of the Names of all ſuch as had privately deſerted him, and adhered to the King of *France* and his Son *Richard*; which when he had receiv'd, and found his Son *John* the Firſt man in it, he was ſtrangely ſurpriz'd, as very well He might, ſince of all his Sons He had the leaſt reaſon to complain of his Severity.

K. *Henry* deſires a Liſt of the Names of thoſe that had deſerted him.

He finds his Son *John* the firſt Man there.

[2.] *Id. ib.* He Curſes his Sons, & would never releaſe them.

[2.] So the King in extreme Grief and Diſcontent departed to his Caſtle of *Chinon*, *curſing the day in which He was born, and gave God's Curſe and his Own to his Sons, which he would never releaſe*, though the Biſhops and other Religious Men had often perſwaded and admoniſhed him to it. This grief and perturbation of Mind put him into a violent Fever, and ſoon finding that he was ſick unto death, he cauſed himſelf to be carried into the Church, before the Altar, and there receiv'd the *Communion of the Body and Blood of Chriſt*, and then gave up the Ghoſt on the Sixth of *July*, after he had reign'd Thirty-four years, Seven months, and Four days; and was then in the Fifty-ſeventh Year of his Age.

The K. falls ſick of a violent Fever, and dies in a few days.

[3.] *Id. ib.* His Treaſure and Wardrobe are rifled by his Servants, who leave his Body ſtark-naked, till it was cover'd by a Page.

[4.] *C. B. Col.* 1150.

[3.] As ſoon as the King was dead, his Servants all left him, ſome of them Plundering his Treaſures, whilſt others rifled his rich Wardrobe, leaving in the mean time his Body quite ſtript and naked, [4.] till one of his Pages, more human than the reſt, coming in by chance, cover'd his Nakedneſs with a ſhort Cloak or Mantle, by which (ſays my Author) was made good his old Sirname of *Curtmantel*, becauſe he firſt brought the faſhion of ſhort Cloaks from *Anjou*.

It is buried at the Nunnery of *Font-Everard* in what State the ſhortneſs of time would allow.

But to return to the matter: Some of his moſt faithful Servants being at laſt mindful of their Duty, return'd again to the Corps, and without ſtaying for the Embalming it, prepar'd all things for the Burial, and the next day convey'd it to the Nunnery of *Font-Everard*, (not far off) which he himſelf had founded with deſign to be buried there.

Then

Then the Body being bare-fac'd, and dreſs'd in Royal Robes with a Crown on the Head, and a Scepter in the Hand (according to the Mode of thoſe Times) was carried on Men's Shoulders with as much State, as the ſhortneſs of the time would allow: but as it was on the way, Earl *Richard* hearing of his Father's Death, made haſte to meet it, and bewailing his too ſudden Fate, waited on it to the Church, where it was interr'd in the Choir, and * in which a ſtately Tomb hath been ſince erected for him and *Eleanor* his Queen, as alſo for his Son King *Richard* and his Queen, at the Charge of the late Lady Abbeſs *Jeane Baptiſte de Bourbon*, natural Daughter to King *Henry* the Fourth of *France*; their Effigies in Braſs (which before lay in other parts of the Church) being remov'd, and placed together in one Monument.

E. *Richard* on the News of his Father's death, made haſte, and attended at his Funeral Solemnity.

* Vid. *Sandford's* Genealogical Hiſtory of the Ks. of *England*, p. 64, 65.

A ſtately Tomb erected there for him, & his Queen, & for his Son *Richard* and his Queen, by the Lady Abbeſs *Jeane Baptiſte de Bourbon.*

I cannot yet leave this Great King (the moſt Powerful that ever hitherto ſwayed the *Engliſh* Scepter) without giving a Character of his Perſon and Qualities from *Giraldus Cambrenſis*, *Petrus Bleſenſis*, and other Authors of that Age.

A Deſcription of his Perſon.

As to his Complexion, it was fair, his Hair ſomewhat inclining to reddiſh yellow; his Eyes grey, ſparkling when angry, but otherwiſe ſweet and mild; his Head and Breaſt large.

His Complexion.

He was of a moderate Stature, but ſtrong and well ſhaped, though a little inclining to Corpulency; but he did what he could by the conſtant Exerciſes of Walking, Hunting, and Hawking, to keep it down, loving theſe Recreations above all others; and when he was not abroad in the Field, he imploy'd his Time in Reading of good Books, or in Converſing with Learned Men, by which means he became more Knowing than moſt Princes of that Age.

His Stature.

His Exerciſes.

As for the Endowments of his Mind, he was naturally Eloquent, Valiant in War, and Prudent in Peace, ſtill providing againſt the worſt, yet valued his Souldiers moſt when he ſtood moſt in need of them, though he rewarded them well when they had ſerved him faithfully; complying with their Humours in Time of Danger, but when that was over, was rigidly ſevere in his Diſcipline. Though he lov'd Peace, yet he did not abhor War, when it could not be avoided; He was extreme Severe to thoſe that oppos'd him, but gentle to ſuch as ſubmitted; Courteous, nay often Profuſe to Strangers, but hard to his own Servants and Subjects. Magnificent in Publick, Frugal in private, and Difficult to be reconciled to thoſe he once throughly hated; no Slave to his Word, if it were to his diſadvantage, yet knowing very well (when preſſed) how to give doubtful and dilatory Anſwers, to what he did not care to grant; He was alſo a Depreſſor of the antient Nobility, rather chuſing to imploy ſuch Men, whom he had raiſed himſelf, as finding them moſt ſubſervient to his own humour: He was likewiſe a Delayer, and ſuſpected for a Seller of Juſtice, of a vaſt and immeaſurable Ambition, ſaying, when he was proſperous, *that the whole World was but ſufficient for one Great Man.* He encourag'd Diſcord among his Sons, hoping by that means to enjoy peace himſelf, till at laſt they, ſeeing his Policy, joyned together againſt him. He was alſo very Devout, at leaſt by fits, as appears by his great Devotion to *Thomas Becket*, whom from an Enemy he worſhipped as a Saint.

The Endowments of his Mind.

A Depreſſor of the antient Nobility.

Of a vaſt Ambition.

Encouraged Diſcord among his Children.

Very devout, at leaſt by fits.

One

His Amours.

One of the greateſt Blots of his Life was the many Amours he had, eſpecially after his declared Averſion to his Queen, either for the natural croſsneſs of her diſpoſition, or that She being ſome years older than himſelf, thoſe Charms he firſt found in her ſoon decayed: but this is certain, that after She had openly ſtirr'd up her Sons againſt him, he never forgave her, but kept her always after like a Priſoner in ſome Caſtle or Palace: And indeed this Prince (however great in other things) knew not how to ſet bounds either to his Reſentments, or his Luſt, having divers Miſtreſſes; of whom *Roſamond*, the moſt beautiful Daughter of *Walter* Lord *Clifford*, was the moſt Celebrated: but of her and her Sons I ſhall ſpeak more by and by.

His diſlike of his Queen.

Fair *Roſamond* his moſt Beloved Miſtreſs.

His vitiating the K. of *France* his Siſter, notwithſtanding his Promiſe to marry her to his Son *Richard*.

But the greateſt Demonſtration of his Laſciviouſneſs and want of Faith, was, the vitiating the Siſter of the King of *France*, notwithſtanding he had ſolemnly ſworn to give her in Mariage to his Son *Richard*, and yet kept her in *England* Two and Twenty years without ever giving her to him, or ſending her home to her Friends; which Amour, though it was kept ſecret during his Life, yet there was ſufficient pooof afterwards made of it by King *Richard*, as you will find in his Reign.

Not very Cruel.

But this may be ſaid in his Commendation, That though he was Voluptuous, yet was he not Cruel, unleſs when very much provok'd; as when he put out the Eyes of the young *Welſh* Noblemen, whom the Prince of *North Wales* had deliver'd to him as Pledges of his Fidelity; yet was he much more Merciful than his Grandfather King *Henry* towards Offenders that hunted in his Foreſts; for whereas the Former put them to death without Mercy, this King never exceeded Fines and Impriſonment, which Puniſhments were afterwards continued by his Succeſſors: He was alſo very Covetous in hoarding up Money, as you may obſerve by the vaſt Sums he left behind him, yet we do not find that he often oppreſs'd his Subjects with immoderate Taxes; to avoid which, he kept divers vacant Biſhopricks and Abbies in his hands, whereby he highly incurr'd the ill-will of the Clergy, though he ſtrove to defend himſelf (as *William* of *Newburgh* informs us) by arguing thus: *Is it not better that this Money ſhould be beſtow'd on the neceſſary Occaſions of the Kingdom, than on the Pleaſures of theſe Prelates, who do not at all imitate the Examples of Primitive Biſhops, but being voluptuous and remiſs in their Duty, embrace the World with open Arms?* Thus he endeavour'd to put the beſt Gloſs he could upon his Faults; yet we do not find he ever ſold either Biſhopricks or Abbies, like ſome of his Predeceſſors, though he was not very zealous, ſince no Prince of his Family built fewer Monaſteries than he did, of which I find no more than the Abbey of *Waltham*, which he rather alter'd and augmented than founded anew, as you will find more at large in his Reign.

Covetous, but not often oppreſſing his Subjects with immoderate Taxes.

Kept ſeveral Biſhopricks and Abbies vacant in his own hands.

Let us now reflect upon the whole Courſe of this King's Life, and ſee what an equal diſtribution of bad and good Fortune he met with.

His good and bad Fortune.

He had ſo well Eſtabliſh'd his Family, in all humane probability, by the Number of his Sons, and advantageous Alliances made by Mariages with his Three Daughters, that ſo long as the Affection and good Union continued between Him, his Queen, and Sons, he was one of the Happieſt, as well as Greateſt Kings upon Earth.

But

But alas! how little Certainty is there in all things here below, and how uncapable is Sovereignty, even in its moſt exalted State, to lay a good Foundation upon which its long-liv'd Happineſs may be built! So many Territories ſtirr'd up the joint-Envy of his Neighbours round about him; and that ſame flouriſhing Family, which was look'd upon as the Support of his Throne, undermin'd it, and became the Inſtruments of its Ruine.

In his latter Years he ſaw the Reverſe of his Fortune, and how every thing turn'd againſt him with as much Conſtancy, as before they had contributed to his Succeſſes. His Lawrels wither'd on a Sudden, and his Glory fail'd, like a Torch that is burnt out: and this remarkable Ingratitude and Undutifulneſs of his Sons ſeems one great Reaſon of their Misfortunes, all of them coming to untimely Ends before they came to Grey-hairs: A good Leſſon, *that high Diſobedience to Parents ſeldom attended either with Worldly Proſperity, or Long-life.*

But to conclude the Re-capitulation of this Prince's Reign: He ſaw his Subject, mad with falſe Zeal, prove a Traytor to his King, that (as he thought) he might do Right to his Church; his Children turn Rebels, that they might Reign before he Died; And the K. of *France* (making uſe of theſe Confuſions) endeavour to recover by Fraud, what he had loſt by Folly: And at laſt his own Amours and his Queen's Reſentments proved the worſt and chiefeſt Cauſe of all theſe Miſchiefs; ſo that giving up every thing to her Anger and Reſentments, ſhe thought ſhe could never enough puniſh the Diſloyalty of a Husband, to whom ſhe had ſacrific'd ſo much. A ſtrange Effect of the Depravity of our Natures, who love others only from Motives of our own Pride and Self love; which is the reaſon, that ſo ſoon as we find we are ſlighted, we fly with Haſte and Fury to be Reveng'd.

He was a Valiant and Magnanimous King, but an unfaithful Huſband, an unkind Brother, and a Father too jealous of his Power; And if he had not ſtain'd his own Houſe with Adulteries, and perhaps with Inceſts; if he had puniſh'd with leſs Severity the Jealouſy of the Queen, whereof he himſelf was the Cauſe; and if he had treated with more Mildneſs and Equity his Brother and his Children, he had been an Excellent Man, and an Incomparable Prince.

Upon the whole matter; after ſo many Intrigues and croſs Accidents, one may well doubt whether his Life was more illuſtrious, or more unhappy; ſince we find, that neither the Number of his Children, nor the Greatneſs of his Dominions, nor ſo many Eminent qualities as he was Maſter of, could make his Proſperity ſtable and laſting; ſo that for want of being able to conquer his Paſſions, and to rule over himſelf, he loſt that Empire he had obtain'd over others.

The

The Iſſue of King HENRY *the Second.*

I Shall conclude this King's Reign with an account of the Iſſue he had either by *Eleanor* Dutcheſs of *Aquitain*, his Queen, or by his Concubines. King *Henry* had Five Sons lawfully begotten.

I. *William.* [1.] C. N.

[1.] I. *William* the Eldeſt died an Infant in the Second Year of his Reign.

II. *Henry.* [2] M. W.

[2.] II. *Henry* his Second Son by the ſame *Eleanor*, was born the 28th of *February* 1154. at *London*; and was, when but a Child, married to *Margaret*, Daughter to the King of *France*, by *Conſtance* his Second Wife; but he deceaſed without leaving any Iſſue by her, though ſhe bore a Son, who only liv'd to be Chriſten'd, and dy'd preſently after he was born; after King *Henry*'s deceaſe ſhe was married to *Bela* King of *Hungary*.

III. *Richard.* [3.] R. D.

[3.] III. *Richard*, his Third Son, by the ſame Lady, was born at *Oxford* (in the Palace call'd *Beaumont* 1157.) and ſucceeded his Father in the Throne.

IV. *Geoffrey.* [4] M. W.

[4.] IV. *Geoffrey*, his Fourth Son, was born the Year following, and was, in Right of *Conſtance* his Wife, Earl of *Bretaigne* and *Richmond*; by her he had a Daughter call'd *Eleanor*, who dy'd unmarried in Priſon, in the 28th Year of the Reign of King *Henry* the Third, as you will find more at large hereafter; and a poſthumous Son (nam'd *Arthur*) of whom we ſhall ſay more when we come to the Reign of King

V. *Jhn.* [5.] M. P. p. 127.

[5.] V. *John*, who was the Fifth and youngeſt Son of King *Henry*, and alſo born at *Oxford* 1166. and ſucceeded his Brother King *Richard* in the Throne, though unfortunately for himſelf, as well as the whole Nation, as you will ſee at large in his Reign.

Their Daughters.

I. *Maud.* [1.] R. D.

[1.] King *Henry* had likewiſe Three Daughters; *Maud* the Eldeſt, born *Anno Dom.* 1156. who was married to *Henry* Duke of *Saxony* in 1167. But She died immediately after the King her Father.

II. *Eleanor.* [2.] Id.

[2.] The Second, nam'd *Eleanor*, was born in the Year 1162. and, as *Rad. de Diceto* and Others relate, was married to *Alphonſo* King of *Caſtile* A. D. 1169. though *R. Hoveden* places this Mariage in 1176. But which of them is in the right, is hard to determine at this diſtance of time, though this latter Account ſeems the more probable of the two, ſhe being then about Fourteen years of Age.

III. *Joan.* [2] Id. 1176.

[3.] *Joan*, the Third Daughter, was born in the Year 1165. and was married to *William* King of *Sicily* A. D. 1176.

His Baſe Iſſue.

[4] *Vid. Dug. Baron. T. 1. p. 175.*

This King's baſe Iſſue (by Fair *Roſamund* above-mention'd) were theſe; [4.] *William Longeſpee*, or *Long-ſword* (ſo call'd from the Sword he uſually wore,) on whom King *Richard* his half Brother beſtow'd in Mariage, *Ela*, the Daughter and Heir of *William* Earl of *Saliſbury*, and with her that Earldom. [5.] *Geoffrey*

[5.] *Geoffrey* his Brother by the ſame Lady; He was firſt made Biſhop Elect of *Lincolne*, and ſo continued from the Year 1174, to the Year 1181, and then he renounc'd his Election, as you have already heard; but ſome years after he was better reconcil'd to the Epiſcopal Function, when he was in his Brother King *Richard*'s Reign elected Archbiſhop of *York*, notwithſtanding all the oppoſition that was made againſt it; of which you will find enough hereafter.

But to ſay ſomewhat more of the Lady *Roſamond Clifford* their Mother, and what become of her. [1.] *Bromton*'s Chronicle relates, that King *Henry* kept this his beloved Miſtreſs in an Apartment at *Woodſtock* Mannour, built like a *Labyrinth*, leſt his jealous Queen ſhould come at her and do her ſome miſchief; which that ſhe ever did, our Authors are wholly ſilent; ſo that the old ſtory of her being made to drink Poyſon by Queen *Eleanor* is a meer Fable, fit for the Ballad made upon it: Only this much is certain, that ſhe did not live long, though the time of her Death is not mention'd, only that ſhe deceas'd and was bury'd in the Chapter-houſe of the Nunnery of *Godſtow* near *Oxford*, where her Epitaph Reſides (which he there gives you) was to be ſeen in his time.

[5.] *R. D.* [1.] *Col.* 1151. A Relation concerning the Death of Fair *Roſamond.*

Beſides theſe King *Henry* had, by another Concubine, the Daughter of Sir *Ralph Blewet* a Knight, one Son nam'd *Morgan*, who was by his Half Brother, the Archbiſhop of *York*, made Provoſt of *Beverley*; and being to be elected Biſhop of *Durham* went to *Rome* for a Diſpenſation, becauſe as a Baſtard he was by that means uncapable; but the Pope refuſing to grant it, unleſs he would paſs for the Son of *Blewet*, he plainly told him he would never deny his Father, and ſo choſe rather to looſe the Profit and Dignity of that rich Biſhoprick, than that of his Blood, though but the Natural Son of a King.

K. *Henry*, by another Woman had *Morgan*, Provoſt of *Beverly* [5.] *R. H. ſub anno* 1202.

Who refuſed the Biſhoprick of *Durham*, and why.

The LAWS *of King* Henry *the Second.*

I Shall now give you the Laws that were made in this King's Reign, and begin with

The Aſſizes or Statutes of King *Henry* made at *Clarendon*, Anno Dom. 1164. and renew'd at *Northampton* 1176.

Vid. *R. Hoveden* Sub. Anno 1176.

If any One ſhall be accus'd before the King's Juſtices of Murther, Theft, or Robbery, or for receiving any ſuch Malefactors, or of Forgery or malicious Burning of Houſes, he ſhall be try'd by the Oaths of Twelve Knights of the Hundred; and if there be not Knights preſent, then by the Oaths of Twelve Lawful Freemen, or by the Oaths of Four Men of every Town of the Hundred, or ſhall go to the Judgment or Tryal of hot Water, (*i.e.* Water-Ordeal) and if he appears guilty, One Foot ſhall be cut off: And at *Northampton* it was added for the greater rigour of Juſtice, that he ſhould beſides his Foot have his Right Hand cut off, and alſo abjure the Realm, and leave it within Four days; but if he were found innocent, then to find Pledges and Sureties, and ſtay in the Kingdom, unleſs

Note the Antiquity of the Grand-Jury, or Inqueſt.

he be accus'd of Murther or any hainous Felony by common fame, or report of Legal Knights of the Country, than though he be acquitted by the Tryal of Water, he ſhall depart the Kingdom within Forty days, and carry his Goods along with him, (ſtill ſaving the Right of his Lords) yet to be at the King's pleaſure as to the abjuring the Kingdom: This Statute ſhall take place from the day of the making of the Aſſize at *Clarendon*, until this preſent time, and as much longer as the King pleaſeth in Murther, Treaſon and malicious Burning, and in all things aforeſaid, except in ſmall Theſts and Robberies (committed in the time of War) as of Horſes, Oxen and leſſer things.

II. It ſhall not be lawful for any Man in a Borough or Town to Lodge a Stranger above one Night in his Houſe, without bringing him to Examination, unleſs he hath a reaſonable Excuſe, which the Hoſt is to make known to his Neighbours; and when he goes from his Houſe, he is to do it openly, and in the Day-time.

III. If any one be apprehended for Murther, Theft, Robbery or Forgery, or any other Felony he hath committed, and confeſſeth it before the * Provoſt of the Hundred or *Borough*, and before Lawful men, he ſhall not deny it afterwards before the Juſtices; and if any one without being apprehended, ſhall confeſs or acknowledge any ſuch crimes, before ſuch perſons, he ſhall not deny it before the Juſtices.

* *Præpoſitus*, the ſame with our High Conſtable at this day, but was then of much greater Authority.

IV. If any Frank Tenant dye, his Heirs ſhall remain in ſuch poſſeſſion, as their Father had of his Fee (or Eſtate) in his life-time, and they ſhall have his Chattles or Goods to ſatisfie the Deviſe, or Legacies of the Deceaſed; and afterwards they ſhall repair to the Lord and ſatisfie him for his Relief, and do all other things as they ought concerning their Fee; and if the Heir be under Age, the Lord of the Fee may receive his Homage, and have the wardſhip of him, ſo long as he ought, and his other Lords (if he have any) may alſo receive Homage of him, and he ſhall yield them what he ought. The Relict of the deceas'd ſhall have her Dower (which by the Law in thoſe days was a Third part, if the Dead left Iſſue, but a Moiety, if he were without Children) and part of the Goods, that belonged to her: If the Lord of the Fee denies the Seiſin, or poſſeſſion to the Heirs of the Deceaſed, which they claim, then the King's Juſtices may order or appoint the ſame, by the Inquiſition of Twelve Legal men, and what ſort of Seiſin or poſſeſſion the deceas'd had in his life time, ſhall according to the verdict be reſtored to his Heirs; and if any one ſhall act contrary to this Statute and be thereof convicted, he ſhall remain in the Kng's Mercy.

V. The King's Juſtices ſhall cauſe Recognition or Enquiry to be made of Diſſeiſins, from the preciſe time the King came laſt into *England*, after the Peace made between Him and the King his Son.

VI. The Juſtices ſhall adminiſter the Oath of Fealty to the King by the Cloſe of Eight days after *Eaſter*, or at fartheſt Eight days after *Witſunday*, to all Earles, Barons, Knights, Free Tenants, and alſo to

to Rusticks or Husbandmen, who will stay in the Kingdom; and he that will not take the Oath of Fealty, shall be taken as the King's Enemy, and the Justices to have power to Command all such, as have not done Homage and Allegiance to the King, to come at a time appointed by them, and perform them as to their Leige Lord.

VII. The Justices shall execute all manner of Law and Right belonging to the King and his Crown by his Writ or the Writ of his chief Justitiaries in his absence, concerning half a Knight's Fee or under, unless the controversy be so weighty, as it cannot be ended without the King; or of such a nature, that the Justices ought to report it to him for his Satisfaction, or to his Chief Justitiaries, and they shall according to the best of their skill and power do what is for the advantage of the King.

VIII. The Justices also shall inflict such punishment upon Thieves and wicked Malefactors in those Counties they pass through, as is set and appointed by direction of the King, *&c.*

IX. The Justices shall also take care, that the Castles which are demolish'd be throughly ruined, and that such as are to be destroyed be levell'd with the ground; and unless they do this, the King will have them judg'd in his Court, as Contemners of his Precepts.

X. The Justices shall enquire of Escheats of Churches, Lands, and Women that are in the King's Donation, or wardship.

XI. The King's Bayliffs shall answer at the Exchequer, as well for the Perquisites, as the set Rents in their Bayliwicks, except such as belong to the Sheriff and his Office.

XII. The Justices shall enquire of Castle-Guards, and from whom, and how much, and where they are due, and shall inform the King thereof.

XIII. A Thief when he is taken is to be committed to the Sheriff, if the Sheriff be not near, he is to be carried to the next *Castellan*, or Constable of a Castle, and he is to keep him until he delivers him to the Sheriff.

XIV. The Justices shall cause Enquiry to be made by the custom or Law of the Land, for such as are fled or gone out of the Kingdom, and unless they will return within an appointed time, and stand to Right in the King's Court, they shall be out lawed, and their names return'd into the Exchequer at *Easter* and *Michaelmass*, and from thence sent to the King.

I shall here also superadd the rest of the Constitutions made at *Clarendon*; And though they chiefly relate to Ecclesiastical Affairs, yet since they give great Light to the History of those times as well in Ecclesiastical as Civil matters, and have never been by any one put into *English*, as I know of, but are to be found in the Life of *Thomas Becket*, I will translate them from *Quadrilogus*, whose Copy of these

Conſtitutions, as being more exact than that in *Gervaſe* of *Canterbury*, and *Matt. Paris*, I rather chuſe to follow: They begin thus.

In the Year 1164 of our Lord's Incarnation, and the 4*th* of the Papacy of Pope *Alexander*, and the Tenth Year of the Reign of the moſt Illuſtrious King *Henry*, in the preſence of the ſaid King there was a Remembrance, and Recognition made of ſome part of the Cuſtoms, and Liberties, and Prerogatives of his Anceſtors, (*viz.*) of King *Henry* his Grandfather and others, which ought to be obſerv'd and maintain'd in his Kingdom; and becauſe of the diſſentions and diſcords, which have riſen between the Clergy and our Lord the King's Juſtices, and the Barons of the Kingdom, concerning the ſaid Cuſtoms and Prerogatives, this Recognition was made before the Archbiſhops, Biſhops and Clergy, as alſo before the Earls, Barons and * Chief Men of the Kingdom; and the ſame Cuſtoms being acknowledged by the ſaid Archbiſhops, Biſhops, Earls, Barons, and others of the more noble and † antient Men of the Kingdom, *Thomas* Archbiſhop of *Canterbury*, and *Roger* Archbiſhop of *York*, &c. (where alſo follow the Names of all the reſt of the Biſhops which need not be recited here) who have all granted, and in the word of Truth, *& viva voce*, have firmly promiſed ſhall be held and obſerved to our Lord the King and his Heirs *bona fide*, and without any evil meaning, in the preſence of *Robert* Earl of *Leiceſter*, *Reginald* Earl of *Cornwall*, *Conan* Earl of *Bretaign*, &c.

* Proceres.

† Antiquiores.

Then follow the Names of all the reſt of the Earls and Chief Barons of the Kingdom (which I omit,) with many other Chief and Noblemen of the Kingdom, both Clerks and Laicks; which Cuſtoms and * Prerogatives of the Kingdom, being ſo recognized, ſome part of them is contained in the preſent Writing, of which theſe are the Heads.

* Dignitatum

This Article the *Roman* Church under Pope *Alexander* the Third, firſt of all condemned.

I. The firſt is concerning the Advouſon and Preſentation of Churches, ſo that, if any controverſy ſhould ariſe between Laicks, or between Clerks and Laicks, it ſhall be handled and determined in the King's * Court, [1.]

* *Curia Regis.*

This Article the Pope alſo condemned.

II. The Churches belonging to the King's Fee cannot be granted for ever without his Aſſent and Conſent.

This the Pope tolerated.

III. Clerks arraign'd or accus'd of any matter being ſummon'd by the King's Juſtice ſhall come to his Courts, there to anſwer concerning what ever ſhall ſeem fit to the ſaid Court for them to make anſwer to, and alſo in the Eccleſiaſtical Court, to what it ſhall there ſeem fit to be anſwer'd; ſo that the King's Juſtice may ſend into the Court of Holy Church to ſee after what manner the matter is there handled, and if a Clerk ſhall be convicted, or confeſs his Crime, the Church for the future ought not to defend him.

This he condemned.

IV. It ſhall not be Lawful for the Archbiſhops, Biſhops, or any other perſons of the Kingdom to depart from the ſame, without the conſent of our Lord the King, and if they ſo depart they ſhall give ſecurity, that they will not, either in going, ſtaying, or returning back, procure any evil or dammage to the King, or Kingdom.

This he condemned.

V. Perſons

V. Perſons excommunicated ought not to give any *vadium ad Remanens, i.e.* Money or ſome other Pledge depoſited in the Biſhop's Court, but only Sureties and Pledges of ſtanding to the Judgment of the Church, that they may be abſolved. This he condemned.

VI. Laicks ought not to be accuſed, unleſs there be certain and legal Accuſers, and that in preſence of the Biſhop, yet ſo that the Arch-Deacon may not looſe his Right, nor any thing, which he may have from thence; and if they are ſuch who are culpable, and that none either will, or dare accuſe them, the Sheriff being required by the Biſhop, ſhall cauſe Twelve Lawful Men of the Vicinage or Town to be ſworn before the Biſhop, that they will declare the truth according to their conſcience. This he tolerated.

VII. No man who holds of the King *in Capite*, nor any of his chief Officers, ſhall be excommunicated; nor ſhall the Lands of any ſuch Perſons be put under an Interdict, unleſs our Lord the King (if he be then in the Land) be firſt made acquainted with it, or elſe his Juſtice, if he ſhall be out of the Kingdom; that he may do Right concerning ſuch a perſon, ſo that what ſhall belong to the King's Court ſhall be there determin'd, and that which belongs to the Eccleſiaſtical Court, ſhall be ſent to the ſame to be there diſpatched. (*i.e.* Divine Service forbidden to be celebrated in thoſe places. This he condemned.

VIII. Is concerning Appeals; which, when they ariſe, they ſhall proceed from the Arch-deacon to the Biſhop, from the Biſhop to the Archbiſhop, and if the Archbiſhop ſhall be wanting in doing Juſtice, it ſhall at laſt come before our Lord the King; that by his precept the Controverſy may be determined in the Archbiſhop's Court, ſo that it ought not to proceed further, without the conſent of our Lord the King. This he condemned.

IX. If any difference ſhall happen between a Clergy-man and a Lay-man concerning any Tenement, which a Clergyman would make to be an *Almes*, and the Lay-man to be Lay-Fee, it ſhall be determined by the Verdict of Twelve Lawful Men according to the Cuſtom or manner of the King's chief Juſtice, and that before him, whither the Tenement belong to *Frank Almoign* or the Lay Fee; and if it be found to belong to the Former, the Plea ſhall be held in the Eccleſiaſtical Court; but if to the latter, the Plea ſhall be in the King's Court, unleſs both of them ſhall * claim to hold of the ſame Biſhop, or Baron; and if each of them ſhall claim to hold of the ſame Lord [either Eccleſiaſtical or Temporal] the Plea ſhall be in his Court, yet ſo, that he who was firſt ſeized may not looſe his Seiſin, becauſe of the Recognition ſo made to the other. * *Advocaverint* This he condemned.

X. Whoſoever is an Inhabitant of any City, Caſtle, Borough, or any Demeſne or Mannor of our Lord the King, if he ſhall be cited by the Archdeacon or Biſhop concerning any fault, of which he ought to anſwer them, and will not obey their Citations, it ſhall be Lawful to put him under an *Interdict*; but he ought not to be Excommunicated, before the King's chief Officer of that Town be made

made acquainted with it, that ſo he may cauſe him to give ſatisfaction, and if ſuch an Officer ſhall fail therein, he ſhall be in the mercy of our Lord the King, and then the Biſhop may compel the party accuſed by Eccleſiaſtical Proceſs.

This he condemned.

XI. That all Archbiſhops, Biſhops, and other Eccleſiaſtical perſons of the Kingdom who hold of the King *in Capite*, may enjoy their Poſſeſſions of our Lord the King, as a Barony, and out of them anſwer the King's Juſtices and Officers, and that they * may perſue and perform all Royal Rights and Cuſtoms; and as Barons they ought to be preſent at the Judgments of the † King's Court with the lay Barons, till they come to Judgment or ſentence of Death or loſs of Members.

* *Sequuntur.*

† *Curia Regis.*

This he tolerated.

XII. When an Archbiſhoprick, Biſhoprick, Abbey, or Priory held of our Lord the King ſhall be void, it ought to remain in his hands, and he to receive the Rents and Iſſues thereof, as of his Demeſnes; and when he pleaſes to provide for that Church, our Lord the King ought to ſend for the chief Perſons of that Church, and the Election ought to be made in the King's Chappel, with the Aſſent of our Lord the King, and by the Advice of ſuch perſons whom he ſhall call to perform it, and the perſon Elect ſhall there do Homage to our Lord the King, as his Liegeman of Life and Members, and worldly honours, ſaving his Order before he was conſecrated.

This he condemned.

XIII. If any of the * Noblemen of the Kingdom ſhall † deny the Archbiſhop's, Biſhop's, or Arch-deacon's Juriſdiction, concerning himſelf or * his Goods, the King ſhall do him Juſtice; or if any one ſhould happen ſo to † deny the * Juriſdiction of our Lord the King, the Archbiſhops, Biſhops and Archdeacons ſhall do Juſtice on him, that he may make ſatisfaction to our Lord the King.

* *Proceribus.*

† *Defortiaverit.*

* *Suis.*

† *Defortiaret.*

* *Rectitudinem.*

This he tolerated.

XIV. That the Chattels of ſuch as are under the King's Forfeitures may not be detain'd either in the Church, or Church-yard, againſt the King's Juſtice, becauſe they belong to the King, whither they are within the bounds of Churches, or without.

This he tolerated.

† *Fide inter poſita.*

XV. Pleas concerning Debts, which are owing upon *Naked promiſe* or without promiſe, ſhall be within the Juſtice of our Lord the King.

This he condemned.

XVI. That the Sons of Country Clowns (or Villains) ought not to be ordained Clerks without the Aſſent of the Lord, in whoſe Lands they are known to be born.

This he tolerated.

Theſe Ordinances or Statutes of *Clarendon* were ſent to Pope *Alexander* the Third to be confirmed, but notwithſtanding the great Importunity the King uſed to perſwade him to it, he damn'd moſt, and only tolerated ſome of them, as we find in *Labbé*'s Tenth Tome of Councils, *Col.* 1431, *&c.* and according to that Addition, to every Article we have (in the margin) put his Conſent to, or condemnation of them.

Yet

Yet not withſtanding the Pope's Prohibitions, the King's Court did not ſtick to proceed upon divers of thoſe Articles, which are ſo condemned, particularly in the Firſt, Fourth, Ninth, Twelfth and Fifteenth Articles, as may appear to any one that will take the pains to conſult our Hiſtories and Law-books concerning thoſe matters.

Articles of Enquiry by the King's Commiſſioners Concerning the Extorſion and Abuſes of Sheriffs and their Officers, &c *made* Anno Dom. 1170.

1. AS Firſt, They were to enquire of all Sheriffs and their Bayliffs, what and how much they had received of every Hundred and Townſhip, and of every particular Man ſince the King went laſt into *Normandy*, by reaſon whereof the Nation or any particular Men might be aggrieved, and what they had taken by Judgment of the Country or Hundred, and what without it, (that is unlawfully;) each of which was to be written, and noted by it ſelf, *&c.* R. H.

2. Alſo they were to enquire what Lands the Sheriffs had bought, or received by way of mortgage.

Whence we may obſerve, what a vaſt power Sheriffs had in thoſe days, and what a great opportunity was given them of enriching themſelves; and therefore how neceſſary it was in after-times to reſtrain them by divers Statutes both as to the time of their Continuance in their Office, and in the manner of their Adminiſtration.

3. Alſo they were to enquire of the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Vavaſors, Knights, Citizens, Burgeſſes, and their Seneſcals or Stewards, Bayliffs, or Miniſters, what, and how much they had received in their Lands after the term aforeſaid, or of every of their Hundreds, Townſhips, or of their particular Tenents, by Judgment, or without it: and likewiſe the prizes or takings, the cauſes and occaſions of them were to be written, and noted diſtinctly.

4. They were alſo to enquire of all thoſe, who had been Bayliffs under the King concerning any Archbiſhoprick, Biſhoprick, Abbey, Baronie, Honour, or Eſcheate, what, and how much they had gained in that employment.

5. Alſo they were to enquire of the King's Bayliffs and Officers, who managed the buſineſs, and what in any place had been given them.

6. They were to enquire concerning the Goods of ſuch as fled by reaſon of the Aſſize of *Clarendon*, and what was received of every Hundred, Townſhip, or Man upon that account; and likewiſe when any one was juſtly accuſed in that Aſſize, for hatred, or any other unjuſt means, *&c.* They were moreover to enquire concerning the late Aid to marry the King's Daughter, what was received in every Hundred and Townſhip, and by whom. That is, the Archbiſhop and his Friends.

7. They were to enquire, what all Foreſters and their Bayliffs or Servants had taken after the time aforeſaid, or if by connivance they

they omitted taking what was due to the King for rewards, promiſes, friendſhip, *&c.* and alſo concerning ſuch as forfeited in the Foreſts, about Hinds, Harts, or any other wild Beaſts.

8. All that were accuſed of any Fault, were to give Security and Pledges to appear before the King on the day he ſhould appoint, to do ſuch Right to the King and his Subjects, as they ought, and ſuch as had no Pledges were to be impriſon'd.

9. They were to enquire, whither the Sheriffs, or any of their Bayliffs, or Lords of Towns, or their Bayliffs, had returned any thing they had unjuſtly taken, or had made their Peace with their Tenants or Vaſſals, to ſtop their complaints from coming before the King.

10. They were to enquire, who had been amerced, and if any one had been excuſed, or abated any thing of what he was firſt amerced, and by whom it was done.

11. Alſo they were to enquire in every Biſhoprick, what, and how much, and for what cauſe, the Arch-deacon, or Deans (*i.e.* *Rural* Deans) took of any one, and the whole was to be written down, and noted; and they were alſo to enquire who owed Homage to the King, and had not done it to him, or his Son, and there was a *Roll* to be made of them.

The Aſſize or Law of Arms appointed by King Henry *the Second, made in the Twenty-ſeventh Year of his Reign,* Anno Dom. 1181.

Vid. R. *Hoveden Sub hoc,* Anno *p.* 350 *a.*

I. WHoſoever hath a whole Knight's Fee, ſhall have a Coat of Mail, an Helmet, a Shield, and a Lance; and every Knight ſhall have ſo many Coats of Mail, Helmets, Shields, and Lances, as he hath Knight's Fees.

II. Every Free Lay-man who hath Goods or Rent to the value of Sixteen marks ſhall have a Coat of Mail, an Helmet, a Shield and a Lance.

III. Every Free Lay-man who hath in Goods to the value of Ten marks ſhall have an Iron Gorget, an Iron Cap, and a Lance.

IV. All Burgeſſes (that is, Inhabitants or Freemen of Burghs,) and the whole Community of Freemen, ſhall have a *Wambais*, (*i.e.* a thick Jacket quilted with Towe, or Wool, or ſuch other materials) a Cap of Iron, and a Lance.

Every One to have Arms, and to keep them for the Defence of the K. and Kingdom.

And every one of them ſhall ſwear, that before the Feaſt of St. *Hilary* he will provide theſe Arms, and be faithful to King *Henry*, the Son of *Maud* the Empreſs, and that he will keep theſe Arms for his Service according to his Command, for the defence of the King and Kingdom: And no Man when he hath theſe Arms ſhall ſell, pawn, lend, or any way put them out of his Cuſtody; neither ſhall his Lord take them from his Tenent * or *Vaſſal* by Forfeiture, Gift, Pawn, or Security for any thing, nor any other way; and when the poſſeſſor of theſe Arms dyeth, they ſhall remain to his Heir; and

* *Homo.*

if

if his Heir be not of ſuch age, as he can uſe Arms, his Guardian ſhall have the Cuſtody of his Arms, as well as of his Body, and ſhall find a man to uſe them in the Service of the King, till the Heir is of ſufficient age. If any Burgeſs had more Armes than he ought to have by this Aſſize, he may ſell, or give them to any man that will uſe them in the King's Service; but no man may have and keep by him more Arms than he ought to have by this Aſſize.

None to have more Arms, than the Aſſize alloweth.

Alſo no *Jew* may have a Coat of Mail, or a Jerkin of Mail in his Cuſtody; yet he may ſell, or give, or part with it, ſo that it may be for the Service of the King.

No *Jew* to to have a Coat of Mail in his Cuſtody.

Alſo no Man ſhall carry Arms out of *England*, unleſs by the King's Command, nor ſell Arms to any Man that ſhall carry them out of the Realm; neither ſhall a Merchant or other perſon carry them out of *England*; and the Juſtices ſhall ſwear as many Knights, or other Free and Legal-Men in the Hundreds and Burghs of every County, as they think fit, whither they have Goods to ſuch a value as that they ought to have a Coat of Mail, an Helmet, a Shield, and a Lance; and that they ſhall diſtinctly name all thoſe in their Hundreds, Neighbourhoods, or Burghs, that have Sixteen Marks in Goods, or Rents; and then the Juſtices ſhall cauſe the Names of the Jurors, and all others who are to find theſe Arms, to be written in a Roll with the true value of their Goods or Rents; and then they ſhall cauſe this Aſſize to be read before all ſuch as are to find Arms, and cauſe them to ſwear, that they will provide thoſe Arms according to the value of their Goods, and Rents, and the Direction of this Aſſize; and that they will keep them for the Defence of King *Henry*, Son to *Maud* the Empreſs, and his Kingdom, according to his command: And if it happen, that any one that is to find Arms, be not in the County, when the Juſtices are there, they are to appoint him a time to appear before them in another County, and if they come not to them in any County through which they paſs, they muſt then come to *Weſtminſter* within Eight days after *Michaelmaſs*, and there take the Oath, as he loves himſelf and all that he hath; and then he ſhall be charg'd, that he have ſuch Arms as he ought, before the Feaſt of St. *Hillary* aforeſaid.

All that have ſixteen Marks in Goods or Rents, to have of their own, a Coat of Mail, an Helmet, a Shield, and a Lance.

Alſo the Juſtices ſhall cauſe it to be publiſh'd in all Counties through which they go, that all may take notice, that the King will not puniſh ſuch as make default in their Lands or Goods, but in their Limbs or Members; and that none ſhall be upon the Jury, but ſuch as are worth Sixteen, or Ten Marks at the leaſt.

All that make Default to be puniſh'd in their Limbs or Members.

Alſo the Juſtices ſhall forbid in all Counties through which they paſs, any Man, as he loves himſelf, and all that he hath, to buy or ſell any Ship to be ſent out of *England*, or to carry or cauſe to be carried any Timber out of *England*; and the King Commands that none be received to take the Oath of Arms, but a Freeman.

No Ship to be ſold, or Timber carryed out of *England*.

None but a Freeman to take the Oath of Arms.

Theſe are all the Laws and Conſtitutions that we can now find to have been made by this King; not but that there might be divers others which are now loſt, for in an antient Manuſcript in the *Cottonian* Library, I find all *Glanville*'s Treatiſe written under the Title of the Laws of King *Henry*, as having receiv'd their Sanction from him.

* *Claudius D.* 2.

I ſhall now in the laſt place, give the Reader a ſhort Extract of what Taxes were raiſed in this King's Reign.

Taxes in this King's time.

FIrſt *Scutage*, near the beginning of his Reign, though 'tis not to be found how much it was.

[1.] C. G. Col. 1381. A. D. 1159. 5° H. 2di. [1.] A Second *Scutage* to raiſe Men for the Siege of *Tholouſe* amounting to 180000 *l.*

[2.] Lib. Rubr. in Scacc. A. D. 1161. [2.] A Third *Scutage* in the Seventh Year of his Reign for another Expedition to *Tholouſe* of Two Marks out of every Knight's Fee, but what the exact Sum was, we know not.

[3.] C. G. Col. 1399. A. D. 1166. [3.] In the Twelfth Year of his Reign, Two pence in the pound was given for the Firſt Year, and a Penny in the Pound for Four Years after, out of all Rents and Moveables, for Defence and Aſſiſtance of the Church, or the *Eaſt*, (*i. e.*) the *Holy-Land*.

[4.] Lib. Rubr. [4.] A Fourth *Scutage* in the Fourteenth Year of his Reign, at a Mark a Knight's Fee.

A Fifth *Scutage* in the Eighteenth Year of his Reign, not known what it was. And

[5.] R. H. 1889. [5.] In the laſt Year of his Reign a Tenth of all Moveables for the *Cruſado*, or Expedition into the *Holy Land*.

And many more there might have been of this kind, ſeeing his whole Reign was a continual Courſe of War, and that very Expenſive at home, in *France*, and *Ireland*; though we find no larger account of them.

THE

THE General History OF ENGLAND BOTH Eccleſiaſtical and Civil.

VOL. II. BOOK VI.

Containing the Reign of King *Richard* I.

SO [1.] ſoon as the Funeral-Solemnities of King *Henry* were over, the Firſt Action of Duke *Richard* his Son and Succeſſor ſeems very ſevere, and the more ſo, becauſe none of the Authors of that time have given us the reaſon of it, which leaves us ſtill in the dark, but doubtleſs he had very ſufficient ground to juſtify him in it. It was his cloſe impriſoning of *Stephen de Turons* (i. e. of *Tours*) Seneſchal of *Anjou*, (Chief Miniſter under his Father,) and loading him with Irons, not ſuffering him to be releaſed, until he had delivered up the Caſtles and Treaſures of the late King which were in his Cuſtody: neither was this all, for he ſqueezed him to the utmoſt farthing, and (as *Richard* of the *Deviſes* in his Manuſcript Hiſtory tells us) kept him in Priſon at *Wincheſter* in Fetters of Thirty Pound weight, till he would conſent to pay down Thirty Thouſand Pound of *Anjovin* Money, and engage for Fifteen Thouſand Pounds more of the ſame Coin, which was to be the purchaſe of his Liberty. But to let you ſee that the Anger, as well as the Favour of Princes, is not of any certain long continuance; this very Man was not only pardon'd, but truſted again in the management of the King's Treaſure, and by him left one of the Governors of *Cyprus*, after it was conquer'd, as you will find hereafter.

Anno Dom. MCLXXXIX.

[1.] *R. H. p.* 373. *a.*

Stephen de Tour's cloſe Impriſonment and Hardſhips.

The Terms for his Liberty.

Anno Dom. MCLXXXIX.

[2.] *Id. ib.* The Duke ſoon after goes to *Normandy*.

Receives Abſolution.

And is inveſted with that Dutchy.

Receives the Oaths of Fealty from both Clergy and Laiety.

And then meets the K. of *France* at a Treaty in *Vexin François*.

The Reſult of it.

[2.] The Duke having provided for the Security of *Tourain* and *Main*, three weeks after the Death of his Father He went into *Normandy*, and at *Sees* was received by *Baldwin* Archbiſhop of *Canterbury*, and *Walter* of *Roüen*; but becauſe he had made War againſt his Father, and had now undertaken the *Cruſado*, he would therefore receive Abſolution from them before he went for the *Holy Land*, and then going to *Roüen* he was by that Archbiſhop ſolemnly inveſted with the Dutchy of *Normandy*, by the delivery of a Banner, and the girding of the Sword, in the preſence of all the Earls and Barons of that Country; On the Twentieth of *July* (being the day after) he received the Oaths of fidelity from all the Clergy and Laiety of that Dutchy, and on the Twenty Second of the ſame Month, he met the King of *France* at a Treaty between *Chaumont* and *Trie* in *Vexin François*, where He demanded of the Duke the Town and Caſtle of *Giſors*, with the Country round about; but he ſuppoſing it would not only tend very much to his prejudice, but alſo be to the manifeſt diminution of his Honour, to part with that ſtrong Fortreſs, (it being upon the very Frontiers of *Normandy*) he declined it; but, not to break with that King, He added Four Thouſand Marks in Silver to the Twenty Thouſand his Father had engag'd to pay him, and ſo for the preſent obtain'd his Friendſhip; and the King of *France* at the ſame time reſtor'd to him whatſoever he had taken from his Father in the laſt War, as well Cities as Caſtles, Towns and Territories.

[3.] *Id. ib.* Q. *Eleanor*, Duke *Richard*'s Mother, releaſed from her long Impriſonment by his Command, ſets others free for the good of her Husband's Soul.

Adverſity the beſt School to learn Virtue in.

[3.] While he remain'd thus in *Normandy*, his Mother Queen *Eleanor* (then a Priſoner in *England*) being ſet free by his command, went preſently from City to City, and from Caſtle to Caſtle as ſhe pleas'd; and alſo ſent Commiſſioners into divers Counties with orders to releaſe all Priſoners for the Good of the Soul of her late Husband King *Henry*, and having through her Husband's Severity ſuffer'd many Year's Impriſonment, ſhe thereby learnt the better how to pity others in the like condition; which ſhews us, that Adverſity is the beſt School to learn the Practice of vertue in, which ſhe now exerciſed with that Generoſity, that we do not find She troubled thoſe who had been the unhappy Inſtruments of her Troubles: Yet her Son, not only ſet her at Liberty, but alſo gave her full power to direct and govern the Nation, as ſhe thought fit in his Abſence, and ſo by his Command (or at leaſt Allowance) ſhe perform'd many Acts of Mercy.

[4.] *Ib. id.* Her Acts of Mercy.

And what ſort of Priſoners ſhe releaſed.

[4.] "She likewiſe (having obtain'd his Orders for it,) commanded, that all who were taken up for Treſpaſſes in *Foreſts*, "ſhould be ſet at Liberty, and all that were *Outlaw'd* for any Miſdemeanors therein might return home free and acquitted from all "Forfeitures.

"That all ſuch as had been taken, and Committed at the King's "will, or the pleaſure of his Juſtices, and were not impriſon'd by "the Common accuſation of the Country or Hundred, or upon "an Appeal, ſhould be releaſed; And that ſuch as were accuſed by "the Country, or Hundred, who could find Sureties for their Appearance and Tryal, if they were proſecuted, ſhould be ſet at "Liberty; nay, and thoſe alſo that were impiſon'd upon an Appeal "for any heinous crime, if they had Sureties ready, might be ſet free,

" free; and that all ſuch as were *Out law'd* upon Accuſations upon " Common Fame, might return and give ſecurity to ſtand Tryal; and " ſuch as were Out-law'd upon Appeals, if they could make Peace " with their Adverſaries, might be diſcharg'd. Thoſe likewiſe that " were Appeal'd by ſuch as confeſs'd themſelves Malefactors, were " releas'd; and thoſe Criminals who were pardon'd for their Appeal- " ing Others, were to abjure, and depart the Realm; and ſuch " Malefactors who voluntarily Appeal'd others, without any prece- " dent pardon, were to be kept in Priſon untill further conſidera- " tion. *Anno Dom.* MCLXXXIX.

[5.] After this was done, the Queen Commanded *every Freeman of the whole Kingdom or Government to ſwear, that he would bear Faith to his Lord Richard*, King of *England*, Son of King *Henry* and Queen *Eleanor, for the preſervation of his Life, Limbs, and Terrene Honour, as to his Liege-Lord againſt all perſons living*; and that he would be obedient to his Laws, and would Aſſiſt him in all things for the conſervation of his Peace and Juſtice. [5.] *Id. ib.* She commands every Freeman to ſwear Allegiance to K. *Richard*, &c.

This is the more remarkable, becauſe it is the Firſt Example we can find of any Oath of Fealty or Allegiance, that ever had been hitherto taken to a Prince, by the Title of King of *England*, before he was Crowned; and therefore, I very much doubt, whither or no there is not ſome miſtake committed by this Author in the wording of this Oath, becauſe it ſtiles him King, when within Four Lines after, he calls him no more than *Duke:* and in the Oath of Fealty, which this very Author relates to have been ſworn to *John*, this King's Brother, it is there only recited to be made to *John* Duke of *Normandy*, Son to King *Henry*; but of this, I have ſpoken more in another place. This Oath much doubted to be taken by the title of K. before he was crown'd.

[1.] Much about this time the Duke reſtored to *Robert* Earl of *Leiceſter* all his Lands which King *Henry* his Father had taken from him, and to all thoſe who had been diſinherited unjuſtly in the laſt Reign, he reſtor'd their former Rights; but he ſhew'd his diſlike of thoſe Clerks and Laicks that forſook King *Henry*, though they adhered to Him, and turned them out of their Offices; but thoſe who had ſerved his Father faithfully, he retain'd and enrich'd by his Bounty; ſo true is that old Maxim, that *Princes often love the Treaſon, yet hate the Traytor.* [1.] *Id. ib.* The E. of *Leiceſter* and others reſtor'd to their Lands.

[2.] Then he went to *Barfleur*, and having firſt ſent over *Baldwin* Archbiſhop of *Canterbury*, and *Walter* Archbiſhop of *Roüen*, with other Biſhops of *England* and *Normandy*, he immediately took Shipping and landed at *Southampton*, (*Bromton's* Chronicle ſays at *Portſmouth*) where he was receiv'd with great Joy by the Clergy, and Nobility of the Kingdom, who all hop'd (as men commonly do at the beginning of a new Reign) for a great Reformation, and a more eaſy Government; Yet how much they found themſelves miſtaken in their Account, the Event will ſhew: but Earl *John* came over in another Ship, and landed at *Dover*. [2.] *Id. ib.* Duke *Richard* returns to *England*. And is Joyfully receiv'd by both Clergy and Laiety.

Then the Duke went to *Wincheſter*, where he, to ſhew his Affection to his only ſurviving Brother Earl *John*, [3.] immediately inveſted him with the Earldom of *Mortain* in *Normandy*, and in *England* with thoſe of *Nottingham*, *Derby* and *Lancaſter*; He alſo gave him the Caſtles of *Marleburgh*, and *Ludgerſhal*, *Pec*, and *Bolſover*, and the Honours [3.] *W. N.* What Honours he beſtow'd on his Brother Earl *John*.

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Honours of *Wallingford* and *Tickhill* with their Appurtenances, but yet the Duke kept in each of thoſe Counties ſome Caſtles, and Places of Strength in his own Power: He likewiſe not long after beſtow'd *Aviſe*, the Daughter and Co-heir of the Earl of *Glouceſter* upon his Brother in Mariage, together with that Earldom; but afterwards he found he had cauſe enough to repent his making him too great for a Subject, as you will ſee by the *ſequel* of this Hiſtory. He likewiſe gave to *William Mareſchal*, the Daughter and Heir of *Richard* late Earl of *Striguil* in Mariage, together with that Earldom.

What he did for *William Mareſchal.*

[4.] Whilſt the Duke continued at *Wincheſter*, *Geoffrey Riddle* that Rich and Pompous Biſhop of *Ely* dy'd there Inteſtate, on the 21ſt of *September*, whereupon he ſeiz'd his Eſtate, which amounted to Three Thouſand Marks in ready Money (a vaſt Sum in thoſe days) Two Hundred Marks whereof were beſtow'd toward the King's Coronation, and the reſt was divided among his Courtiers: At the ſame time alſo he cauſed ſome of his Biſhops, Earls and Barons to look into his Father's Treaſury, where they found great Sums, which according to Tale and Weight exceeded One Hundred Thouſand Marks.

[4.] *Id. ib.* Biſhop of *Ely* dies inteſtate, and D. *Richard* ſeizes his vaſt Eſtate.

His Father's Treaſure wondrous great.

[5.] *Matt. Paris* ſays there were found above Ninety Thouſand pounds in Gold and Silver, beſides Utenſils, Jewels, and Precious Stones, which would be a vaſt Treaſure even in theſe days, and might be reckon'd then at Four times as much at leaſt.

[5.] *p.* 152.

[1.] Having thus taken an Account of his Father's Treaſure, he ſent his Officers to all the Sea-Ports in *England*, *Normandy*, *Poictou*, and his other Dominions, to make choice of Ships of the greateſt Burthen, and cauſed them to be well victualled, arm'd and equipp'd for his expedition to the *Holy-Land*, according to his Agreement with the King of *France*: (for you may remember, that Earl *Richard* had undertaken the Croſs, and vow'd to go to the *Holy Land*, before the King his Father's deceaſe.)

[1.] *R. H.* 373. *b.* What Shipping he provides for his Expedition to the *Holy-Land.*

[2.] From *Wincheſter* he came to *London*, where being met by the Archbiſhops, Biſhops, Earls, Barons, and a great multitude of Knights, *&c.* He was by their *Advice* and *Conſent* ſolemnly Crown'd at *Weſtminſter* on the Third of *September*; the Ceremonies of which, ſince *R. Hoveden*, and *Rad. de Diceto*, (who were then alive) have ſet them down at large, I ſhall not omit giving you here, becauſe it affords us an exact Account of the whole Form of an antient Coronation: and it was thus.

[2.] *Id. ib.* His Coronation at *Weſtminſter* with great Magnificence.

[3.] First the Archbiſhops of *Canterbury*, *Roüen*, * *Trier*, and *Dublin* with the other Biſhops, Abbots and Clergy, apparell'd in Rich Copes, and having the Croſs, Holy-water, and Cenſers carry'd before them, came to fetch the Duke at the Door of his Privy Chamber, and having there receiv'd him, they led him to the Abbey-Church of *Weſtminſter* with a ſolemn Proceſſion: in the middle of the Biſhops and Clergy went Four Barons, each carrying a Golden Candleſtick with a Taper; after whom came *Geoffrey de Lucy* bearing the Royal Cap, and *John* the *Mareſchal* next to him, bearing a maſſy pair of Spurs of Gold; then followed *William* Earl of *Striguil* (and *Pembroke*) who bore the Royal Scepter, at the end whereof was a Croſs of Gold; *William Fitz-Patrick* Earl of *Salisbury* went next to him, bearing the Golden Rod, having a *Dove* on the Top; then came four other Earls, *viz*, *David*, Brother to the King of *Scots*, as Earl of

[3.] *Id. ib.* * Note the A. Bp. *Trier* in *Germany* came over with the Duke, but upon what occaſion our Authors do not mention.

of *Huntington*; *John* the Duke's Brother, as Earl of *Lancaſter* and *Derby*, with *Robert* Earl of *Leiceſter*, each of them bearing a Sword upright in their hands, the Scabbards richly adorn'd with Gold, Earl *John* going in the middle, as in the moſt worthy place; after them went Six Earls and Barons bearing a * *Checker'd* Table, upon which were laid the King's Robes and ſome other *Regalia* to be uſed at the Coronation; then followed *William Mandevil* Earl of *Albemarle*, bearing a large Crown of Gold ſet with Precious Stones; after him Duke *Richard* himſelf (having the Biſhop of *Durham* on his Right hand, and *Reginald* Biſhop of *Bathe* on his left) over whom a Canopy of State was born by Four Barons; Then followed a Great Train of Earls, Barons, Knights and others as well of the Clergy as Laiety: In this Order he came into the Church at *Weſtminſter*, where before the *High-Altar* in the preſence of the Clergy and People, laying his hand upon the Holy Evangeliſts and Reliques of divers Saints, he took a Solemn Oath, *that he would obſerve Peace, Honour, and Reverence to Almighty God, his Church, and her* † *Miniſters, all the days of his Life; that he would exerciſe upright Juſtice, and Equity towards the People committed to his charge; and that he would abrogate and diſanull all Evil Laws and wrongfull cuſtoms* (if any were introduced within this Realm) *and make, keep, and ſincerely maintain thoſe that were Good and Laudable.*

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* *Scaccarium.*

His Coronation Oath.

† *Ejus ordinatit.*

This being over, they put off all his Garments from his Middle upwards, leaving him only his Shirt, which was open on the Shoulders, that ſo he might be anointed; then the Archbiſhop of *Canterbury* anointed him in Three Places, *viz.* on the Head, the Breaſt and the Arms, which Unctions ſignify *Glory*, *Fortitude*, and *Wiſdom*: Then he cover'd his Head with a fine Linnen Cloath, and ſet the Cap thereon, which *Geoffrey de Lucy* carry'd, and then when he had put on his Surcoat, (*viz.* his upper Garment) call'd the *Dalmatica*, the Archbiſhop delivered to him the Sword of the Kingdom, to ſubdue the Enemies of the Church; which done, two Earls put Shoes upon his Feet, then having the Royal Mantle hung on him, He was led to the Altar, where the Archbiſhop charg'd him on God's behalf, *not to preſume to take upon him this Dignity, except he reſolved inviolably too keep thoſe Vows and Oaths, he had juſt then made,* to which the King anſwer'd, *that by God's Grace he would faithfully perform them all*; then the Crown was taken from beſide the Altar, and given to the Archbiſhop, who ſet it upon the King's Head, delivering the *Scepter* into his Right Hand, and the *Rod-Royal* into his Left; and being thus Crown'd, he was brought back to his Throne by the Biſhops and Barons with the ſame ſolemnity as before; then began High Maſs, and when they came to the *Offertory*, the King offer'd a Mark of pure Gold, as his Predeceſſors uſed to do at their Coronations; then the Archbiſhop lead him back to his Throne, and Maſs being ended, the Biſhops and Clergy attended him thus Royally array'd from the Church to a Chamber adjoining in like ſolemn Proceſſion as before; whence (after repoſing himſelf a while) he with the ſame Proceſſion return'd into the Choir, and having put off his heavy Crown and Robes, and taken others more light and portable, he went to Dinner.

The A. Bp. anoints him.

Puts the Cap on his Head.

Delivers him the Sword of the Kingdom, to ſubdue the Enemies of the Church.

And forbids him to take upon him this Dignity unleſs he meant to keep his Oath.

The King's Anſwer.

His Offerings at the High Altar.

[4.] *Ralph*

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[4.] *Col.* 647. *Ralph de Diceto* his Account of it ſomewhat different.

[4.] *Ralph de Diceto*, than Dean of St. *Paul*'s, who (as himſelf relates) in the vacancy of the Biſhoprick of *London* aſſiſted at this Coronation, and delivered the Hallowed Oyl or *Chriſme* with which the King was anointed, to the Archbiſhop, ſomewhat differs from the Precedent Account, for he only gives us ſome ſhort Heads of the Coronation-Oath; that he would do his utmoſt, Firſt, *That the Church of God and Chriſtian People might enjoy Peace.* Secondly, *That he would prohibit all Rapine or Violence.* Thirdly, *That he would Command Juſt Judgments to be given with Equity and Mercy.* And though he ſays nothing of the before-mention'd Archbiſhop's Prohibition, yet that he did ſuppoſe this Prince was not compleatly King till he was actually Crown'd, appears by thoſe words immediately forgoing, *viz.* Richard *Earl of* Poictou, *being by Hereditary Right to be* * *made King, after a Solemn and due Election by the Clergy and Laiety, took a Threefold Oath*, &c. which words are ſo plain that they need no Comment.

Says nothing of the A. Bp's Prohibition.

But ſuppoſes he was no K. till ſworn, and actually crown'd.

* *Promovendus in Regem.*

[5.] *R. H. p.* 374. *b.* † *De Pincernariâ.* * *De Coquinâ.* The Coronation Feaſt.

[5.] At this Coronation-Feaſt which was kept in *Weſtminſter-Hall*, the Citizens of *London* ſerv'd him as † his Butlers with Drink, and thoſe of *Wincheſter* brought up his Meat from the * Kitchin; then the Archbiſhops and Biſhops ſate down with the King at the Table, every one according to his Order, whilſt the Earls and Barons ſerved in the King's Pallace, as their Places or Dignities required.

[1.] *Id. ib.* Upon what Account the *Jews* happen'd to be murthered at it by the Rabble.

[1.] This Feaſt would have been every way Glorious, had it not been ſtain'd with Blood and Rapine, which it ſeems happen'd thus: The *Jews* had been particularly forbidden the day before to appear at the Coronation, but yet they could not forbear coming thither under a Pretence of bringing ſome Preſents, but whither they were mov'd to it from Reſpect or Curioſity is uncertain; however the Common People were therewith ſo much incens'd, that they fell upon them, pillag'd them, and with blows drove them out of the Court, in which Tumult many of the *Jews* were hurt, and ſome kill'd; Nor were the Rabble contented with this,

[2.] *W. N. L.* 4. *cap.* 1.

[2.] but there being a Rumour nois'd about, that the King had Commanded all the *Jews* to be exterminated, they not only kill'd all they could meet with, but fell upon their Houſes and pillag'd them, and where they were too Strong, or too well defended to be broken into, they ſet them on Fire; nor did they ſtop there, but burnt the Houſes of many Chriſtians, ſo that this Diſorder laſted all that day and the night following; and though the King ſent *Ranulph de Glanvil* his chief Juſtitiary to appeaſe them, yet their Fury at that time was too great to be reſtrain'd by him.

The Ring-leaders taken up next day, and hang'd.

The next day the King ſent divers of his Officers into the City, who ſeizing upon the chief Ring-Leaders, caus'd them to be hang'd up immediately as they well deſerved; but it is ſtrange to obſerve the prepoſterous zeal of ſome of our Monkiſh-writers, who do not only excuſe, but applaud this wicked fact, becauſe (ſay they) it ſerved to deſtroy the Enemies of the Chriſtian Faith.

[3.] *R. H. Ib.* The K. receives the Homages and Fealties of his Nobles.

[3.] The day after the *Coronation* King *Richard* receiv'd the Homages and Fealties of all the Biſhops, Abbots, Earls and Barons; which I take notice of here, becauſe it hath been ſince the cuſtom of the Biſhops and Nobility to do their Homage ſo ſoon as ever the King is Crown'd.

[4.] Then

[4.] Then the King being in great want of Money for his intended Voyage to the *Holy Land*, ſold many of his Mannors and Caſtles to divers perſons; as to *Hugh* Biſhop of *Durham* his Mannor of *Sadbery* with the *Wapentac* belonging thereunto for Six Hundred Marks; and preſently after he ſold him the Earldom of *Northumberland* to be held with the ſaid Biſhoprick; [5.] with this Jeſt upon it, That *He had made a Young Earl of an old Biſhop*: Nor was the Biſhop content with this, but he gave the King beſides, One Thouſand Marks more to be one of his chief Juſtitiaries in his Abſence, ſo exceſſively ambitious was this Prelate of Secular Power: But with theſe payments the Biſhop's Treaſure was ſo much exhauſted, that he had not Money enough to undertake his Voyage to the *Holy Land*, as he had vow'd; and therefore excuſing himſelf becauſe of his old Age, declin'd the Journey. Nor did the King empty the Biſhop's Bags only, but ſold many other Mannors and Lands to ſuch Biſhops and Abbots as would buy them of him, they being then the only mony'd Men of *England*, by which means he raiſed a vaſt Sum of Money towards his Intended Expedition.

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[4.] *Id. p.* 375. Where ſee the King's Charter. His Sale of divers of his Mannors and Caſtles.

[5.] *W. Nib. c.* 5. Bp. of *Durham* gives the K. a Sum of Money to be Juſtitiary in his abſence.

The Bps. and Abbots then the only monied Men in *England*.

* *Richard* of the *Deviſes* further adds, That the King was now in ſuch want of Money, that even *William Longchamp* (his Favourite) pay'd no leſs than Three Thouſand Pound to have the Great Seal continued in his Cuſtody during the King's Abſence, and that when he had ſold his Mannors to thoſe that would bid moſt for them, and was queſtion'd by one about him why he did ſo; his Anſwer was, *That he would ſell* London *it ſelf if he could find a good Chapman*; ſo mightily was he ſet upon this needleſs Expedition. And further, all the Sheriffs of *England* having incurr'd his diſpleaſure for Abuſes in their Office, were upon very ſlight Accuſations depriv'd of their Places, and made to purchaſe the King's Pardon with a great Sum of Money.

* *M. S. in Bib. Cotton. Julius. A.*

William Longchamp gives a great Sum for the Cuſtody of the Great Seal during the K's abſence.

The K. offers to ſell *London*, if he could get a Chapman, ſo bent was He for the *Holy Land*.

[1.] On the Sixteenth of *September* the King went to the Abbey of *Pipewel* in *Northamptonſhire*, where he held a Great Council, or Synod of all the Biſhops, Abbots and Priors of the Kingdom, to conſider how to fill up the vacant Sees and Abbies; and by the Advice of his Biſhops and other Great Men he conferr'd on his Brother *Geoffrey* the Archbiſhoprick of *York*; on *Godfrey de Lucy* the Biſhoprick of *Winchester*; to *Richard* Arch-deacon of *Ely*, he gave the Biſhoprick of *London*; to *Hubert Walter* then Dean of *York*, the Biſhoprick of *Saliſbury*; and to *William Longchamp* his Chancellor, the Biſhoprick of *Ely*; all which is thus to be underſtood, that though the Perſons were nominated by the King, with the Advice of this Council, yet they were notwithſtanding elected by the Repreſentatives of the Particular Chapters and Convents according to the Canons: and when this was done, they were ſtill to be confirm'd by the King; for *William* of *Newburgh* tells us, that King *Richard* would not agree to confirm the Election of his Brother *Geoffrey*, (though made by the Dean and Chanons of *York*,) till he had pay'd a good round Sum of Money towards his intended Expedition; which, if ſo, was very hard uſage to ſo near a Relation.

[1] *R. H. ib.* He diſpoſes of the Biſhopricks and Abbies by the Advice of his Bps and Great Men.

[2.] At this Council the Archbiſhop of *Canterbury* challeng'd the Conſecration of *Geoffrey* Archbiſhop Elect of *York*, and forbad him receive it from any Other than himſelf, producing before the King and

[2] *R. H. ib.* Archbiſhop of *Cant.* challenges the Conſecration of the Archbp. Elect of *York*.

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all the Clergy and Laiety there preſent, the Charter of King *William* the *Baſtard*; wherein it was ſpecified, That *Thomas*, then Archbiſhop of *York*, had receiv'd his Conſecration at the hands of *Lanfranc* Archbiſhop of *Canterbury*, and Primate of all *England*; and had then promiſed him Canonical Obedience together with all his Suffragan Biſhops, as to their Primate; this Charter alſo teſtified, that theſe things were done at *London* according to the definitive Sentence of Pope *Alexander* the Second.

[3.] C. B. *Col.* 1162. Whom the K. conſtitutes his Juſtitiaries of *England*.

[3.] Then the King conſtituted *Hugh* Biſhop of *Durham*, and *William* Earl of *Albemarle*, Juſtitiaries of *England*, and aſſociated to them in the Government of the Kingdom, *William* Earl *Mareſchal*, and *Geoffrey Fitz Peter*, *William Briwere*, *Robert de Whiteſield*, and *Robert Fitz Reinfeld*; for *Ranulph de Glanvil* Chief Juſtitiary of the Kingdom, being now in Years, and alſo not approving of ſome things which were lately order'd by the King, had a little before reſigned the Office, that ſo he might the better prepare himſelf for his Voyage to the *Holy-Land*, which he had vow'd, as had alſo *Baldwin* Archbiſhop of *Canterbury*.

Ranulph de Glanvil reſigns his Office, and for what Reaſon.

Richard of the *Deviſes*'s particular Account of his not only being diſplaced, but ſent to Priſon, and he paid 15000*l.* for his Liberty.

But *Richard* of the *Deviſes* gives us a more particular Account of this *Ranulph de Glanville*, that being a Man of great Eloquence and Eſtate, the King was ſo diſpleaſed with him for ſome things that he had done in his Father's Reign, that he not only turn'd him out of his Place, but committed him to Priſon, and he could not be diſcharged before he had actually paid Fifteen Thouſand Pound for his Liberty; a vaſt Ranſom in thoſe days for a private Man to pay.

[4.] *R. H. p.* 376. *a.* Ambaſſadors arrive from *France*, and what they did.

[4.] In the Month of *November*, *Rotrod* Earl of *Perche*, and other Ambaſſadors of the King of *France*, came into *England* and acquainted King *Richard*, that in a Great Council at *Paris*, their King and all the Great Men of his Kingdom who had undertaken the *Cruſado*, had ſworn (God willing) to be at *Vezely* in *Burgundy* in the cloſe of *Eaſter* to go forwards towards *Jeruſalem*, and to ſatisfy him of the reality of this Oath, they brought him the Charter, deſiring that he with his Earls and Barons would give the like Security to be there at the ſame time: whereupon King *Richard* and thoſe Earls and Barons who had undertaken that Service, in a Great Council at *Weſtminſter*, did all Swear, That by the help of God, they would be there alſo at the ſtated time, ready to undertake that Voyage as King *Philip* had deſired; then *Rotrod* Earl of *Perche* and the reſt of that King's Ambaſſadors ſwore the ſame thing on their Maſter's behalf before the Council, as did alſo *William* Earl *Mareſchal* and others for the King of *England*, in the Preſence of the *French* King's Ambaſſadors; in Teſtimony whereof King *Richard* alſo ſent him his Charter under his Seal. Which great Caution, though it may ſeem at this diſtance very odd and impertinent, ſince the King himſelf had before Sworn to obſerve it, yet it was according to the Cuſtom of thoſe Times, when the Oaths of Princes were not alone thought ſufficient, without thoſe of certain *Fide juſſors*, or Sureties, who were alſo to Swear on their behalf, and were often oblig'd to take part with their Maſter's Enemy, in caſe he firſt broke the Agreement.

The K. and Nobility did ſwear to be ready at a Stated time to go to the *Holy-Land*, in a Great Council at *Weſtminſter*.

[5.] *R. H. p.* 377. *a.*

[5.] In the ſame Month *Geoffrey* Archbiſhop Elect of *York*, with the Barons of *Yorkſhire*, and the Sheriff, by the King's Command, went to

to the River *Twede*, and there receiv'd *William* King of *Scots*, and conducted him to the King at *Canterbury* in *December*, who there did him Homage for the Honours he enjoy'd in *England*, as his Brother *Malcolm* had done before; and then King *Richard* deliver'd up to him the Caſtles of *Roxburgh* and *Berwick*, and alſo acquitted Him and his Heirs for ever from all Fealty and Allegiance to Himſelf and Succeſſors, Kings of *England*, concerning the Subjection of the Kingdom of *Scotland*: for which Reſtitution of his Caſtles, and Releaſe of the Fealties of his Tenants of the Kingdom of *Scotland*, he gave him Ten Thouſand Marks Sterling, as appears by the Charter which King *Richard* then made to the King of *Scots*, whereby he diſcharg'd him of all thoſe Pacts or Agreements which King *Henry* his Father had extorted from the ſaid King, after his being taken Priſoner: from all which it plainly appears, That there was no Homage due to the King of *England* for *Scotland* before that time, as the Reader may find in the Charter it ſelf, as it is recited at large in *R. Hoveden.*

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The K. of *Scots* conducted to K. *Richard* at *Canterbury*, and what Homage was paid him there.

What Caſtles the K. thereupon deliver'd up to him.

No Homage due to the K. of *England* before that time for *Scotland.*

[1.] The ſame day alſo *Hugh* Biſhop of *Durham*, and *Hubert* Biſhop of *Salisbury* appeal'd to the Pope before the Cardinal his Legate, againſt the Election of *Geoffrey* Archbiſhop of *York*, as did alſo *Bucard* Treaſurer of that Church, becauſe the Archbiſhop Elect was not only born of a Concubine, but was alſo an Homicide; yet for all theſe Objections, the Cardinal Legate confirm'd his Election.

[1.] *Id. ib. b.* The Pope appeal'd to, againſt the Election of *Geoffrey* A. Bp. of *York*, and why.

But the Cardinal Legate confirm'd the Election.

Then King *Richard* farther beſtow'd upon his Brother Earl *John*, as an additional Augmentation of his Honour, the Earldoms of *Devonſhire*, *Dorſet*, and *Cornwall*. So that he had now the Titles and Revenues of no leſs than Six ſeveral Counties; yet would not all this ſatisfy his unbounded Ambition, nor keep him firm to the King his Brother's Intereſt, but he moſt ungratefully rebell'd againſt him, as you will find hereafter.

The King bestows more Honours on his Brother E. *John.*

But yet they could not fix him to his Intereſt.

The King alſo at the ſame time beſtow'd upon the Queen his Mother, (beſides what had been ſettled upon Her by the King Her late Husband) the ſame Dower or Joynture which Queen *Mathilda* Wife to *Henry* I. had before enjoy'd. Thus, as Queen *Eleanor* lov'd King *Richard* above all the reſt of her Children, ſo was he not wanting to her in all Filial Duty and Affection.

What the K. gave to his Mother Q. *Eleanor.*

[2.] Theſe Great Affairs being thus diſpatch'd, *Geoffrey* Archbiſhop Elect of *York* having a little before fallen into the King his Brother's diſpleaſure, he not only refus'd to reſtore him the Temporalties of that Archbiſhoprick, but likewiſe ſeiz'd all the *Lay-fees* or Eſtate which King *Henry* his Father had given him either on this ſide, or beyond the Sea. And now finding that without Money he could not obtain the King his Brother's favour, he promiſed him Three Thouſand Pounds Sterling, upon which the King reſtor'd him the Archbiſhoprick (*i.e.* the Temporalties thereof) together with the reſt of his Eſtate in *England*, beſides the Earldom of the late Earl *Giffard* in *Normandy*, and the Honour of *Balangy* in *Aquitain.*

[2.] *Id. ib.* The K. ſeizes on all the Lay-Fees of his Brother *Geoffrey*, A. Bp. Elect of *York.*

But upon the promiſe of 3000 *l.* Sterling, he reſtores him the Temporalties, *&c.*

The King alſo at the ſame time for ever diſcharg'd the ſaid *Geoffrey* and his ſucceſſors, and all their Lands, with thoſe of the Chapter of *York*, from all Exactions and Grievances of the Foreſts, and gave them free leave and power to Hunt in all their Lands in *Nottingham* and *Yorkſhire.*

* *Id. p.* 378. Many Privileges and Immunities granted to the Church of *York.*

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[3.] Then the King leaving *Canterbury* embark'd at *Dover*, and pass'd over to *Callais* on the Eleventh of *December*, being accompany'd by *John* the Cardinal *Legate*, *Walter* Archbishop of *Roüen*, *Henry* Bishop of *Bayeux*, and *John* Bishop of *Eureux*, and other Great Men; and so soon as he landed, *Philip* Earl of *Flanders* met and receiv'd him with great Joy, and conducted him into *Normandy*.

[3.] *Id. ib.*

[4.] Sometime before he left *England*, he appointed *Hugh* Bishop of *Durham*, and *William* Bishop of *Ely*, his chief Justitiaries, and had associated to them *Hugh Bardolf*, *William* Earl *Mareschal*, *Geoffrey Fitz-Peter*, and *William Briwere*; but he deliver'd to the Bishop of *Ely* his Chancellor his Chief, or Great Seal, by which all his Writs or Precepts were to be made in the Kingdom; he deliver'd to him likewise the Custody of the Tower of *London*, and to the Bishop of *Durham* the Castle of *Windsor*, with the Forest and County: But the King was no sooner gone, than his Two Chief Justitiaries fell into Disputes about their Authority; that which pleas'd the one, displeasing the other, as is usual, when great Power is divided into several hands.

[4.] *Id. ib.* The Bps of *Durham* and *Ely* made the K's Chief Justitiaries in his absence.

They fall into disputes about their Powers.

[5.] So soon as the King had resolv'd on this Voyage to the *Holy-Land*, he sent to Pope *Clement* and obtain'd his Bull, That all such as would stay at home for the Guard of his Kingdom upon paying money to the King, should be acquitted from the Service of the *Cross*; by which means he amass'd very great Sums.

[5.] *Id p.* 375. *b.* The King obtains the Pope's Bull to excuse those from the Service of the *Cross* that would pay to the King so much Money.

I shall conclude this Year with an Account of the rest of the Ecclesiastical Affairs that happen'd in it. [1.] Some time before the King's departure, *Hugh* Bishop of *Durham*, and *Hubert* Bishop of *Salisbury* appeal'd to the Pope against *Geoffrey* Elect of *York*, endeavouring to prove his Election void, because they who were to have had the chief Suffrages were not present; and *Bucard*, Treasurer of the Church of *York*, and one *Henry*, Dean of the same, did also Appeal against him, denying his Election to have been Canonical, for that he was a Manslayer, and One begotten in Adultery, and born of an *Harlot*; but all this came to nothing, for *John* Cardinal of *Anagnia* the Pope's Legate, who was lately arriv'd here, confirm'd his Election; and he afterwards obtain'd the Pope's Bull to the same purpose, though he was not Ordain'd Archbishop till some time after.

[1.] *Id p.* 377. *b.* Several Prelates protest against the Election of *Geoffrey* A. Bp. of *York*.

But to speak further of this Cardinal's Errand into *England*; the Reader is to understand, [2.] that there had been for several Years before great Quarrels between *Baldwin* Archbishop of *Canterbury* and the Prior and Monks of the Monastery of the *Holy Trinity*, now call'd *Christ Church*, about the Archbishop's seizing into his hands the Temporal Revenues belonging to the said Abbey, and his building a Chappel and a House of Chanons in the Subburbs of the said City, near St. *Stephen's* Church; which the Monks fearing lest it should be made the Chapter of the Archbishop, and so in time should rob them of the Right of their Election, they had some years since Appeal'd to the Pope against those Proceedings: and though he sent over several Bulls to the Archbishop on behalf of the Monks, Commanding him to cease from Building and Endowing the said Chapell, and to restore unto the Monks their Lands; notwithstanding all this, the Archbishop was so far from yielding any Obedience thereunto, that having the late King on his side, he had resolv'd to starve the Monks

[2.] C. G. *Col.* 1520, 1523, *&. dein.* Great Quarrels between *Baldwin* A. Bp. of *Canterbury* and the Monks of the *Holy Trinity*, about the former's seizing the Temporal Revenues of that Abbey.

The A. Bishop pays no Obedience to the Pope's Bulls, commanding him to restore the Monks their Lands.

Monks to a compliance, by hindering all Provisions from coming to their House from their Farms in the Country: so that the poor Monks being almost starv'd, were fain'd to live upon Alms; yet did not this at all bring down their stomachs, for knowing they had the Pope for their Friend, to whom they had appeal'd, they still held out stoutly against the Archbishop: and so soon as King *Richard* came to the Crown, they implor'd his Assistance against these violent Proceedings. This is the sum of a long and tedious Relation which *Gervase* (a Monk of this Church) has given us concerning these Disputes; to whom I refer the Curious Reader for further satisfaction.

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Who are forced by his means to live upon Alms, or Starve; but they still vigorously hold out against the A. Bp.

[3.] But in the mean time the Pope had sent over *John* the Cardinal above-mention'd to compose these Differences, who Landing at *Dover*, while the King was gone into *Suffolk* on Pilgrimage to St. *Edmund*'s Shrine, Queen *Eleanor* his Mother (then at *Canterbury*) immediately sent a Message to the Legate, forbidding him to proceed any further without the King's License, which was done on purpose that so this difference might be concluded without his Interposition; for the King had before Summon'd a Council of the Bishops, Abbots and Great Men of *England*, to decide this Controversy: where also *William* King of *Scots* and his Brother Earl *David* were present, so that there was never before seen so great a Concourse of People at *Canterbury*.

[3] *Id. ib.* The Pope sends a Cardinal over to determine it; but being at *Dover*, he is forbid to come any further without the K's Leave. A Council of the Kingdom summon'd to end this Controversy.

[4.] So soon as the King arriv'd, this Council began, in which after a long Debate among the Bishops concerning this matter, at last by the Judgment of the King and Bishops, with the Assent of the Archbishop and Monks, the Difference was determined upon these terms, *viz.* that *Roger de Norreis*, whom the Archbishop (against the will of the Monks) had made Prior of that Church, should be depos'd, and the New Chappel demolish'd which the Archbishop had built in the Subburbs of *Canterbury*; and that the Monks should perform their wonted profession of Obedience to the Archbishop as their Predecessors had done; upon which Accord, the King at the request of the Archbishop made the deposed Prior, Abbot of *Evesham*.

[4] *Id. ib.* At last by the Judgment of the K and Bps, *&c.* the Difference was determin'd.

And upon what Terms.

The next day the Archbishop came into the Chapter-house, and restor'd to the Convent their Farms; saying, That he had dismiss'd the Prior from his Office, and for the future would preserve the due Rights of the Monastery: but instead of the Chappel, which was then demolish'd, the Archbishop built another at *Lambet* (now *Lambeth*) and endow'd it with those Revenues, which he had intended for his Chappel at *Canterbury*; but of this Foundation also, those Monks were so Jealous, that some years after they procured a Bull from the Pope to have it dissolv'd, as you will find in due time.

The A. Bp. restores their Farms, and promises to preserve their due Rights. Another Chappel built at *Lambeth*.

[5.] After this Reconciliation the King sent for Cardinal *John* the Legate who came to *Canterbury*, and was receiv'd with solemn Procession, yet he took it ill, that the Agreement had been made between the Archbishop and Monks without him, and would fain have found some occasion to have revived the difference, that so there might have been work for another Appeal; but perceiving the King and the Archbishop with the rest of the Bishops to be all agreed against him, he was obliged to take his leave and depart, after a very few days stay

The Monks grow jealous of it.

[5.] *Id. ib.* *John* the Legate takes it ill that this Agreement was made without him.

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And not being able to get another appeal, he takes his Leave, and departs.

I have been the more particular in this Relation, that ſo the Reader may obſerve, how in thoſe days, if the King and the Archbiſhop of *Canterbury* held but a good correſpondence, all that the Pope's Bulls could do, ſignified little or nothing; for the Legate durſt not then come into *England* without the King's Licence.

[1.] *Id. ib.* The A Biſhop puts all Earl *John*'s Territories under Intetdict, becauſe he married a Coſin in the Second degree. Earl *John* appeals, the Pope's Legate receives it, & ſo his Lands are diſcharg'd from that Sentence.

To conclude this year; it is worth our obſerving, [1.] that before the late Mariage of Earl *John* with the Daughter of the Earl of *Glouceſter*, the Archbiſhop of *Canterbury* forbad the Mariage, becauſe they were Coſins in the Second Degree; but not finding himſelf herein obey'd, he put all the Territories of Earl *John* under an *Interdict* notwithſtanding his Appeal to the Pope; againſt which Sentence the Earl complaining to the Biſhops at the late Council at *Canterbury*, the Pope's Legate received his Appeal, and ſo the Earl's Lands were diſcharged from that Sentence.

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[2.] *R. H. p.* 378. *a.* A firm Peace eſtabliſh'd between the Ks. of *England* and *France*.

[2.] King *Richard* being now arriv'd in *Normandy*, kept his *Chriſtmaſs* at the Town of *Buers* with the Great Men of that Dutchy; after which Solemnity, He and *Philip* King of *France* met, and eſtabliſh'd a firm Peace between themſelves and their Kingdoms, which was put into Writing, and confirm'd by their Oaths and Charters on the Feaſt of St. *Hillary* (*January* Thirteenth) and the Archbiſhops and Biſhops *in the Word of Truth*, with the Earls and Barons of both Kingdoms ſincerely agreed to it, and the Temporal Lords alſo ſwore that they would faithfully maintain that Peace, which was to this effect.

The Articles of Peace.

"That the Two Kings ſhould preſerve each other's Honour, "and keep Faith to one another in defence of their Lives, Limbs, "and Terene Honours, and not be wanting to each other in the "management of their Affairs; but that the King of *France* ſhould "help the King of *England* to defend his Territories as if he were "to defend the City of *Paris*, if it were beſieged; and that King "*Richard* ſhould defend the King of *France*'s Dominions, as he "would defend *Roüen*, if that were beſieged. Then the Earls and "Barons of both Kingdoms ſwore, that they would not depart from "their Fealty to their ſeveral Kings, nor make any War or Diſtur"bances within their Dominions, while they were in their Peregri"nation; and the Archbiſhops firmly promiſed, *in the Word of Truth*, "that they would Anathematize the Tranſgreſſors of this Peace.

"It was likewiſe agreed further, That if either of the Kings dy'd, "the Survivor ſhould have the Money, and Men of the deceas'd, "to carry on the ſervice of God; but becauſe they could not be ready "by the Cloſe or Octaves of *Eaſter*, they deferr'd their Voyage un"til *Midſummer*: But the ſudden death of the Queen of *France* retard"ed that King's departure for ſome longer time.

[3.] *Id. ib.* K. *Richard* ſends for his Mother, Siſter, his A. Bp. Bps. and Brother *John* to come to him into *Normandy*.

[3.] After *Candlemaſs* King *Richard* ſent for Queen *Eleanor* his Mother, *Alice* Siſter to *Philip* King of *France*, *Baldwin* Archbiſhop of *Canterbury*, and Earl *John*, together with the Biſhops of *Norwich*, *Durham*, *Wincheſter*, *Bathe*, *Ely*, *Salisbury*, and *Cheſter*, who all paſſed over into *Normandy*, to wait on the King; and He by their Advice, conſti-

constituted *William* Biſhop of *Ely*, then Chancellor, his Chief Juſticiary of *England*: He alſo made his Brothers, *John* Earl of *Moreton*, and *Geoffrey* Elect of *York*, to take an Oath, that they would not go into *England* within three Years next following without his Licenſe; yet ſoon after he releaſed his Brother *John* from his Oath, and gave him leave to return home upon his taking another Oath, that he would faithfully ſerve him in his Abſence; but he was not ſo favourable to his Brother the Archbiſhop. *Anno Dom.* MCXC.

His Chancellor the Biſhop of *Ely* made Chief Juſtitiary of *England*.

His Brothers Earl *John*, and *Geoffrey* ſwear, not to go into *England* in three years without his Leave.

But he releaſed his Brother *John* from his Oath.

[4.] From *Normandy* he ſent the Biſhop of *Ely* his Chancellor into *England*, to prepare all things neceſſary for his Expedition; and reſolving to exalt him above all degrees of Men in his Kingdom, he ſent to Pope *Clement* and prevail'd with him to inveſt him with the Legantine Power over all *England* * and *Wales*, with that part of *Ireland* which was then under the Dominion of Earl *John* the King's Brother, as appears by the Purport of the Pope's Bull cited by [5.] *Rad. de Diceto.*

[4] *Id. ib.* The Bp. of *Ely* comes into *England*.

The K. writes to the Pope to make him Legate.

* *R. Hoveden* here adds *Scotland*, but that is a miſtake.

Then [1.] the Chancellor at his Return encompaſs'd the Tower of *London* with a deep Ditch, deſigning to have the *Thames* flow round about it, and alſo took for the King's uſe of every City of *England* two Palfreys, or Saddle Horſes, and two Sumpters, as an Aid, and the like of every Abbey, one of each ſort, and though for what uſe theſe Horſes were now taken, unleſs for the Chancellor himſelf, I cannot tell, neither does my Author acquaint us.

[5.] *Col* 55.

[1.] *R. Id. ib.* The Tower of *London* encompaſs'd with a deep Ditch.

[2.] Not long after the Chancellor's return, the Common People of divers Towns and Cities of *England* roſe againſt the *Jews*, not ſo much (as [3.] *William* of *Newburgh* well obſerves) out of a zeal for Chriſtianity, as envy of their Riches, and Covetouſneſs to enjoy them; the firſt Diſturbance began at the Town of *Lynne*, about a *Jew* who was turn'd *Chriſtian*, and being therefore perſued by the reſt of his Nation, had taken refuge in a Church, and being there likewiſe aſſaulted, the foreign Mariners belonging to that Port did not only defend the new Convert by repelling the fury of the *Jews*, but falling upon their Houſes, pillaged and burnt them, murthering the Owners, and when they had done ſo, they carri'd the plunder to their Ships; ſo that when this Tumult came to be examin'd, the People of the Town caſt all the blame upon thoſe ſtrange Mariners who were gone.

[2] *Id p.* 379. *a.* The People's Inſurrection againſt the *Jews*.

[3] *L.* 4. *c.* 7. The firſt Diſturbance began at *Lynn*, & upon what Occaſion.

[4.] Some time after, another inſult was made upon the *Jews* at *Stamford* Fair, which was held in *Lent*, when the People that came from divers parts envying the *Jews*, and thinking they ſhould do God good Service in deſtroying thoſe whoſe Goods they coveted, fell upon them and plunder'd their Houſes, killing as many as they could light on, but ſome of them ſaved themſelves in the Caſtle: and when the Rabble had done this miſchief, (being moſt of them Strangers) they march'd off with their Booty.

[4.] *Id. ib. c.* 8. The next at *Stamford*-Fair.

[5.] The People of *Lincoln*, hearing what had been done to the *Jews* in other places, alſo roſe againſt them of that City, who being already warn'd by the deſtruction of their Country Men in other Places, retired into the Caſtle with their Goods and Families; ſo that only a Few of the poorer ſort ſuffer'd by their Violence: and though there was not much harm done, yet a ſevere Enquiry was made by the King's Officers after the Offenders.

[5.] *Id. ib. c.* 9. The Third at *Lincoln*.

[1.] But

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[1.] *Id. ib. c* 9. But the greateſt of all was at *York*.

[1.] But the greateſt fury of the Common People againſt the *Jews* was exerted at *York*, where neither the King's late prohibition againſt diſturbing them, nor even Common Humanity could reſtrain them; but falling firſt upon the Houſes of *Benedict* and *Joſeus*, two of the great Uſurers in *England*, and whoſe Magnificence, and too great Riches they chiefly envied, (though *Benedict*, having been baptized againſt his will after he was cruelly beaten and wounded at the King's Coronation, was lately dead) the Rabble not only pillaged and burnt thoſe Houſes, but alſo thoſe of all the reſt of the *Jews* in that City, though Owners moſt of them eſcaped their fury by getting into the Caſtle, carrying moſt of their beſt Goods and Money along with them by the Conſtables connivance; and He happening to go out of the Caſtle about ſome buſineſs, was ſhut out by thoſe *Jews* that were within, fearing leſt by ſome means or other he might be ſet againſt them, and they could not be prevail'd on to re-admit him.

Their Houſes pillaged and burnt, but the Owners of them get into the Caſtle.

[2.] *Id. ib.* * *Præſes Provinciæ*

[2.] In the mean time the * High-Sheriff of the County coming thither, was highly incenſed againſt them, for thus detaining the Caſtle, and having demanded it, and they refuſing to deliver it, thereupon the Citizens and Strangers who came to the County-Court, at the Command of the Sheriff, made an Aſſault upon them, which continued Night and Day; ſo that at laſt the *Jews* offered a great Sum of Money for Liberty to be gone, but the People would not accept it; and therefore when the *Jews* ſaw their caſe thus deſperate, the greateſt part of them by the perſwaſion of an antient *Rabin*, (who aſſerted ſelf murther in this caſe to be Lawful) *agreed to cut one another's Throats, rather than dye by the hands of the Uncircumcized Chriſtians, which they perform'd with a moſt deſperate Reſolution*, having firſt ſet the Caſtle on Fire.

And ſhut themſelves up in it, refuſing to deliver it upon demand of the High-Sheriff.

[3.] *R. H. p.* 379. *a.*

[3.] Sometime after *Eaſter* the Biſhop of *Ely*, now Juſtitiary and Chancellor, came to *York* with a great and powerful Army, to ſeize thoſe Malefactors who had deſtroyed the *Jews*, and knowing it was done by the Command (or permiſſion at leſt) of the Sheriff and Conſtable, he diſplaced both of them, and took of the Citizens an Hundred Pledges or Sureties, for their keeping Fidelity and Peace to the King and Kingdom, and for their ſtanding to the Law in the King's Court concerning theſe Offences. And the Knights or Military Tenants of the County (that is, the Suitors that came to the County-Court,) who refuſed to appear to the * Accuſation, he cauſed to be apprehended.

The Chancellor with a great Army comes to *York*, and diſplaces the Sheriff and Conſtable of the Caſtle.

* *Qui ad Reſtum noluerunt venire.*

I have have been the more particular in Relating theſe Tumults, that ſo the Reader may ſee, how highly the People were now incenſed againſt the *Jews* for their Uſury and Extortion, albeit they were maintained and protected by the Government to Peel the People, that ſo they themſelves might be ſqueez'd, and their Riches taken from them whenever the King had occaſion; and likewiſe that he may obſerve how Violent the Common People (or *Mob* as we now call them) have been in former Ages againſt thoſe whoſe Religion they had in abhorrence, and therefore were reſolutely bent to deſpoil them of their goods.

[4.] Not

[4.] Not long after this *Hugh de Puſats* or *Pudſey*, Biſhop of *Durham*, by the King's permiſſion, returned into *England*, and meeting the Chancellor at *Blithe* in *Nottinghamſhire*, he there delivered to him the King's Letters Patents, by which he had made the ſaid *Hugh* Juſtitiary from the River *Humber* unto the Confines of *Scotland*. The Chancellor told him he was ready to obey the King's Commands, and carried him with him as a Priſoner to *Southwell* in the ſame County, and kept him there, until he had delivered up *Windſor* Caſtle and the reſt of the ſtrong Places of which the King had given him the Cuſtody. And he was alſo fain to deliver his Son *Henry de Pudſey* and *Gilbert de Lacy* as Pledges for his Faith to the King and Kingdom. So ſoon as the Biſhop was ſet free, he went to his Town of *Hovedene*, where he had not been many days, before there came *Robert Longchamp*, Brother to the Chancellor, and *William de Stuteville* with ſeveral armed Men, and would have carried him away by the Chancellor's Order; but he gave them ſecurity that he would not ſtir from thence without leave either of the King or Chancellor. Upon this the Biſhop preſently ſent Meſſengers to acquaint the King with what the Chancellor had done; but it ſeems they did not overtake him till he came to *Marſeilles*, and there being inform'd of the Injuries done to the Biſhop by the Chancellor, he ſent a Precept for the delivery and free poſſeſſion of the Earldom of *Northumberland*, and Mannor of *Sadbery*, according to the Charter he had lately made him.

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[4] *Id. ib.* The Biſhop of *Durham* returns into *England*, and ſhews the Chancellor that the King had made him his Juſtitiary from *Humber* to the Confines of *Scotland*.

He is forced to deliver up *Windſor* Caſtle, *&c.* to the chief Juſtitiary.

And give Pledges for his Fidelity to the K. and Kingdom.

Being ſet free, he goes to his Town of *Hovedene*, but is ill treated there by the Chancellor's Order.

He by Meſſengers informs the K. of it, and is by his Precept reſtor'd to his Poſſeſſions.

Richard of the *Deviſes* farther adds, That the Chancellor alſo ouſted the Biſhop of *Wincheſter* of the Cuſtody of that Caſtle, as alſo of the Sheriffdom of *Hampſhire*; whereupon the whole Kingdom being diſturbed at theſe violent proceedings, the Biſhop of *Wincheſter* went over to the King to make his complaint, and from him receiv'd Orders to the Chancellor to have Right done him, which were obey'd accordingly upon his Return: and though the Biſhop of *Durham* had the like for his Earldom, yet the Chancellor pretending he had receiv'd other Inſtructions, refus'd to obey them, which is particularly related by the ſame Author, *viz.* That the Chancellor meeting the Biſhop at *Lincoln*, the Biſhop ſhew'd him the King's Letters, and demanded Reſtitution of his Right; upon which the Chancellor deſir'd a week's time to give him a poſitive Anſwer, and appointed him to come to the Caſtle of *Tikehill* to receive it: when he came thither, and had left his Attendants without the Gates, the Chancellor ſhew'd him ſome Letters from the King of a later date, which contradicted the former; and farther told him, That *it was now his turn to ſpeak*; and, *that the King was alive, and well, and therefore the Biſhop ſhould not go out from thence, before he had given Pledges to deliver up to him all the King's Caſtles which he had then in his keeping*: So there being no contradicting or reſiſting ſo great a Power, the Biſhop was forc'd to give Pledges to ſurrender up thoſe Caſtles accordingly.

The Chancellor ouſted the Bp. of *Wincheſter* of that Caſtle, and the Sheriffdom of *Hampſhire*.

Who upon Complaint to the King, obtains Orders to have Right done him.

The Chancellor refuſes to obey the Orders in behalf of the Bp. of *Durham*.

And ſhews Letters from the K. of a later date to countermand the former.

Theſe Tranſactions (though happening ſome time after the King's departure) I have here put together, that I might not break the thread of the Narration concerning the King's paſſage through *France*.

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[5] R. H. p. 379 b. K *Richard* at *Chinon* makes ſeveral Biſhops, &c. his Admirals.

[5] From *Normandy* the King removed to *Chinon* in *Anjou*, and there made *Gerard* Archbiſhop of *Auxe*, *Bernard* Biſhop of *Bayeux*, *Robert de Sabloil*, *Richard de Camvil*, and *William de Forz*, Admirals, or Commanders of his whole Fleet, which then lay on the Coaſt of *France*, and conſiſted of a Hundred Sail of Ships, beſides Fourteen great Buſſes or Veſſels of Burthen; and theſe being to Sail round *Spain*, were to meet the King at *Marſeilles*.

[1.] *Id. ib.*

Maritime Laws made for preventing of Quarrels, and preſerving Peace and Amity in the Fleet.

[1.] Theſe Admirals, or Conſtables (as our Hiſtorian calls them) being thus appointed, the King by the Advice of his Noble and Diſcreet men made divers notable Maritime Laws or Orders to prevent all Quarrels and Miſchiefs, and preſerve Peace and Amity in the Navy, which were to this effect: *That if any one kill'd a Man in a Ship, he was to be bound to the Dead Man, and to be flung into the Sea. If any one was convicted by Lawful Witneſſes that he drew his Dagger or Knife to hurt another, or draw Blood, he was to looſe his Hand. If any one ſtruck another with his open Hand without effuſion of Blood, he was to be Duck'd thrice over Head and Ears in the Sea. If any one gave his Companion opprobrious Language, ſo often as he did it, he was to give him ſo many Ounces of Silver. If a Man Stole any thing, his Head was to be ſhaved, and boyling Pitch poured upon it, and Feathers ſtuck in it, that ſo he might be known, and the firſt Land the Ship touch'd at, he was to be thrown out of it.* This Edict is by way of Charter, but in another Edict or Writ he Commanded, *that all Perſons in his Fleet ſhould obey the Commands and Orders of the Officers he had appointed.* Theſe Laws are the more remarkable, as being the moſt antient I can find to have been made by any *Engliſh* King concerning Maritime Diſcipline.

[2.] *Id. ib.* King *Richard* receives the Scrip and Staff of Pilgrimage, and then marches forwards to *Lyons*, where they part companies.

[2.] From *Chinon* he went to *Tours*, and there received his Pilgrim's Staff from the hands of the Archbiſhop of that Place, (a Ceremony then thought neceſſary for ſo Holy an Undertaking) and from thence he paſſed on to *Vezely*, where he met the King of *France*; and after two days ſtay there, they both left that Place on the firſt of *July*, and ſo went forwards to *Lyons*, and paſſing the Bridg over the River *Rhoſne*, it brake ſo ſoon as ever both Kings were got over by reaſon of the great number of followers; ſo both Men and Horſes falling down into that rapid ſtream, ſeveral of them were drowned. The two Princes being much concern'd at this ſad Accident, to avoid ſuch diſorders as are often cauſed by vaſt multitudes marching together, they reſolved to part for the preſent; So the King of *France* travell'd by the way of *Genoa*, and the King of *England* by that of *Marſeilles*; to which Place *Baldwin* Archbiſhop of *Canterbury*, *Hubert* Biſhop of *Salisbury*, and *Ranulph de Glanville*, late Juſtitiary of *England*, attended the King; where preſently going on Shipboard, they had a proſperous Voyage to *Acon*: but not long before *John* Biſhop of *Norwich*, who had alſo undertaken this *Cruſado*, repenting of his Vow, went to the Pope, and being by him abſolved from it, had leave to return home; But as ſoon as the King had intelligence of it, he demanded a Thouſand Marks of him for his compoſition, to be freed from his promiſe of undertaking the *Cruſado*, according to the Power the Pope had given him, of receiving the compoſitions of thoſe who deſired to be diſpenſed from it.

Who attended him to *Marſeilles* to go for the *Holy Land*.

[3.] The

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[3.] The King being now at *Marſeilles*, ſtay'd there Eight days in expectation of his Fleet, which under the Command of his Admirals, *Richard de Camville* and *William de Forz* had been appointed to meet him there, but part of his Fleet having been driven into the River of *Lisbon*, and the reſt into other Parts of *Portugal* by a great Storm, they were there for ſome time detained by the Entreaties of King *Sancho*, who was then hardly beſet by *Boiac*, the *Miramolin* or *Saracen* Emperor of *Spain* and *Morocco*: wherefore the King ſent to the *Engliſh* Ships for their Aſſiſtance, which preſently lending him Five Hundred brave Men, they march'd up into the Country to relieve a Caſtle call'd St. *Herena*, which was at that time beſieg'd by the *Moors*; but ſo ſoon as the *Engliſh* came thither, they received News of the ſudden death of the *Mooriſh* Emperor, and of the Retreat of his Army: whereupon the Men return'd to their Ships, very well ſatisfied and rewarded for their Pains.

[3.] *Id. p.* 380 *a.* K. *Richard*'s Fleet ſeparated by a Storm, and where driven.

The K. of *Portugal* hardly beſet by *Boiac*.

Sends for the *Engliſh* Ships to aſſiſt him with Men.

Upon *Boiac*'s Death the *Moors* draw off, and the *Engliſh* return well rewarded.

[4.] In the mean while *Richard de Camville* the King's Admiral arrived at *Lisbon*, with Sixty Sail, and ſometime after *William de Forz* with Thirty more; which with thoſe that had come thither before, made up One Hundred and Six Sail of ſtout Veſſels, and having no more to do in *Portugal*, they preſently made the beſt of their way to *Marſeilles*; [5.] but finding King *Richard* gone from thence, (after ſome day's ſtay to Careen their Ships) they Sailed for *Meſſina*, whither they heard he had deſign'd.

[4.] *Id. ib.* The whole Fleet ſail to *Marſeilles*, but miſſing the K. go on for *Meſſina*.

[5.] *Id. p.* 383 *a.*

For the King having ſtay'd in expectation of his Fleet Eight days at *Marſeilles*, and not knowing what was become of it, began to be out of patience, and ſo hired Ten great *Buſſes*, and Twenty Galleys, and in them Shipped off as many of his Men as he could, and then ſetting Sail he ſoon arriv'd at *Naples*, where going on ſhore, and ſending his Ships to *Sicily*, he went by Land to *Salerno*, where he ſtayed for ſome time, till he heard of the arrival of his whole Fleet at *Meſſina*, [1.] (which came thither on the Fourteenth of *September*) Upon this News he went by Land to the Priory of *Labanarie*, ſeated on the fartheſt Point of *Italy*, where he paſſed over the Streight called *Faro de Meſſina*, and arrived at that City on the Twenty Second of the ſame Month, attended by a great many Ships and Gallies, that were ſent out to receive him; ſo he entred the Port with a Magnificent Naval Pomp. The King of *France* (who was arrived there ſome time before) and his Nobles with the Chief Men of the City ſtood on the ſhore expecting his Landing, and as ſoon as he arrived, he was congratulated by that King, with whom he had a private Conference, and who that very day went on board his Fleet in order to Sail for the *Holy-Land*; but the Wind being contrary, forced him to ſtay there for ſome days; during which time the Two Kings often viſited each other with all the outward Demonſtrations of Amity imaginable.

[1.] *Id. ib.* The K. at *Meſſina* meets his Fleet, as alſo the King of *France*.

[2.] Then King *Richard* ſent and demanded of *Tancred* King of *Sicily*, to return him his Siſter Queen *Joan*, Widow of the late King *William*, who was then kept like a Priſoner; whereupon *Tancred*, not daring to refuſe it, ſent her from *Palermo* to *Meſſina* by Sea, and King *Richard* went out in Perſon to meet her at her Landing.

[2.] *Id. ib. b.* K. *Richard* demands of the K. of *Sicily*, his Siſter *Joan*, Widow of the late K. *William*, who is ſent to him.

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[3] *Id. ib.* The Citizens of *Meſſina* Jealous of the K. and why.

[3.] Then the day following the King ſeized the Monaſtery of the *Griffons*, being a ſtrong place ſeated on a Rock in the midſt of the Streight between *Meſſina* and *Calabria*, and driving out the Monks put a Gariſon into it, and made it a Magazine for the Proviſions that he had brought in his Fleet: but when the Citizens ſaw this, and that he had alſo put his Siſter into the ſtrong Caſtle called *la Baniare* lying on the other ſide of the *Faro* or Streight of *Meſſina* with a ſufficient Guard, they grew very ſuſpicious of the King, leſt he ſhould alſo ſeize on the whole *Iſland*; and this diſcontent was much increaſed the next day, when there aroſe a great Quarrel between the King's Souldiers and the Townſmen, who were a mungrel Race between the *Lombards*, and *Saracens*, and are [4.] by *Geoffrey Winſaulf* called the *Griffons*; but this Quarrel (as this Author relates) began upon no greater provocation, than the taking of a Loaf by one of the King's Souldiers from a Market-woman, at a leſs Price than ſhe was willing to ſell it for; who thereupon crying out, and calling in the *Mob*, or vulgar Townſmen, to her Aſſiſtance, they not onely cruelly beat and almoſt killed this Souldier, but falling upon the Reſt of the King's men, began to treat them in the ſame manner: ſo that theſe being forced to defend themſelves, there began a moſt cruel Conflict between them, which came to that Heighth, that the Kings of *France* and *England* being then in a Treaty of Peace, the Latter was fain to break off, and draw out his Men, and preſently march to the Aſſiſtance of the Reſt; who being now joyn'd, fell upon the Townſmen, and not only repuls'd them, and routed thoſe that reſiſted them, (though underhand ſupported by the *French*;) but the King alſo enter'd and took the City, notwithſtanding all the oppoſition could be made againſt his Forces.

[4] *Id. R. R. Lib. 2. cap. 12.*

[5] *Id. cap. 15, 16.*

The K. takes *Meſſina*.

[4] *Id. ib.* Which had like to have occaſion'd a Breach between the Two Kings.

The Taking of this Place had like to have occaſion'd a Breach between the Two Kings; for *Philip* envying *Richard*'s ſucceſs when he ſaw the City was taken, would have had the *Engliſh* Banners pull'd down from the Walls, and his own ſet up in their ſteads, eſpecially in that part of the City which he had taken up for his own Quarters; [5.] but King *Richard* refuſing ſo to do, it produced very angry words between them: Yet at length, through the Mediation of the Great Men on both ſides, the Quarrel was for the preſent made up, and the King of *France* his Men were to have the Guard of ſome of the Towers, upon which his Enſigns were alſo ſet up, until ſuch time as the Reſolutions of King *Tancred* could be known.

[5] *G. V. It. R. R.* But it was made up by the Mediation of ſome Great Men.

[1] *P.* 384. *a.*

[1.] *Roger Hoveden* differs ſomewhat from *Geoffrey Vinſaulf*'s Account of this Tranſaction, and ſays, That to give the King of *France* ſome ſatisfaction, King *Richard* order'd his Enſigns to be taken down from the Walls, and then deliver'd the Cuſtody of the City to the *Knights-Hoſpitallers*, and *Templars*, until all things that he requir'd from the King of *Sicily* were perform'd: But indeed there was ſome Reaſon why the King of *France* ſhould be diſpleaſed that King *Richard* ſhould thus mount his Enſigns on the Walls, ſince the Former having a Part of the City aſſign'd to him and his Retinue for their Quarters, it ſeem'd too great an Aſſuming in the Latter to challenge the whole as his own ſingle Dominion.

The Cuſtody of the City deliver'd to the *Knights-Hoſpitallers* and *Templars*, till K. *Richard*'s demands were ſatisfied.

[2.] But

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[2] But this Difference being for the preſent made up, on the Eighth of *October* the Two Kings, in the preſence of their Earls and Barons, with their Clergy and People, again renew'd their former Oaths of Confederacy, that each of them as well in the Pilgrimage as in their Return from thence, ſhould Faithfully defend each other and their Armies; and then all the Earls and Barons ſwore likewiſe, that they would obſerve the ſame Conditions: Upon this the Kings, by the Conſent and Advice of the Commanders and Officers of both Armies, ordain'd certain Rules, or Laws, concerning what Share of their Goods, the Pilgrims who ſhould die in this Expedition might diſpoſe of, for they were to remit nothing home: So at laſt one half of all ſuch Goods were to be deliver'd into the hands of *Walter* Archbiſhop of *Roüen*, with the other Biſhops and Noblemen there named; for the Succor of the *Holy Land*.

[2] *Id. ib.*

The Two Ks renew their former Oaths of Confederacy.

[3.] After this, by the conſent of both thoſe Princes, Ambaſſadors were ſent to King *Tancred*, to demand ſatisfaction of him for the Injuries which had been done to their Subjects; and beſides, King *Richard* had further Demands to make on the behalf of his Siſter Queen *Joan*; for *Tancred*, Baſtard-Brother, and Succeſſor to the late King, then with-held her Dower, and detain'd from her the Perſonal Eſtate belonging to her.

[3] *Id. ib. G. V. It. R. R. L. 2. c 17, 18.*

Ambaſſadors ſent to K *Tancred* to demand Satisfaction for Injuries done.

At length, after divers Conferences about it, *Tancred* agreed to pay King *Richard* Twenty Thouſand Ounces of Gold in Lieu of his Siſter's Dower, and Twenty Thouſand more in conſideration of a Mariage to be contracted between *Arthur* Duke of *Bretaigne*, King *Richard*'s Nephew, and *Tancred*'s Daughter: Alſo upon ſealing the Charter of Peace between them, King *Tancred* paid him Twenty Thouſand Ounces of Gold more, to be free from all other Demands concerning the Plate, and other Rich Moveables belonging to the late King, as appears by King *Richard*'s Charter to *Tancred*, which is at large in [4.] *Roger Hoveden.*

What *Tancred* gave King *Richard* on Sealing the Charter of Peace.

Then the Earls, Barons and Biſhops of each King ſwore on the behalf of their reſpective Maſters, that they ſhould truly obſerve the Peace now made; and that whoſoever of them firſt broke it, the Great Men belonging to that Prince ſhould immediately deliver themſelves up Priſoners to the other, if they were ſo required.

[4.] *Ib.*

The Earls and Barons of each King take an Oath on the behalf of their reſpective Maſters.

[5.] And King *Richard* the better to aſſure *Tancred* of the Sincerity of his Intentions, as to whatever he had promiſed, then wrote Letters to the Pope, wherein he gave him a full Account of this Agreement, deſiring his Holineſs's Confirmation of the ſaid Contract of Mariage, and that he would be his Guarrantee for the performance of it; in which Letter he alſo declares his Nephew Duke *Arthur* his Heir, in caſe he himſelf ſhould dye without Iſſue; as may be ſeen in the Epiſtle it ſelf recited at large in the ſame Author.

[5.] *Id. p. 386. a.*

King *Richard* gives the Pope an Account of his Agreement with *Tancred*.

King *Richard* writes to the Pope to confirm the Contract of Mariage between his Nephew *Arthur*, and *Tancred*'s Daughter.

[1.] Our Author likewiſe tells us, that King *Richard* had before demanded of *Tancred* a Golden Table Twelve Foot long, with a great deal of Plate and other Rich Moveables, all which he claim'd to be due to him as Heir to his Father King *Henry*, to whom the late King *William* had bequeath'd them on his Death-bed; he alſo demanded on the behalf of his Siſter a Gold Chair with ſeveral Lands and Territories for her Jointure: but at laſt all theſe Rich moveables were releaſed upon payment of the Sixty Thouſand Ounces of Gold

[1.] *p. 383 b.*

King *Richard*'s Demands upon K. *Tancred*.

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Gold abovemention'd, which vaſt Sums he divided with the King of *France*, though it was more than he was obliged to do by his Contract with him.

[2.] *Id. ib. p.* 390. *b.* The Deaths of ſeveral Great Perſons in their Pilgrimage to the *Holy-Land*.

I can find nothing elſe worth noting to have happen'd this Year in Relation to our *Engliſh* Affairs; [2.] but the Deaths of divers Perſons of great Quality in their Pilgrimage to the *Holy-Land*; ſuch as were *Robert* Earl of *Leiceſter*, who died in *Romania* in his Journey thither; as likewiſe *Ranulph de Glanville* the late Juſtitiary, and *Baldwin* Archbiſhop of *Canterbury*, who both deceaſed near *Acon* during the Seige there; beſides a great many other Princes, Biſhops, and Noblemen of Foreign Countries, whoſe Names our Author hath left us, but which are needleſs to be recited here; who all died during the tedious Siege of that Place.

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[3.] King *Richard* continuing ſtill at *Meſſina*, there kept a Magnificent *Chriſtmaſs* in the wooden Fort or Caſtle called *Mate Griffon*, (*i.e.* a Match for the *Griffons*,) which he had lately built for his own Security; and thither he invited the King of *France* with all his Nobles to a very ſplendid Entertainment, where he gave the *French* King many Rich preſents; and our Author relates him to be ſo Liberal, that he gave away more in one month than his Predeceſſors had done in a whole Year. But to return to more ſerious matters.

[3] *G. V. b. R R. l.* 2. *c.* 24. He invites the K of *France* to a ſplendid Entertainment at *Meſſina*, and makes him mighty Rich Preſents.

[4.] Not long after this Feſtival, there was a ſolemn Enterview between the Kings of *England* and *Sicily* at the City of *Catanea*, where they took their leaves of each other with Extraordinary tokens of Honour and Reſpect; and from that time forward there was a firm Peace maintain'd between the King's Subjects and the Citizens of *Meſſina*, ſo long as he continued there. *Geoffrey Winſaulf* makes this Enterview to have been before *Chriſtmaſs*, though I rather chuſe to follow *R. Hoveden*, who places it ſometime after.

[4] *Id. cap.* 22. *R. H. p.* 391. *b.* The Kings of *England* and *Sicily* at an Enterview ſolemnly take leave of one another.

[5.] But I cannot here omit what the laſt Author alſo relates, concerning the Treachery of *Philip* King of *France*, which (if true) would derogate very much from the Honour of that Prince, to whom the *French* give the Sirname of *Auguſtus*; it was thus. *Tancred*, as he brought back King *Richard* on his way towards *Meſſina*, before they parted, ſhewed him a Letter, which he ſaid he had received from the King of *France* by the Duke of *Burgundy*; in which he declared, That the King of *England* was a Traytor, and would not keep the Peace he had made with him; and that if he would ſet upon him by Night, he would aſſiſt him with his Forces to deſtroy that Prince with all his Army; To whom King *Richard* reply'd, "That he "never had been nor would be a Traytor; and for the Agreement "he had made with him, he would obſerve it ſo long as he liv'd, "and that he could not eaſily believe the King of *France* would "ſend him ſuch a Letter. To whom *Tancred* anſwer'd, That if the Duke of *Burgundy* ſhould deny that he gave him thoſe Letters as from the King of *France*, he was ready to diſprove him by one of his own Dukes; whereupon *Richard*, at his Return to *Meſſina*, preſently appeared very ſtrange and reſerved towards the King of *France*, who enquiring into the Reaſon of it, the King ſent him word by the Earl of

[5] *Id. p.* 392 *a.* The ſuppoſed Treachery of *Philip* K. of *France*. Who, by a Letter ſent to the K. of *Sicily*, declared the K. of *England* a Traytor to him. And promiſed him his Aſſiſtance to deſtroy that Prince and his Army. The King of *England* aſſures him he would obſerve the Peace ſo long as he lived.

of *Flanders*, that he had receiv'd ſuch a Letter with the contents of it; and gave it to the Earl to peruſe, and then deſired him to ſhew it to King *Philip*, which he did: whereupon the King of *France* was ſtruck ſilent for a while; but at laſt recovering himſelf, ſaid, That this Letter was only a Trick of King *Richard*'s to get rid of his Siſter *Alice* (whom he had ſworn to marry) and then threatned, That if ever he left her and married another Woman, he would be his Enemy as long as he lived.

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And ſends the E. of *Flanders* to the King of *France* to acquaint him with the Contents of the Letter.

How he gets off it, and threatens K. *Richard*, if he marries not his Siſter *Alice*.

Yet upon the whole, this I think may be ſaid in behalf of both theſe Princes, that they ſeem to be perſons of too great Honour, the One to write ſuch a Letter, or the Other to forget it; and that the cunning *Sicilian* uſed this Stratagem to work them up to a hatred and diſtruſt of each other, that ſo they might not combine together to do him any prejudice. But be this as it will.

This was ſuppoſed but a Stratagem of the *Sicilian* Prince.

[1.] The King of *England* return'd in anſwer to King *Philip*'s Threats, That he could by no means make that Lady his Wife, becauſe his Father had already layn with, and begotten a Son of her, and offer'd to prove it by good Witneſſes: Whereupon, the matter of Fact appearing to the King of *France* to be ſo, there was, by the Advice of the Earl of *Flanders* and Others of his Great Men, a Compoſition made between them on theſe Terms, (*viz.*) the King of *France* was to acquit him of the Oath and Agreement he had made concerning his Siſter *Alice*; and on this conſideration King *Richard* was to pay him for Five years next enſuing the Sum of Twenty Thouſand Marks, whereof he then paid Two Thouſand in hand, and was beſides to deliver up *Giſors* and what elſe the King of *France* had given him on Account of that intended Mariage; and upon this he was at Liberty to marry whom he pleaſed: And the Agreement further was, That by his Charter the King of *France* granted that the Dutchy of *Bretaigne* ſhould for ever belong to the Dominion of the Duke of *Normandy*, and that the Duke of *Bretaigne* ſhould always be his * *Feudatary* for it, and ſhould perform all things to him as to his *Liege Lord*; but that the Duke of *Normandy* ſhould anſwer to the King of *France* for both Dukedoms.

[1.] *Id. ib.* K. *Richard* offers to prove that ſhe had had a Child by his Father, and therefore he could not make her his Wife.

The Two Ks. come to a Compoſition.

The Dutchy of *Bretaigne* to belong to the Dominion of the Duke of *Normandy*.

* *Homo ſuus.*

And the Duke of *Normandy* to anſwer to the K. of *France* for both Dukedoms.

And thus for the preſent they were outwardly made friends, and the Agreement was confirm'd by their mutual Oaths and Seals, with the Addition of many Witneſſes. But notwithſtanding all this, King *Tancred*'s late Information bred ſuch a Diſtruſt and Jealouſy between theſe Two Princes, that they were no more to be reconciled; the King of *France* ever after endeavouring to do King *Richard* all the miſchief he could, as will be further ſeen in the ſequel of this Hiſtory.

The Agreement confirm'd by their mutual Oaths and Seals, and many Witneſſes to them.

[2.] All things being thus agreed, in the Month of *February* following, King *Richard* ſent his Galleys from *Meſſina* to *Naples*, to fetch his Mother Queen *Eleanor* and the Lady *Berengera*, Daughter to *Sanctio* King of *Navarre*, whom he intended to marry: It ſeems they had come through *France* and *Italy* to *Naples* by Land, and had been in all Places received with great Honour by the Subjects of King *Tancred*.

[2.] *Id. ib. b.* King *Richard* ſends his Galleys from *Meſſina* to *Naples*, to fetch his Mother and the Lady *Berengera*.

But

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But before I conclude the Relation of what had happened at *Meſſina*, ſhall mention an Accident, which though of no very great moment in it ſelf, yet ſince it gives us ſome clearer knowledge of this King's Temper, methinks deſerves a little of our Obſervation.

[3.] *Id. p. 391. a.*

[3.] It happened that King *Richard* having ſpent the Holy-day (by us called *Candlemaſs-day*) very pleaſantly with ſome of King *Philip*'s Officers, they rode out towards Evening to divert themſelves without the Town, and in their way met a Peaſant driving an Aſs that was loaden with Canes, which they ſoon eaſed the Beaſt of, and began to throw them at each other in ſport, therein imitating the *Moors*, who mightily uſe this Recreation: but this Jeſting did not end till it came to Earneſt; for King *Richard* having choſen one *William de Barres*, a *French* Knight, of great Valour and Strength, for his Antagoniſt, he ſo roughly encounter'd the King, that he tore his Cloaths; which provok'd him to that degree, that preſently clapping Spurrs to his Horſe, he ran with ſuch Violence againſt him, as made him ſtagger in his Saddle; but he not falling, the King redoubled his Blow, the force of which made the Saddle of his own Horſe to turn round, inſomuch that he was immediately obliged to leap off, and mount a freſh one; but the obſtinate Reſiſtance of *De Barres* ſtill more and more inflam'd the King, who ſtrove all he could to make him quit his Stirrups, though he was not able to gain his Point, I mean, to diſmount his Antagoniſt, who ought to have had ſo much complaiſance for a King, as to ſuffer himſelf to be diſmounted by him: However he ſhew'd a particular Generoſity in this, that he would not permit the Earl of *Leiceſter* to meddle in the Fray, though he offer'd to come in to his Aſſiſtance. The King perceiving he was not able to get the better of him, was ſo enraged, that had he not had recourſe to ſome remains of Reaſon left in him, he would certainly in the Heat of his Tranſport have done him ſome miſchief: but to prevent that, he made uſe of his Royal Authority, and all on the ſudden ſaid, *Go, retire, and take care never to appear before me, for I will never pardon you, and you and I muſt be eternal Enemies for the future.* Whereupon *De Barres* beginning to recollect, that he with whom he had thus engaged, was not his Equal, but a King, yielded to his Command; and bowing, immediately retir'd to relate this Adventure to his Maſter King *Philip*; who being very much concern'd at it, went the next day to King *Richard* to deſire pardon for him, ſuppoſing that by that time the King's Paſſion might be abated; when, contrary to his Expectation, he would not, for all the Entreaties he could uſe, be reconciled to *De Barres*, or grant him his Pardon, unleſs he would come and caſt himſelf at his Feet, and confeſs his Fault; which the Knight being too ſtout to ſubmit to, the King of *France* was forced for a time to diſmiſs that gallant Man his Service, becauſe he would not diſpleaſe King *Richard*.

The brisk Encounter on Horſeback between King *Richard* and *Wm. de Barres* a *French* Kt.

The K. in a paſſion forbids *de Barres* ever to ſee him more.

The King of *France* comes and begs pardon for the Raſhneſs of his Knt. but could not obtain it.

K. *Philip* forced for a time to diſmiſs him his Service.

This Story lets us ſee, that as the King had the Courage, ſo he had likewiſe ſomewhat in him of the fierceneſs of that Beaſt, from whence he afterwards obtain'd the Sirname of *Cœur de Lyon*.

But

But it is now Time to look back to *England*, and see what hath been transacted there during the King's Absence; where it seems [4.] had happen'd a great Dissention between the Bishop of *Ely*, Chief Justitiary and Chancellor, and Earl *John* the King's Brother, and the other Great Men of the Kingdom, which grew to such an Heighth, that they all wrote to the King concerning the sad State of the Realm, and the Grievances the People sustain'd by the Chancellor's Arbitrary Government; who despising all those whom the King had left to be his Copartners, would allow no Man, no, not so much as the King's Brother, to be his Equal; but oppressed the People of *England* with cruel Exactions, and took both from the Clergy and Laiety their Churches, Lands, and Possessions as he pleased, challenging to himself all Rights and Prerogatives appertaining to the King.

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[4] *Id. ib.* 387. *b. W. N.*

Great Dissention during the King's absence from *England* between his Chief Justitiary and Earl *John*, &c.

The Bp. of *Ely* rules by an arbitrary Power, not suffering so much as Earl *John* to be his Equal.

And whenever this Bishop travelled, it was with such Pomp of Attendants, and such a Superfluity of Horses, Dogs, and Hawks, that if in his Progress he happen'd to stay longer than one Night at any Bishop's See, Abbey, or other Religious House, they were not able to recover themselves again in Three Years. Such was the State of Affairs in this Kingdom soon after the King's departure the last Year, and they still grew worse and worse, till he now receiv'd Letters [5.] out of *England*, which gave him a large and full Account of the lamentable State of his Kingdom, and the great Grievances the People sustain'd by the Chancellor's evil Government; who upon the receipt of these Letters presently sent from *Messina*, *Walter* Archbishop of *Roüen*, and *William* the Mareschal, Earl of *Striguil*, Commanding his Chancellor, That all things relating to the Kingdom should be transacted by the Advice and Assistance of the Archbishop of *Roüen*, and the joynt Advice and Direction of *William* the Mareschal, *Geoffrey Fitz-Peter*, *Hugh Bardolph* and *William Briwere*.

The extravagant Pomp of his travelling.

[5.] *Id. p.* 391. *b.*

King *Richard* sends *Walter* A Bp. of *Roüen*, and *Wm.* Earl of *Striguil* with Letters to the Chancellor, that they and others should be joyn'd in the Administration of the Government.

You may find in * *Rad. de Diceto*, that the King's Order was much more expres; for therein he ordained, that if his Chancellor did not faithfully manage the Affairs of the Kingdom according to the Advice of the Parties above-mention'd, they might then act without him, and dispose of all things relating to publick Affairs, as also to his Castles and Escheats, and that without any delay; and that thereupon *Walter* Archbishop of *Roüen* returning into *England* about the end of *April*, brought along with him the King's Letters directed to *William* Bishop of *Ely* his Chancellor, and *Geoffrey Fitz-Peter* and the other Noblemen above-mention'd; wherein he orders them to act nothing without the Advice of *Walter* Archbishop of *Roüen*, whom he had sent over to them for the better defence of the Kingdom: Therefore what was done afterwards by Earl *John* and the said Archbishop in rising against, and deposing the Chancellor from his Office, as you will find anon, was not done (as * Dr. *Brady* would have it) *by the fury of a Traiterous Faction*, but by the King's own Authority, and in persuance of his Commission against a Man, who (as *R. Hoveden* tells us) kept the whole Kingdom in such Awe, that when the Archbishop and Earl arrived here, they durst not deliver him the King's Letters, for he despised his Mandates, and would admit of no Equal in the Government of the Kingdom.

* *Col.* 659.

* *Comp. Hist.* 434.

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But it is time to look back to the Affairs in *Sicily*, where (as the [1.] *French* Hiſtorians relate) the Spring being now come, King *Philip* was eager to ſet Sail for the *Holy-Land*, and earneſtly preſs'd King *Richard* to accompany him, who ſtill put it off as long as he could; and the reaſon they aſſign for his ſo doing, is, that he ſtay'd behind to aſſiſt *Tancred* againſt the Emperor *Henry* his Competitor: But this is not at all likely, ſince I cannot find the Emperor had at that time begun any War with *Tancred:* but the Truth is, the King had hitherto ſtay'd in expectation of his Spouſe, who was but juſt then arrived; He was alſo forced to new rig and careen all his Fleet, which was very much worm-eaten in thoſe Seas; beſides, he had built many new ones for his intended Voyage, and thoſe were not yet ready. But to proceed in our Hiſtory.

[1.] *Belforeſt, p.* 563. *a.* K. *Philip* earneſtly preſſes the K. of *England* to go along with him to the *Holy-Land*, but he puts it off, and for what Reaſons.

[2.] *It. R. R. lb. c.* 26. The Queen-Mother, and Lady *Berengera*, arrive at *Meſſina*.

[2.] The King having (as you have heard ſome time before) ſent his Galleys to fetch his Mother and his Spouſe *Berengera* from *Naples*, they both ſafely arrived at *Meſſina* on *Saturday* after *Lady-day*, and were received by King *Richard* with great Joy and Complaiſance; for that young Princeſs being very Beautiful, and of an excellent Diſpoſition, he had been in Love with her before he was King.

[3] *R. H.* 392 *a.* The King of *France* with his Army arrives at *Acon*.

[3.] Immediately after their Arrival, the King of *France* departed from *Meſſina*, being attended by King *Richard* to the Sea-ſide, where he embarked with all his Army, and in Two and Twenty days got as far as *Acon*, a City in *Paleſtine*, antiently call'd *Ptolemais*, from *Ptolomy* King of *Egypt*, its Founder.

[4] *Id. ib.* King *Richard* ſends to the Pope to confirm and conſecrate his Brother *Geoffrey* A. Bp. of *York*.

[4.] Within Four days after King *Philip*'s departure, Queen *Eleanor* alſo took her Leave of the King her Son, in order to go for *England*, by the way of *Rome*; and by her the King ſent to the Pope, humbly requeſting of him, that he would confirm the Election of his Brother *Geoffrey*, and conſecrate him Archbiſhop of *York*, or permit it to be done by ſome other perſon; the reaſon of which, I ſuppoſe, was, becauſe he would thereby avoid the old Controverſy that was again revived by the Archbiſhop of *Canterbury*'s late Appeal concerning the new Archbiſhop's making profeſſion of Obedience to him.

[5.] *Id. ib. b.*

[5.] After the Departure of Queen *Eleanor*, the Lady *Berengera* remain'd in the Company of Queen *Joan*, Dowager of *Sicily*; but the Princeſs was not married to King *Richard* till his Arrival in the Iſle of *Cyprus*, in the Month of *April*, as you will find anon. But to proceed to other Affairs.

[1.] *Id.* 392. *b.* Pope *Clement* the *Third* dies, and *Jacinctus* ſucceeds him by the Name of *Caleſtine* III.

Whilſt the King continued at *Meſſina*, [1.] Pope *Clement* the *Third* deceaſed, to whom ſucceeded *Jacinctus*, Deacon Cardinal of St. *Mary* in *Coſmedim*, and in *May* following he was conſecrated Pope by the name of *Caleſtine* the *Third*; the day after whoſe Conſecration, the Emperor *Henry* the *Sixth*, with *Conſtantine* his Empreſs, arrived at *Rome*, to be there Crowned by the new Pope, which Ceremony he perform'd in Perſon; and the Manner of it being extraordinary, I ſhall here give it you from our Author *R. Hoveden*.

He Crowns the Emperor *Henry* and *Conſtantine* his Wife in perſon.

The Manner of their Coronation.

The Pope being ſeated on high in his Pontifical Throne, the Emperor and the Empreſs kneeled down before him, and he holding the Imperial Crown between his Feet, therewith firſt put it upon the Emperor's Head, and afterwards upon that of the Empreſs: To which

which our Author further adds, That ſo ſoon as the Pope had thus Crown'd the Emperor with his Feet, he with one of them ſtruck off the Crown to the ground, to denote, that as he had beſtow'd the Imperial Crown upon him, ſo he had power alſo of Depoſing him if he thought good. By this we ſee to what a Heighth the Pope's Power was then grown? And though his Predeceſſors not many years before could never be ordain'd till the Emperor had confirm'd the Election, yet he then claim'd to make and depoſe Emperors at his pleaſure. But to return to our Hiſtory.

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The Pope Crowns the Emperor with his Feet, and afterwards kicks it off his Head to the ground.

I can find nothing elſe remarkable to be perform'd by King *Richard* during his Stay at *Meſſina*, [2.] but that famous Law he had made there concerning Shipwrecks; which was to this effect:

[2.] *Id. p.* 386. *b.*

That for the Good of his own and his Parent's Souls, every perſon that ſuffer'd Shipwreck, and got ſafe on ſhore, ſhould enjoy all his Goods; but if he died on Shipboard, his Children, or other neareſt Relations, were to have the Goods, according as they could make out their being next of Kin; but if they had no Heirs, nor Near Relations, then the King was to have their Goods. This Conceſſion of Wrecks the King made by way of Charter, dated in *October*, in the Second Year of his Reign, in the preſence of *Walter* Archbiſhop of *Roüen*, and divers other Biſhops; which ſhews, That the Law concerning Shipwrecks was very ſevere, if not cruel, before this King's Conceſſion of them to the Sufferers, or their Relations.

K. *Richard's* Law that he made at *Meſſina* concerning Shipwrecks.

[3.] Alſo this Year, (but whither it were done at *Meſſina* or not, our Author does not mention) the King conferr'd upon his Nephew *Otto* Duke of *Saxony*, Son to his Siſter *Mathilda*, the Earldom of *York*: But though many Tenants had acknowledged him, and done their Homages and Fealties to him, yet ſeveral refuſed it, ſaying, They could not depart from their Fealty to the King, till they had his conſent by word of mouth: wherefore the King gave the ſaid Duke the Earldom of *Poictou* in Exchange; but that he ever enjoy'd it, I can no where find.

[3.] *Id. p.* 390 *a.*

The K. conferrs on his Nephew *Otto* the Earldom of *York*.

Several refuſe to pay Homage and Fealty to him for it.

Whereupon the K. gave him the Earldom of *Poictou* in Exchange.

[4.] King *Richard* had been now Six Months at *Meſſina*, and having made all things ready for his departure, at laſt, about the end of *April*, he Embark'd, and ſet Sail with his whole Fleet, (conſiſting of One Hundred and Fifty great Ships, and Fifty Three Galleys well arm'd.) On *Saturday* following there happened a great Storm from the *South*, which ſeparated the Fleet, and the King with part of it was driven into the Iſle of *Crete*; from thence he ſailed to *Rhodes*, and ſtayed there Ten days to refreſh himſelf, (being very much diſcompoſed) and alſo to wait for thoſe other Ships and Galleys he had left behind him, and which he expected would follow him thither: But the great Buſs, which had in her the Queen of *Sicily*, the Lady *Berengera*, and many of the King's Servants, with Two other Buſſes, were driven upon the Iſle of *Cyprus*. After the Storm was over, the King ſent out ſome Galleys to ſeek for the Royal Buſs, and at laſt found it without the Port of *Limezun* in *Cyprus*; but the other Two periſh'd at the Entrance into the Port, and with them many Knights and Servants of the King. Upon this *Iſaac* (or, as others call him, *Curſac*) then King of *Cyprus*, who alſo ſtiled himſelf Emperor of *Greece*, ſeiz'd on all the Goods of the Shipwreck'd Veſſels, and thoſe perſons that eſcap'd he rifled and impriſon'd, and would not per-

[4.] *R. H. p.* 393. *a.*

King *Richard* Embarks from *Meſſina*.

His Fleet ſeparated by a great Storm; ſome part of it with himſelf driven into the Iſle of *Crete*.

The great Buſs with the Royal Princeſſes driven on the Iſle of *Cyprus*.

The King of *Cyprus* his Inhumanity to the Ladies, and the other Shipwreck'd perſons.

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mit the Great Buſs wherein the Princeſſes were to enter into his Harbour.

[5.] *Id. ib.* The K. of *England* hearing where the Buſs & other Ships were gone; went after them with his Fleet, & found them expoſed to the Wind and Sea.

[5.] King *Richard* receiving Intelligence whither the Buſs and the Other Ships were gone, made what haſt he could after them; and coming to their Aſſiſtance with all the reſt of his Fleet, found the Buſs (as I ſaid before) without the Port, expoſed to the Wind and Seas; for the Queen and Princeſs, and thoſe that attended on them, dur'ſt not go on Shore, becauſe of the Emperor's perfidiouſneſs, and the vile Treatment the Iſlanders had ſhewn to thoſe that had been Shipwreck'd: Whereupon the King ſent to the Emperor, and preſſed him with much Earneſtneſs, (and that more than once,) to releaſe the Priſoners, and reſtore them their Goods; but he ſtill return'd haughty Anſwers, and would not comply with ſo juſt and reaſonable a Requeſt.

He ſends to the Emperor to releaſe his Priſoners, but he will not.

[1.] *Id. ib. Ex R. H.* 2 *c.* 32.

[1.] The King being provok'd with theſe Barbarities, preſently call'd for his Arms, and leaping into a Boat, Commanded his Soulders to follow his Example; and meeting in the Port with Five *Cyprian* Galleys, beſides many ſmall Boats, He either took or put them all to Flight, and was himſelf the firſt that leaped on Shore, notwithſtanding all the Reſiſtance the Emperor and his Forces (who were drawn up there) could poſſibly make; He then and part of his Army being Landed, ſoon utterly routed the Enemy, and took the City of *Limezun*, or *Limiſſo*, which was antiently call'd *Amathus*, and put the Emperor and his Army to Flight, having been vanquiſh'd in another Battle, as alſo in a Skirmiſh the Day following, in which King *Richard* routed a great part of the *Cyprian* Army with no more than Fifty Horſe, the Emperor himſelf ſhamefully running away to a Caſtle call'd *Nicoſſia*.

King *Richard* takes *Limezun* by Aſſault, and puts the Emperor and his Army to flight.

[2] *R. H.* 393. *b.* King *Richard* enters the City in Triumph.

[2.] Upon which King *Richard* made a Triumphant Entry into the City of *Limezun*, and about Three days after, *Guy*, King of *Jeruſalem*, arrived there from the *Holy Land* to implore the King's Aſſiſtance for the Recovery of his loſt Kingdom, being attended by *Geoffrey* his Brother, *Raymond* Prince of *Antioch*, and *Boamond* Earl of *Tripoly*, his Son, with divers other Noblemen, who all did Homage to the King, and ſwore Fealty to him againſt all Men.

[3.] *Id. ib.*

The *Greek* Emperor deſires Peace of K. *Richard* by his Ambaſſadors, and upon what terms.

[3.] The ſame Day the *Greek* Emperor ſeeing himſelf without any hopes of Aſſiſtance, ſent Ambaſſadors to the King, deſiring Peace, upon theſe Conditions:

Firſt he proffer'd the King Twenty Thouſand Marks of Gold in compenſation of the Damages that he had ſuſtain'd, with all the Priſoners that had been taken, as alſo their Goods, and that he would accompany the King in Perſon in this Expedition to the *Holy Land* with Five Hundred Horſe, and as many Foot, all well Armed; and that for the performance of theſe Articles, he would deliver his only Daughter as a Pledge of his Fidelity, together with ſeveral ſtrong Caſtles, into the King's hands, and would ſwear Fealty to him, and ever after hold his Empire of him.

He waits upon him in Perſon, and ſwears Fealty to him.

Theſe Conditions, which were very honourable for the King, being by him accepted, the Emperor thereupon waited on him in Perſon, and there before the King of *Jeruſalem*, the Prince of *Antioch*, and the reſt of the Great Noblemen, he ſwore Fealty to the King; as alſo, that he would not leave him till he had perform'd whatever had been thus ſolemnly

ſolemnly agreed on between them: Upon which the King was ſo well ſatisfied, that he reſtored to the Emperor all his Rich Tents and Plate which had been taken from him in the laſt Battle, and alſo aſſign'd him a Guard for his Perſon; but it ſeems the very ſame day, He repenting of this Agreement, fled away privately, whilſt his Guards (during the Heat of the Day) were gone to ſleep; and then he ſent the King word, that he would not make Peace with him upon any Terms. The King was not much concern'd at this piece of Treachery, but, like a Wiſe General, He preſently gave part of his Army to King *Guy*, and to the Prince of *Antioch*, with ſome others, ordering them to perſue the Emperand take him if they could; he likewiſe divided his Galleys into Two Squadrons, and delivered one half of them to *Robert de Torneham*, commanding him to take all the Ships and Galleys he could meet with, whilſt the King himſelf ſail'd round the other ſide of the Iſland to do the like: But the Governors of the Cities and Caſtles on the Sea-Coaſts preſently ſurrender'd them up either to the King or *Robert de Torneham* upon their approach; and the Emperor's Subjects flocked in to the King, and ſubmitted themſelves to him, though he himſelf fled away to the City of *Famagoſta*, where we ſhall leave him for ſome time.

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But the ſame day he flies privately away, and ſends the K. word he would not ſtand to the Peace.

The K. perſues him with part of his Army.

But he gets to *Famagoſta*.

[4.] In the mean while King *Richard* repos'd himſelf ſome days at *Limezun*, and that he might at laſt enjoy the Fruits of his Labours, was there married to the Lady *Berengera* on the Twelfth of *May*, by *Nicholas* his Chaplain, with as much Solemnity, as the Shortneſs of the time would permit, all the Biſhops and Great Men who attended him, being preſent at the Nuptials. Then, on the ſame day, he made his Bride to be Solemnly Crowned Queen of *England*, by *John* Biſhop of *Eureux* and ſome other Biſhops, who aſſiſted at the performance of that Ceremony.

[4.] *Id. ib.*

King *Richard* is married to the Lady *Berengera*.

But I muſt here take notice, that I find ſome ſmall difference between *Roger Hoveden* and [5.] *Geoffrey Vinſaulf*, concerning the Manner of the late Enterview between the King and the *Greek* Emperor; the Former making him to have come to the King, whilſt the Latter ſays, That they met in a great Plain near the City of *Limezun*, lying between the High-way leading to it and the Sea-ſide, which ſeems the more probable of the two; and he alſo gives us a pompous Deſcription of the Magnificence of the King's Habit, and how bravely he was mounted on a *Spaniſh Ginnet*, with other particulars of this meeting, too long to be here inſerted. I ſhall only obſerve, that the Author laſt mention'd, gives us an Account why the Emperor broke his Word with the King, which was by reaſon of the Villany of a certain Common Souldier, who ſtealing by Night from the King's Quarters to the Emperor's Camp, in hopes of a Reward, made him believe how King *Richard* intended that Night to ſet upon him by Surprize, and take him Priſoner; the Emperor too eaſily giving credit to him, in a great Fright ſtole away privately, leaving all his Tents and Baggage behind him, and fled to the City of *Famagoſta*, as has been already related.

[5.] *L.* 2. *c.* 36. Some different Relations about the K's Enterview with the *Greek* Emperor.

The Emperor upon a falſe ſuggeſtion of a Souldier, flies to *Famagoſta*, and leaves his Tents and Baggage behind him.

But to give you the reſt of this Tranſaction all together; upon news hereof, King *Richard* after his Mariage followed him thither by Sea, having in the mean time committed the Conduct of his Army to *Guy* King of *Jeruſalem*, who was to march with it to *Famagoſta*; the King

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King being arrived there, found the City deſerted by the Emperor, and his Souldiers; who, to avoid the Siege, had fled into certain mountainous and woody Places for their greater ſecurity. King *Richard* being come before that City with his *Galleys*, ſtaid there Three days, and from thence march'd to take *Nicotia*, but in his way thither, he was ſet upon by about Seven Hundred *Greeks*, that lay in Ambuſh to intercept him, and were commanded by their Emperor in perſon; but He finding he could not break the King's Ranks himſelf, ſhot certain poiſoned Arrows at him, which put King *Richard* into ſuch a paſſion, that he ſpurred his Horſe with a full Career and Reſolution to run the Emperor through with his Lance; [1.] but he perceiving the Danger, preſently fled himſelf away upon a ſwift Courſer to a Caſtle call'd *Candayra*; his Forces being routed, and many of his Men taken Priſoners, the King came to *Nicotia*, which voluntarily ſurrender'd it ſelf, and here he ſtaid ſome time for the Recovery of his Health, which was much impair'd by his late fatigues.

K *Richard* following him, he retires to the Mountains with his Souldiers for their greater Security.

The K. going to take *Nicotia*, is aſſaulted in the way by the *Greek* Emperor.

[1] *Id. ib.* C 39

But the King puts him to flight, and takes many of his Souldiers Priſoners.

Nicotia ſurrenders to him.

[2.] But while He lay thus indiſpoſed, the King of *Jeruſalem* having divided King *Richard*'s Army into Three parts, march'd to beſiege Three ſtrong Caſtles of the Emperor's, Two of which were preſently taken; and the Third (call'd *Cherimes*) being ſtronger than the other two, was inveſted both by Sea and Land; but at laſt the Beſieged, finding no hopes of relief, ſurrender'd it together with the Emperor's only Daughter, and a great deal of Treaſure; the news of which made him almoſt deſperate. Upon this King *Guy* return'd with the Army to *Nicotia*, from whence *Richard*, ſo ſoon as he was recovered, went and beſieged, and took another ſtrong Caſtle called *Bufferentum*, which was till then thought impregnable.

[2] *Id. ib.* Several of the Emperor's Caſtles taken by K. *Richard*'s Army.

Cherimes ſurrendred, and the Emperor's only Daughter.

[3.] When the Emperor ſaw his Daughter and all his ſtrong places thus ſuddenly taken, and that no hopes were left in Reſiſtance, He, (as proud and inſolent Men, when Conquer'd, being always moſt mean and abject) now reſolved ſpeedily to ſubmit himſelf to King *Richard*'s mercy; and having ſent ſome Meſſengers before to mollify his Anger, he himſelf, from his Caſtle of *Candayra*, came in a mournful Habit, and caſt himſelf down at the King's Feet; who being moved with a tender Compaſſion, preſently raiſed him up, and ſet him by his ſide; and then ordering his Daughter to be brought forth, the Emperor moſt tenderly embraced and kiſs'd her.

[3] *Id. ib. c.* 40. The Emperor being diſcouraged by theſe Loſſes, ſubmits to the King's Mercy.

Who receives him kindly, and orders his Daughter to be brought to him.

Thus King *Richard* took the whole Iſland of *Cyprus*, together with the King, or Emperor, and a vaſt Treaſure in Jewels, ready-mony, plate, and other precious moveables; which being ſo happily diſpatched, He returned to the City of *Limezun*, where he had left his Queen, and all his Carriage.

The K having taken all *Cyprus*, with a vaſt Treaſure, returns to *Limezun*.

[4.] But his affairs now requiring his ſpeedy departure, (the King of *France* having ſent Meſſengers to haſten him to the Siege of *Acon*) he then delivered up the Emperour *Iſaac*, bound in Silver Fetters to the cuſtody of King *Guy*, who ſent him Priſoner to *Tripoly* in *Syria*; for the King having promiſed him upon his ſurrendring himſelf (and at his earneſt deſire) that he ſhould not be put in Irons, the fooliſh Prince had (it ſeems) forgot, that Chains might be made of any other mettle: but for the Princeſs his Daughter, ſhe was committed to the care of Queen *Berengera*.

[4] *Id. ib.* Before his Departure, he ſends the Emperor to *Tripoly*, bound in Silver Fetters.

And commits his Daughter to the Care of Q. *Berengera*.

Then

Then the King put the Government of the *Iſland* of *Cyprus* into the hands of *Richard de Camville* and *Robert he Torneham*, who ſtaying behind, receiv'd one half of the Goods and Riches of all the Inhabitants of the Iſland, on Condition that they ſhould have thoſe Laws and Privileges confirm'd to them which they had enjoyed in the time of *Emanuel*, late Emperor of *Conſtantinople*. *Anno Dom.* MCXCI.

But before I come to King *Richard*'s arrival at *Acon*, it may not be improper for the Inſtruction, as well as Diverſion of the Reader, to give ſome Account both of the Beginning and Progreſs of thoſe former Expeditions to the *Holy Land* (commonly ſtiled *Cruſadoes*) till we bring them to this preſent time, in which this Prince made ſo great a Figure; which in ſhort is thus. A ſhort Account of the Beginning & Progreſs of the Former Expeditions to the *Holy-Land*.

The ſuperſtitious zeal of this, as well, as of the former Century, being kindled by the Pope, and certain Bigotted Monks, had ſo poſſeſſed all Ranks of Men, both Princes and Subjects, that they believed theſe Warlike Pilgrimages to be the moſt Holy and Meritorious Actions that *Chriſtians* could poſſibly undertake, ſince they thereby propoſed to reſcue *Jeruſalem*, and the Sepulchre of Chriſt, out of the hands of Infidels. The ſuperſtitious Zeal of this and the former Century for *Cruſadoes*.

And they received the name of *Cruſadoes* from the Figure of the Croſs, which all thoſe that had vow'd this Pilgrimage, wore upon their upper Garments: theſe conſecrated Armies were liſted at divers times, under ſeveral *Chriſtian* Princes, according as their preſent Zeal excited them; yet the Pope was commonly eſteem'd their Head, and his Legates often preſided in their Camps, and without their Approbation they ſeldom engaged in any Enterpriſe. From whence the Name *Cruſado* came.

I ſhall therefore a little to refreſh the Reader's memory put him in mind, [5.] that the firſt of theſe *Cruſadoes* (for I do not make any Account of the unfortunate Expedition under *Peter* the *Hermit*) was undertaken *A. D.* 1096, when all *Palæſtine* was conquer'd from the *Saracens*, and *Jeruſalem* made the Capital City of that Kingdom, under *Godfrey* of *Boloigne*. The firſt *Cruſado* was undertaken *A. D.* 1096. [5.] *Vid. Hiſt. Will. Tyr. l.* 1, 2.

The Second Expedition of any note was undertaken by *Lewis* the Seventh, King of *France*; to expiate the terrible Slaughter that had been committed by his Orders at the Siege of *Vitry*, who was alſo aſſiſted by *Conrade*, Emperor of *Germany*: But of whom I ſhall ſay no more, than that through the Treachery of the *Greek* Emperor *Emanuel*, his whole Army periſh'd by the way, without ever reaching the *Holy Land*. The 2d *Cruſado*. *A. D.* 1146. *Id. l.* 16.

But as for the Occaſion of this Expedition, we muſt look ſomewhat Higher; [1.] for after *Godfrey* of *Boloigne* had been ſucceeded by his Brother *Baldwin*, and He by his Coſin of the ſame Name, all Three valiant and pious Princes, who kept by their Wiſdom what they had at firſt acquired by their Valour; their Succeſſors not inheriting their vertues, though they did their Crowns, loſt that Kingdom which had been gain'd with the Expence of ſo much Blood and Treaſure; ſince by quarrelling among themſelves, they more eagerly ſought each other's ruine, than how either to defend themſelves, or Conquer their Enemies. The Occaſion of this Expedition. [1.] *Id. l.* 9, 10, 11, 12.

[2.] For *Fulk*, Earl of *Anjou*, who had, in Right of his Wife *Meliſende*, ſucceeded to the Kingdom of *Jeruſalem*, deceaſing after Eleven Year's Reign, ſhe took upon her the Government with the Guardian- [2.] *Id. l.* 14. *A. D.* 1131.

ſhip

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ſhip of his Two Children, [3.] *Baldwin* the eldeſt being then but Thirteen years old, in whoſe Minority happen'd thoſe Quarrels, Diſorders and Confuſions, which gave the *Saracens* a ſafe and eaſy Entrance into *Palæſtine*: For *Sanguin*, *Sultan* of *Babylon*, had ſome time before ſeized the Principality of *Edeſſa*, one of the Provinces of the Kingdom of *Jeruſalem*, and now vigorouſly attaqued the reſt.

[3] *Id. l.* 16 *A. D.* 1142. The Inteſtine Quarrels in *Baldwin's* Minority gave the *Saracens* an Eaſy entrance into *Palæſtine*. *A. D.* 1146.

Upon this news, King *Lewis* renew'd his Vow for the *Cruſade*, being highly incouraged to it by the Pope himſelf, excited by St. *Bernard*, who preach'd up, and propheſied (though falſly) all good ſucceſs to this Expedition. [4.] In ſhort, King *Lewis* getting with great difficulty and dangers as far as *Antioch*, he was there joyfully received by *Raymond*, Prince of that Territory, and Uncle to Queen *Eleanor*, who accompanied the King her Husband in this Expedition.

[4] *Id. ib.* K. *Lewis* getting as far as *Antioch*, is joyfully receiv'd by P. *Raymond*.

But *Raymond* hoping to make his beſt advantage of the King's Forces, would fain have perſwaded him to have uſed them againſt the *Saracens* in thoſe parts, which the King refuſed, becauſe he reſolved to perſue his deſign for the *Holy Land*: This ſo far incenſed *Raymond*, that of a Friend he became an Enemy, and did the King under hand all the miſchief he could by alienating the Affections of the Queen his Neice from her Husband, who had, or elſe pretended to have, very good cauſe to be jealous of her. This ill treatment ſo much diſobliged the King, that ſending the Queen away before, he himſelf ſtole away by night (his Forces following after) for the *Holy Land*; where when he arrived, he endeavoured to carry on the War againſt the *Infidels*, but with very ill ſucceſs; for either by the Diviſions or Falſeneſs of the *Chriſtians* of thoſe parts, the King's Forces ſucceeded in nothing they undertook; ſo that at laſt being quite tired out and diſcouraged, he with *Eleanor* his Queen return'd into *Europe* the Year following; *Conrade* the Emperor being return'd home the Year before with very ill ſucceſs likewiſe.

Who would fain have had him uſe his Forces againſt the *Saracens* in thoſe parts, but the K refuſing it he became his Enemy.

The K. ſteals away by night for the *Holy-Land*, his Forces following after.

But having no good ſucceſs there, he and his Queen return into *Europe*. *A. D* 1148.

[5.] *Id. ib.*

[5.] After their Departure, the Affairs in thoſe parts growing ſtill worſe and worſe, I ſhall relate them as briefly as I can.

[1] *Id. l.* 17. *A D* 1162 On *Balwin* III. Death, *Amaury* his Brother ſucceeds to the Crown,

[1.] King *Baldwin* the *Third*, a Prince of noble Qualities, dying in the Flower of his age, being (as it was ſuppoſed) poiſoned by his Phyſitian, his Brother *Amaury* (a Prince likewiſe of great Courage) ſucceeded him, and reigned but Eleven Years, and then dying, left only one Son, called *Baldwin* the *Leper*; * who being weak both in Body and Mind, died at Twenty Five, and left his Siſter's Son of his own Name his Succeſſor, then but Eight years old. This Child was put under the Guardianſhip of his Mother *Sibylla*, and *Boamund* Earl of *Tripoly*, by whom he was ſoon after poiſon'd, or rather by the procurement of his own Mother, who (as ſome Writers relate) ſacrificed her own Son to the curſed Ambition of reigning her ſelf; [2.] and then She with her Husband *Guy* of *Luſignan* took upon them the Title of King and Queen of *Jeruſalem*: So that after this young King's Deceaſe, there happen'd a great Diviſion among the Princes and Noblemen of that Country, ſome taking part with the new Queen, and her Husband, and others with the Earl of *Tripoly*; who, not long after, out of a prepoſterous hopes of the Crown of *Jeruſalem*, joined with *Saladin*, and helped him to take *Acon*, and farther permitted him to have a free paſſage through *Galilee*, which that Earl then poſſeſs'd in Right of his Lady, who was Daughter to the late Prince of

Who reigns 11 years, and dies.

Baldwin the *Leper*, his only Son ſucceeds him.

* *A.D.* 1173.

[2] *Jacob de Vitriaco, Hiſt. Hyeroſol.*

The Earl of *Tripoly* helps *Saladin* to take *Acon*.

of that Province: Yet for all this, I find [3.] that Earl *Raymond* within a little while left *Saladin*, and made his Peace with King *Guy*; and though he was never afterwards much truſted by him, yet it is certain that he had the Command of part of the *Chriſtian* Army at the Battle of *Tiberias* (of which more by and by;) but becauſe he eſcap'd from thence ſafe, when the King and all the reſt were taken Priſoners, he was look'd upon as a Traytor, tho' he did not long ſurvive the taking of *Jeruſalem*, being found dead in his Bed; and (as ſome relate) was privately circumciſed, but that he ever publickly renounced the *Chriſtian* Religion, and turn'd *Mahometan* (as ſome will have it) I do not find.

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[3] *Beſold. de Bello ſacro.* Earl *Raymond* Commands part of the Army at *Tiberias*. Is look'd upon as a Traytor.

But to return to *Saladin*, [4.] who after this puſh'd on his good Fortune with ſuch great Bravery and Succeſs, that he quickly made himſelf Maſter of *Egypt*; and joyning with Sultan *Noradin*, (who about the ſame Time over-ran *Paleſtine*) took *Gaza*, and upon the Death of *Noradin*, eaſily conquer'd *Syria*.

[4] *Ib.* *Saladin* makes himſelf Maſter of *Egypt*. And upon *Noradin*'s Death conquers *Syria*.

Then taking advantage of the Quarrels among the *Chriſtians*, he enter'd *Galilee*, and ſeiz'd upon all the Places of Strength beyond *Jordan*. [5.] after he had routed the *Chriſtian* Army at the great Battle of *Tiberias*; at which King *Guy*, the Marqueſs of *Montferrat*, the Maſter of the *Knights-Templars*, and all the Great Men who eſcaped the Enemy's Sword, were taken Priſoners

Routs the *Chriſtian* Army, and ſeizes all the Places of Strength beyond *Jordan*.

[5] *Vid. eund. ſub A.D.* 1187.

Some time after this Victory, *Saladin* took *Sydon*, *Joppa*, and divers other ſtrong Places, and then beſieg'd *Jeruſalem*: At firſt the Beſieg'd being ſummon'd to Surrender, gave a Courageous Anſwer, That they were reſolv'd to defend the City to the laſt Extremity: But when the battering Engines had open'd a Breach in the Walls, on the Fourteenth day they deſired to Capitulate, and then agreed to Surrender on theſe hard Conditions; *viz.* That the *Chriſtians* of the *Greek* Church ſhould have Liberty either to be gone, or to ſtay there; but the *Franks* or *Latines* were all to depart, and only to take away with them ſuch Goods as they could carry: whereupon many of the meaner Sort carried away their Children upon their Backs as their chiefeſt Riches.

Moſt of the Great Men that eſcaped his Sword, taken Priſoners. *Jeruſalem* beſieg'd, and in 14 Days ſurrender'd upon hard Conditions.

[1.] *Saladin* punctually kept the Articles agreed upon, and uſed his Victory with great Moderation; he enter'd the City Triumphantly amidſt his Victorious Army, bringing along with him the Captive King, and about Twenty Thouſand Priſoners; then he ſtrictly forbad all Injuries and Violence, publickly declaring, that he took the *Chriſtians* into his Protection; and therefore that they ſhould no ways be moleſted in the Exerciſe of their Religion: An Example which (by the way) may ſerve as a Reproof to ſome Princes of this Age, who aſſume a Sovereignty over men's Conſciences as well as over their Perſons; an Uſurpation, not only contrary to the Spirit of the Goſpel, but ſuch, as a *Mahometan* Prince thought unworthy the Doctrine of the *Alcoran*.

[1] *Beſold. ib.* *Saladin* uſes his Victory with Moderation. And declares, that the *Chriſtians* ſhould not be moleſted in the Exerciſe of their Religion.

But though he permitted the *Chriſtian* Monks to have the Uſe of the Church of the *Holy Sepulchre*, yet he turn'd that which ſtood in the Place of *Solomon*'s Temple into a *Moſque*, having firſt cauſed it to be waſh'd all over with *Roſe-Water*. Not long after this Succeſs, Queen *Sibylla*, who was got into *Aſcalon*, ſurrender'd that Place to *Saladin*, as a Ranſom for her Husband, and the Maſter of the Templars.

Q. *Sybilla* ſurrenders *Aſcalon* to *Saladin*, as a Ranſom for her Huſband, and the Maſter of the *Templars*.

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With the loſs of *Jeruſalem*, that Kingdom expired, after the *Chriſtians* had enjoyed it 87 years.

It is reported that divers ſtrange Signs and Prodigies were the Forerunners of the taking of *Jeruſalem*, which I ſhall not take upon me either to relate or confute, ſince I look upon them as Stories made in Imitation of thoſe Prodigies recorded by *Joſephus* before the *Romans* took that City. But with the Loſs of *Jeruſalem*, and all the Inland Places, that Kingdom expired, after its being in the *Chriſtian*'s poſſeſſion Eighty-ſeven years.

The A. Bp. of *Tyre* comes into *Europe* to ſollicit the Aſſiſtance of the *Chriſtian* Princes againſt the Common Enemy.

The Affairs of *Paleſtine* being in this deſperate Condition, the Archbiſhop of *Tyre* undertook a Voyage into *Europe*, to ſollicit the *Chriſtian* Princes for their Aſſiſtance againſt the Common Enemy; and upon his being ſupported with the Pope's Authority, *Philip* King of *France*, *Henry* King of *England*, with his Son Earl *Richard*, and many other Princes and Great Men undertook the *Cruſado*, (as you have already heard in the laſt Reign:) Which *Expedition*, when it was almoſt ready to be perform'd, was interrupted, and laid aſide by that unfortunate War that then happened to break out between the Two Kings above-mention'd, which proved fatal to *Henry*: after whoſe Deceaſe, his Son *Richard*, and the preſent *French* King, being for ſome time Friends and Confederates, re-aſſumed their former Deſign, and undertook the preſent Expedition to the *Holy-Land*, as hath been already related, and to the Hiſtory of which we now return; and I hope the Reader will not think this Digreſſion either tedious, or unneceſſary.

The Kings of *France* & *England*, &c. undertake the *Cruſado*.

But it was put off by the War which then broke out between the two ſaid Kings.

And upon the Death of his Father, King *Richard* and the *French* K. anew engage in it.

[2] King *Richard* having thus ſetled his Affairs at *Cyprus*, ſet Sail from thence on *Thurſday* in *Whitſon week*, and the next day he arriv'd at *Tyre*; and only touching there, perſued his Voyage to *Acon*, which was ſtill beſieg'd by the *Chriſtian* Army. Not far from this Port, the King met with a great *Turkiſh* Man of War, full of Officers and Souldiers, and well ſtored with all ſorts of Arms and Proviſions, going for the Relief of that City; which Veſſel being ſet upon by ſome of the King's Fleet, made ſuch a Vigorous Reſiſtance, that He, finding he had no other way to take her, was forced to order his Galleys to run againſt her with their ſharp Iron *Bow-Sprits*, which immediately ſunk her down to Rights, with all her Men and Lading, except Thirty-Five perſons, part of whom were Commanders, and part Engineers: But if this Veſſel had arriv'd at *Acon*, the City had not been taken at all, or at leaſt not without very great difficulty, for the Siege had been for Two Months laſt paſt carried on but very ſlowly by the King of *France*, becauſe of King *Richard*'s Abſence.

[2.] *G. V. It. R. R. ib. c.* 44. King *Richard* goes to the Siege of *Acon*. And near the Port meeting with a *Turkiſh* Man of War, fell upon, and ſunk her.

The Reader is here alſo to take notice, [3.] that when the King arriv'd at *Acon*, it had been beſieg'd by the *Chriſtians* near Two years, a great Multitude of whom had periſh'd by the Sword, Famine, and Peſtilence: For though *Saladin*, King of the *Turks*, was unable by his own Strength to raiſe the Siege, yet he had ſo poſſeſſed himſelf of all the Avenues to the *Chriſtian* Camp, that no Proviſions could be brought to it, unleſs it were by Sea; therefore it was no wonder, if there were Great Joy at King *Richard*'s Arrival; ſo that the King of *France* with his Nobility going out to meet him, they accompanied him from his Landing to his Tents, which he had ordered to be pitched as near the City as he could: here, not long after his Arrival, he fell very ſick of a diſeaſe, call'd by our Authors the *Arnoldia*, which we cannot now tell what it was, though it is very like to be a ſort of Fever, taken by

[3] *Id. l.* 3. *c.* 1, 2. *Saladin* had ſo ſhut up the *Chriſtian* Camp, that no Proviſions could be brought into it unleſs by Sea.

The King of *France* meets K. *Richard* at his Landing.

by the evil Air of that Country, and of which he languiſh'd for ſome days. *Anno Dom.* MCXCI.

In the mean while the King of *France* reſolving no longer to ſpend the time in fruitleſs delays, reſolv'd to make a vigorous Aſſault upon the City, which was executed on the *Monday* after *Midſummer*-day with all the Forces they could muſter up: but though the *French* and other Nations perform'd as much as could be expected from Gallant Men, yet they were not then able to take the Town, becauſe the Gariſon within were very numerous, and made a brave Reſiſtance; as likewiſe becauſe *Saladin* with Great part of his Army aſſaulted the *Chriſtian* Camp at the ſame time, endeavouring to fill up their Trenches; ſo that theſe Forces, not being ſufficient at once to Aſſault the City and defend themſelves againſt the *Turks*, were forced at laſt to Sound a Retreat, that they might repulſe the *Turks* who lay ſo hard upon them.

The *French* K. aſſaults the City.

But without any effect.

The Army is forced to retreat.

In the mean time the *Turkiſh* Gariſon caſt Wildfire upon the King of *France*'s Warlike Engines, and deſtroy'd them; which Accident, with the Diſappointment in the late Aſſault, put that King into ſo great a Conſternation, that he fell very ſick, either through Diſcontent, or elſe by the Infection of the Place, it being much the ſame kind of Diſtemper with King *Richard*'s: wherefore by reaſon of the Sickneſs of both Kings, the Siege was but ſlowly carried on for ſome days.

The *French* K's Warlike Engines are burnt.

[4.] But the King of *France* firſt recovering, and being much encouraged by the Arrival of many Noblemen, both of the *French* and *Engliſh* Nation, together with their Retinues, he renew'd the Siege, not by Storm, but with other battering Engines of King *Richard*'s, called *Petrars*, which caſt out Stones with ſuch a Force, and they were of ſo vaſt a weight, that they were able to ſhake, and in ſome time to batter down the ſtrongeſt Walls and Towers; and one of them belonging to King *Richard* ſhot a Stone with that Force, that it kill'd Twelve *Turks* at once; Of ſuch Effect were theſe battering Engines before the Invention of Great Guns.

[4] *Id. ib.*

The King of *France* renews the Siege with other battering Engines.

It would be tedious to recite all the Particulars of this Remarkable Siege, and the ſeveral Mines, Batteries, and Aſſaults that were then made by the *Chriſtians* without ſucceſs: But at laſt the Gariſon, by the Sword and by Sickneſs, being reduced to about Six Thouſand Men, and thoſe much impaired by their Wounds and continual Watchings, the Towers and Walls being alſo very much weakened and battered by the Warlike Engines, the *Turks* found it their beſt way (before it was too late) to think of a Surrender: And ſince *Saladin* was no longer able to relieve them, they (by his conſent) treated with the Kings, and ſurrender'd the City to them upon theſe Articles, which I have taken from *Roger Hoveden*.

And at laſt the City was ſurrender'd.

I. That *Acon* ſhould be deliver'd up ſafe with Five Hundred *Chriſtian* Captives, that were therein.

II. That the true Croſs of Chriſt ſhould be reſtored, which had been before taken by King *Saladin*.

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III. That of all the *Chriſtian* Captives whom *Saladin* had taken, Three Thouſand (*Vinſaulf* ſays but Twenty-five Hundred) choſen by the Two Kings, ſhould be deliver'd.

IV. That the *Turks* ſhould carry out nothing with them but their Cloaths.

V. That for the Redemption of their Heads, they ſhould pay Two Hundred Thouſand *Biſantines*, and they themſelves ſhould remain ſtill in Cuſtody. And that if theſe Articles were not made good within the Space of Forty days, they ſhould be wholly in the King's Mercy for their Lives.

100 of the chiefeſt Officees of the *Turks* kept for Hoſtages.

But *Saladin* takes no farther care to perform the Articles.

Theſe being agreed upon, and ſworn to on both ſides, the Two Kings ſent their Officers and Souldiers into the City, and chuſing out an Hundred of the chiefeſt and richeſt of the *Turks*, kept them for Hoſtages in a ſtrong Tower, and ſecured the reſt in ſome Houſes of the City: But when *Saladin* had heard what Conditions his Men had made with the *Chriſtians*, he pretended they were not with his Approbation, and therefore took no care to perform the Articles, which coſt the *Turkiſh* Captives their Heads.

* *Hiſtor. Ducum Auſtria.*

The Duke of *Auſtria* ſets up his Banner on a Tower, which being flung down by K. *Richard's* Order, the Duke quits the Service.

Before I leave this Subject, I muſt not paſs by an Action, which tho' of no great Importance in it ſelf, yet ſince it proved of fatal conſequence to this King whoſe Reign I write, it deſerves our notice; and becauſe it is related divers ways by our own, as well as Foreign Hiſtorians, I will give you that which ſeems moſt likely to be true, which is what * *Cuſpinian* relates, That upon the Surrender of the City of *Acon*, *Limpold*, or *Leopold*, Duke of *Auſtria*, having taken poſſeſſion of one of the Towers, order'd his Banner to be there erected, which ſo ſoon as it was eſpied by King *Richard*, he was very much diſpleaſed at it, and preſently ordered his Men to pull it down, which they not only perform'd, but alſo tore it to pieces, and trampled it in the Dirt; or (as ſome Authors relate) flung into a more naſty Place.

When the Duke heard of this, he demanded ſatisfaction from King *Richard*; and though at the ſame time he was perſwaded to paſs it by for the Common peace of the Confederate Princes, yet the King refuſing to acknowledge the Affront, the Duke preſently quitted the Service, and return'd into his own Country, together with ſeveral other *German* Noblemen, who all reſented this Injury as done to themſelves: But the Duke afterwards found a Time ſeverely to revenge this Affront, as you will read hereafter; which may ſerve as a Warning to more Potent Princes, not to inſult over thoſe that are weaker than themſelves, ſince there may ſome unexpected opportunity happen for their Adverſaries to be even with them. But to return to our Hiſtory, from which we have ſomewhat digreſſed.

[5] *Id ib. c.* 16, 17.

The Kings of *France* & *England* divide the Spoil of the City among themſelves.

[5] After the City was ſurrender'd, the Kings of *France* and *England* march'd into it with their Forces, and there divided the Captives, and the reſt of the Spoil between themſelves, without diſtributing any part of it to the other Princes, Noblemen, and Officers of the Army, which cauſed a general Diſcontent.

This

This being diſpatch'd, the Two Kings accommodated the Difference between *Guy* King of *Jeruſalem* and *Conrade* Marqueſs of *Montferrat* concerning that Kingdom, on theſe Terms; *viz.* That *Guy* ſhould enjoy it during his Life, and the other ſhould have it after him, as having married the Daughter and Heir of the late King *Almaric*. *Anno Dom.* MCXCI.

The Two Ks. accommodate the Difference between the K. of *Jeruſalem* and the Marqueſs of *Montferrat*.

[1.] After this Agreement there was nothing conſiderable done by theſe Princes, only King *Richard* required of the King of *France*, that they two ſhould each take an Oath to ſtay in the *Holy Land* for Three years; but he refuſed it, and the reaſon was ſoon diſcover'd; for Two days after he ſent to the King of *England* the Biſhop of *Beauvais* and the Duke of *Burgundy* with other Noblemen, by whom he asked his permiſſion to return into his own Country, alledging his great want of Health, and that he had now perform'd the Vow he had formerly made of going to the *Holy-Land*. To this King *Richard* objected the great Diſgrace it would be to the King of *France*, if he ſhould offer to leave the buſineſs they came for undone: but however, if he found himſelf infirm, or that he was afraid he ſhould dye there, he might do his pleaſure. King *Philip* hereupon grew very uneaſy, and about a week after ſent again to the King of *England* for his Conſent to return home; but he could not obtain it, until he had taken an Oath, that he would protect his Dominions and People until his Return, and would do no damage to them, nor ſuffer any to be done by others. This being perform'd, and the King of *France* having made the Duke of *Burgundy* his General, and left with him the Greateſt part of his Treaſure to pay his Army, he departed from *Acon* on the Thirty-firſt of *July*, and went to *Tyre*, taking with him the Marqueſs of *Conrade*, and the Chiefeſt of thoſe Priſoners that fell to his ſhare; and delivering them to the Cuſtody of the Marqueſs, he ſailed from thence for *France*; where being arriv'd, how well he kept his Oath to King *Richard* not to diſturb his Territories, will appear hereafter.

[1.] *Ib. c.* 18. *R. H. p.* 396.

The King of *France* deſires leave of King *Richard* to return into his own Country.

But could not obtain it, till he had ſworn that he would protect K. *Ric.* Dominions and People till his return.

He goes for *France*, but does not obſerve his Oath.

As ſoon as the King of *France* was departed, King *Richard* took the whole Burthen and Care of the War upon himſelf, being rather hindered than aſſiſted by the Marqueſs of *Montferrat*, who refuſed to joyn with him, and only minded his private Intereſt.

The King of *England* takes the whole Burthen of the War upon himſelf.

[2.] The King having well rewarded all the Souldiers that ſerved in the late Siege of *Acon*, both Thoſe that belong'd to the King of *France* and other Princes, as well as his Own; and having alſo repair'd the Walls of *Acon*, and made them ſtronger than they were before the Siege began, reſolv'd to proceed to ſome new Expedition, and only waited to ſee whither *Saladin* would perform the Articles agreed upon at the Surrender of the City: But at length finding that the ſubtile *Saracen* had not only let the Day prefix'd for the Delivery of the *Croſs* and Redemption of the Priſoners ſlip, without performing any thing at all, and that he ſtill put him off with delays, requiring longer time for the performance of his Promiſe; he ſaw plainly that he was deluded, and therefore reſolved to put to death all the *Turkiſh* Priſoners he had in his Power. But before he did this, he quitted his Camp without the Town, and removed it nearer to that of the Enemy, which ſtill lay in view of him, and there remain'd for ſome days; but on the day of the King's removal, *Saladin* ſent him a Meſſage, with divers Rich Preſents, deſiring him, that he would defer the day appointed for executing

[2.] *G. V. Ib. R. R. Ib.*

And reſolves upon a new Expedition.

But upon *Saladin's* not performing the aboveſaid Articles, King *Richard* reſolves to put to death all his *Turkiſh* Priſoners.

[3.] *R. H. p.* 397. *a.*

Saladin by Rich Preſents deſires him to defer it for ſome time, but he refuſes.

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Saladin, to be before-hand with him, beheads all the *Chriſtian* Captives.

ting the Priſoners to ſome longer time: But King *Richard* would neither receive his Preſents, nor prolong the Day; when *Saladin* found this was his peremptory Reſolution, that he might be before-hand with Him, he order'd all the *Chriſtian* Captives he had then in his Cuſtody to be Beheaded: and on the ſame day King *Richard* march'd his Army towards *Saladin*'s Camp, and Aſſaulted it, though without any great ſucceſs, for many fell on both ſides.

K. *Richard* Beheads all the *Turkiſh* Priſoners, but ſome few of the Chiefeſt, whom he kept for Ranſom.

But though the King knew of this Maſſacre of the *Chriſtians*, yet would he not anticipate the time he had appointed for putting the *Saracens* to death; but on the Twentieth of *Auguſt* He cauſed all the *Turkiſh* Priſoners to be Beheaded without the Camp, in the ſight of *Saladin*, only ſome of the Chief Officers and Commanders were kept alive, and reſerv'd for Ranſom.

A Difference between *R. Hoveden* and *Geof. Vinſaulf* concerning the Number of the Priſoners now ſlain, and how it may be reconciled.

But indeed there is ſome difference between *R. Hoveden*'s and *Geoffrey Vinſaulf*'s Relation of this Buſineſs: the former of whom ſays, the Number of thoſe *Turks* that were then put to death, amounted to Five Thouſand; whereas the latter makes them to be but Twenty-ſeven Hundred in the whole; which yet may be thus reconciled, that the one includes all the Priſoners then ſlain, as well by the Duke of *Burgundy*, as by King *Richard*; whereas the other reckons only thoſe that fell by the King's own Orders: But whatever the Number was, it was certainly a piece of great Cruelty to put ſo many innocent Priſoners to death in cold Blood; ſince, though they were not redeemed according to Agreement, yet they might have been ſold for Slaves, which would have been much better than to exerciſe ſuch Barbarity only to ſatisfy that inhuman Paſſion of Revenge; nor did *Saladin* reap any benefit by his Barbarity, but on the contrary, none of his Gariſons would afterwards venture to hold out a Siege: ſo that he was forced in the End to demoliſh all his Caſtles in thoſe parts.

This Infidelity of *Saladin* makes his Gariſons preſently to ſurrender.

[4] *R. H. p.* 397. *b.*

King *Richard* reſolves to march from *Acon* to *Joppa*.

[4.] After this, King *Richard* with his own, as well as the *French* Army, under the Command of the Duke of *Burgundy*, reſolved to march from *Acon* to *Joppa*, and to take in the Country, and Fortify the ſtrong Places by the way: But *Saladin*, although he durſt not meet and fight the *Chriſtians* fairly, [5.] yet did all he could to hinder their March by perpetual Skirmiſhes and Ambuſcades, which he laid for ſome part or other of the Army, and in which many Brave and Gallant Men, both *French* and *Engliſh*, were deſtroy'd: Notwithſtanding this, King *Richard* with his Army at laſt reached *Joppa*; which when *Saladin* perceiv'd, and that he could no longer hold that part of *Paleſtine*, he diſmantled *Aſcalon* and all the other Strong places, except *Jeruſalem*, *Chrac*, and *Darum*.

[5] *G. V. It. R. R. l.* 4. *c.* 18, 19, 20. *& dein.*

Saladin by his frequent Skirmiſhes deſtroys a great many of the K's Men.

Yet the King reaches *Joppa*.

Saladin thereupon diſmantles ſeveral Strong places.

King *Richard* hereupon ſtay'd Seven weeks at *Joppa* to refreſh his Forces, and to recruit his Army by the arrival of a Great many Souldiers who were gone to *Acon* and other Places; whilſt they ſtayed at *Joppa*, the *Chriſtian* Souldiers giving themſelves to Idleneſs and Debauchery, and the Diſcipline being relax'd, the Army was thereby very much weakened.

The *Chriſtian* Army by their Idleneſs and Debauchery, very much weakened.

I cannot here omit a remarkable Deliverance of King *Richard* from the hands of the *Turks*, which happened thus: [1.] The King going out one day a Hawking with but few Attendants, and being tired with his Sport, and not in the leaſt ſuſpicious of any Enemy near him, would needs lay himſelf under a Tree to ſleep, which a

[1.] *Id. ib. c.* 28.

A great Deliverance of K. *Richard* from the hands of the *Turks*.

Party

Party of *Turks*, who were thereabouts, having notice of, they reſolved to lye in Ambuſh for him, and ſent ſome of their Party to ſet upon the King, and provoke him to Fight; which when they had done, and then fained to fly before him, they drew him into their Ambuſh, and riſing on the ſudden, ſet upon Him and his Company; and he had certainly been taken Priſoner, had not a Gentleman, one of his Attendants, called *William de Pratellis*, ſaved him by ſuffering himſelf to be taken in his ſtead, by crying out in the *Saracen*'s Tongue, *I am Melec* (that is, the King;) upon which they all fell upon, and took him, whilſt in the mean time the King, with divers others of his Followers made their Eſcapes; yet notwithſtanding he loſt ſeveral Others who would needs fight it out. But though this was a very Noble Action of this Gentleman thus to deliver his Prince, yet however he was blamed for his ſo raſhly expoſing of himſelf; but his greateſt fault was his too great Courage, being always the firſt in making an Aſſault upon the Enemy, and the laſt that retreated.

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A noble Action in a Gentleman, who ſuffer'd himſelf to be taken Priſoner to ſave his Prince.

[2.] Some time after King *Richard* having recruited his Army, and left a ſufficient Gariſon in *Joppa*, he march'd out into the adjacent Country with part of them; and having routed the *Turks* in Two Engagements, (in one of which they were Aſſailants, and in the other lay in Ambuſh to ſurprize him) he took and repaired ſeveral Caſtles to ſecure the Country; which made *Saladin* ſeem inclinable to a Peace, and offer'd to give up the whole Territory of *Jeruſalem* from the River *Jordan* to the *Weſtern* (*i. e.* the *Mediterranean*) Sea; though, it ſeems, he did this only to gain time, for ſending his Brother *Saphadin* to the King with Rich Preſents, he only amuſed him with feigned Treaties of Peace, until he had ruined all thoſe ſtrong Places he had a mind to quit, and well fortified thoſe he intended to keep: but the King at laſt diſcovering their Deceit, broke off the Treaty, and renew'd the War.

[2.] *Id ib. c.* 29, 30, 31.

The K. afterwards routs the *Turks* in Two Engagements, and repairs ſeveral Caſtles.

Saladin upon this ſeems inclinable to a Peace, and makes great Offers only to gain time.

The K. diſcovering the Cheat, renews the War.

[3.] But though the *Chriſtian* Army had many Skirmiſhes with the *Turks*, and had endured great Hardſhips in their Marches towards *Jeruſalem*, which the King then intended to beſiege, yet got no farther than a little Caſtle called *Betenoble*; where after the Army had ſuffer'd very much by the wetneſs of the Seaſon, the King was at laſt diſſwaded by the *Knights-Templars*, *Hoſpitalers* and Others from undertaking that Siege, having neither Forces ſufficient to carry it on, nor indeed to keep the City if they ſhould take it.

[3.] *Id. ib. c.* 34, 35.

But is diſſwaded from undertaking the Siege of *Jeruſalem*.

But before we conclude this Year, methinks it will be neceſſary to look back, and give you an Account of what happened in *England*. You have already heard of the great Tyranny and Oppreſſion of the Lord Chancellor, the Biſhop of *Ely* (above-mention'd) who ruled all things at his own Will and Pleaſure, to the great Diſcontent of Earl *John*, and the Major part of the Nobility; and he was ſo great a Grievance to them, that they watch'd for an Occaſion to bring down the exorbitant Pride and Power of this Imperious Prelate; and not long after there happened a very fit one, which was thus: [4.] *Gerard de Camville*, a very Rich Nobleman, had bought of the King juſt before his departure, the Government of the Caſtle of *Lincoln*, (to which he had alſo ſome pretence in Right of his Wife) as likewiſe the Sheriffdom of the Adjacent County for a certain time: But the Chancellor having at that time all the other ſtrong Places of *England* in his Cuſtody, demanded this alſo; but *Camville* refuſing to deliver it to him, the Chan-

[4] *R. H. p.* 398. *b.*

The Nobility of *England* watch for an Opportunity to humble the Chancellor, & find a very fit one.

The Chancellor Beſieges the Caſtle of *Lincoln*.

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Chancellor raiſed Forces out of the Neighbouring Countries, and laid Siege to it: In the mean time *Camville*, having no other remedy, went, and implored the Aſſiſtance and Protection of Earl *John*; who thereupon levying a Conſiderable Body of Men, eaſily ſurprized the ſtrong Caſtles of *Nottingham* and *Tikhill*, and ſent to the Chancellor, and acquainted him, That unleſs he would immediately Raiſe the Siege, he would force him to do it. He being terrified at this Meſſage, preſently drew off from the Place, and by the Mediation of ſome Biſhops and other Friends, an Agreement was made between them: But this being too long, and not much conducing to the main deſign of this Hiſtory, I ſhall only give you the Heads of it.

But being terrified by Earl *John*'s Meſſage to him, he forthwith raiſes the Siege. And they both come to an Agreement by the Mediation of the Bps.

[5.] *Id. ib.* The Heads of that Agreement.

[5.] Firſt, The Caſtles of *Nottingham* and *Tikhill* were to be kept in Indifferent hands till the King's Return; as alſo all other Caſtles belonging to the Honours which the King had given Earl *John* were to remain in the Cuſtody of the King's Liegemen; (*viz.*) *Wallingford* in the Cuſtody of the Archbiſhop of *Roüen*; that of *Briſtol* in the Biſhop of *London*, &c. and the like was agreed concerning all the reſt of the Caſtles there mention'd, which were to continue in the Cuſtody of thoſe in whoſe hands they then were, who were all ſworn to keep them faithfully for the King's uſe; and if he ſhould in the mean while happen to dye, then the Guardians were to render them to Earl *John*, and the ſame was alſo provided for the Caſtles of *Nottingham* and *Tikhill*.

Secondly, It was alſo agreed, that the Biſhops, Abbots, Earls, Barons, * *Vavaſors* and Free Tenents ſhould not be diſſeiſed of their Lands or Goods at the pleaſure of the Juſtices or King's Miniſters, but by the Judgment of his Court, according to the Lawful Cuſtoms and Statutes of the Kingdom, or by the King's Mandate; and Earl *John* ſhould cauſe the like Rule to be obſerved in his Lands and Poſſeſſions; and if any One preſumed to do otherwiſe, upon the Complaint of the Earls and Barons, he was to be puniſhed or fined by the Archbiſhop of *Roüen*, and the Juſtitiaries, *&c.*

* *i. e.* Inferior or Meſne-Tenants.

Thirdly, Thoſe Caſtles which had been built, or begun ſince the King went beyond Sea, were to be demoliſh'd, and no new ones to be erected, unleſs by the King's ſpecial Command, except in ſome particular Caſes there mentioned.

Fourthly, The Sheritfwick of *Lincolnſhire* was to be re-deliver'd to *Gerard de Camville*, who was at the ſame time to engage, that he would ſtand to the Judgment of the King's Court concerning the Right he had to it: but the Lord *John* was not to protect him againſt the ſaid Judgment, nor receive Out Laws, nor any of the King's Enemies, nor permit them to be harbour'd in his Lands, *&c.*

[1.] *Id. ib.* And both gave Security for the due Obſervance of this Agreement.

[1.] Then the Earl and Chancellor putting their hands within the hands of the Archbiſhop of *Roüen*, gave Security for the Obſervation of this Agreement, in good faith and without any Artifice; and Fourteen Barons of both Parties ſwore the ſame, whoſe Names need not be repeated. Note, Theſe things were done, *ſaving the King's Authority and Command in all things*, &c. and ſo Matters were pieced up for a time.

[2.] But

[2.] But not long after this Agreement there happened a new Cauſe of Diſſention between the Biſhops and the Chancellor through the Latter's violent and haughty Temper; and it was occaſioned thus: *Geoffrey*, Archbiſhop Elect of *York*, had been lately conſecrated to that See by the Archbiſhop of *Tours*, upon the Pope's Command: After this, not regarding the Oath he had taken to the King his Brother, that he would not return into *England* within Three Years after his departure, he preſently came to *Whitſand*, and lay there ready for his paſſage; but the Chancellor hearing of it, forbad him to come over: However, He not valuing that Prohibition, landed at *Dover* in the Month of *September*, where the Chancellor had before appointed Officers to apprehend him; but he having notice of it, changed his Cloaths, and mounting a ſwift Horſe got to the Monaſtery of St. *Martins*, adjoining to that Town, and took Sanctuary in the Church: whereupon the Chancellor's Officers guarded the Place ſo ſtrictly, that he could not ſtir out; and not being content with this, they took him while he was ſtanding at the Altar in his Epiſcopal Veſtments, and dragging him out of the Church through the dirty Streets, deliver'd him to *Matthew de Clere*, Conſtable of *Dover Caſtle*.

Anno Dom. MCXCI.

[2.] *Id. p.* 1001. A new Diſſention between the Biſhops & the Chancellor about the A. Bp. Elect of *York* his not obſerving the Oath he had taken to the King.

Who, upon his coming to *England*, was apprehended and deliver'd Priſoner to the Conſtable of *Dover*.

[3.] Earl *John* hearing of this, ſent Orders to the Chancellor to releaſe him: Upon which *Geoffrey* coming to *London*, complained to the Earl, Biſhops, and Great men of the Injury he had receiv'd from the Chancellor; whereupon the Earl commanded that he ſhould anſwer the Law in the King's Court for that, and for the Injury he had done to *Hugh* Bp of *Durham*; the Chancellor notwithſtanding deferred his Appearance, yet the Earl with the Archbiſhop of *Roüen*, as alſo the Biſhops and Chief Men of the Kingdom, appointed him a peremptory Day at *Reading*, whither Earl *John* and almoſt all the Biſhops, Earls, and Barons of the Kingdom came in expectation of him, but he neither came himſelf, nor ſent any to appear for him: Then the Earl and the Biſhops that were with him, ſet out toward *London*, that ſo they might conſult before a great Audience of the Citizens what they ſhould do with the Chancellor that had ſo troubled the Kingdom, and refuſed to ſtand to the Law: He hearing of this, left *Windſor*, and went up to *London*, and by the way his and the Earl's Retinue, that is, their Tenants or Knights, met and fought, in which Skirmiſh one of the Earl's Knights, *Roger de Plaine* was kill'd; yet he had the better, and the Chancellor fled to *London*, and with his Followers got into the Tower.

[3.] *Id. ib. b.* But, upon his Complaint, the Chancellor was ſummon'd to anſwer for it in the K's Court.

But he neither came nor ſent any One to anſwer in his behalf.

The Earl and Bps repair to *London* to conſult with the Citizens what to do with the Chancellor.

A Skirmiſh between the Earl's and the Chancellor's Men.

One of the Earl's Knights kill'd in it.

[4.] On the Tenth of *October* Earl *John* and the Archbiſhop of *Roüen*, with the Biſhops, Earls, Barons, and Citizens of *London*, met in St. *Paul's* Church-yard, where they all accuſed the Chancellor of ſeveral Crimes, but eſpecially of the Injuries he had done to the Archbiſhop of *York* and Biſhop of *Durham*: thoſe alſo whom the King had aſſociated with him in the Government, accuſed him, ſaying, That he wholly deſpiſed their Advice, and managed all the Buſineſs of the Kingdom by Violence, and according to his own Will. Upon this the Archbiſhop of *Roüen* and *William* the Earl-Mareſchal ſhew'd their Letters under the King's own Seal from *Meſſina*, by which they were aſſociated with the Chancellor in the Government, and whereby he was to do nothing without their Advice; and if he did, and it ſhould prove to the detriment of the Kingdom, he was to be depoſed, and the Archbiſhop of *Roüen* to be put into his place. So, upon a ſolemn hear-

[4.] *Id. ib.* The Chancellor accus'd of ſeveral Crimes

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ing of the whole matter, it was adjudged by all there preſent, that the Biſhop ſhould be thenceforth deprived from having any thing more to do in the Government of the Kingdom.

He is depoſed from his Office.

[5.] The ſame day the Earl *John* and the Archbiſhop of *Roüen*, and other the King's Juſtices (that is, the Commiſſioners in the Government) granted to the Citizens of *London* the free enjoyment of their Community, that is, their Rights and Privileges; and at the ſame time the Earl and Archbiſhop, and almoſt all the Earls and Barons of the Kingdom did ſwear firmly and reſolutely to uphold that Community, ſo long as it ſhould pleaſe the King: And upon this the Citizens of *London* did ſwear faithful Service to King *Richard* and his Heirs; and if he ſhould dye without Iſſue, then they would receive Earl *John* his Brother for their King and Lord, ſwearing Fealty to him againſt all Men, ſaving their Fealty to King *Richard* his Brother; and the depoſed Chancellor ſwore he would deliver up all the Caſtles of *England* into his hands, and preſently deliver'd to him the Tower of *London*, and *Windſor*-Caſtle, together with ſome others.

[5.] *Id. ib.* The K's Juſtices grant to the Citizens of *London* to have their Community, or Corporation.

And the Citizens ſwear Fealty to King *Richard* and E. *John*

The depoſed Chancellor delivers up the Tower, and *Windſor*-Caſtle.

[1.] Our Author has likewiſe given us a long Epiſtle of *Hugh de Nunant*, Biſhop of *Coventry*, wherein he ſets forth the inſolent and arbitrary Proceedings of the Biſhop of *Ely*; and [2.] how, after his Depoſition, he went to *Canterbury*, and there laid down the Croſs of his Legantine Power, and took upon him the *Cruſado* to go to the *Holy-Land*; and from thence went to *Dover*, where ſtaying a few days in the Caſtle with the Conſtable his Kinſman, he reſolv'd to go over beyond Sea; but fearing to be again ſeized if he were known, he diſguiſed himſelf in Women's habit; and taking a Web of Linnen Cloth with an Ell under his Arm, as if he were a Linnen Pedlar, went down and ſate by the Sea-ſide upon a Rock, expecting a Boat to carry him on Shipboard: but whilſt he was there, a Seaman coming that way by chance, and taking him for a Woman, went about to Kiſs him, and then offering at farther Indecencies, thereby diſcover'd that he was a Man, yet ſaid nothing of it: A little while after a Woman coming that way, ſhe began to cheapen the Cloth he had in his hand, but he could make her no tolerable Anſwer, becauſe (being a *Frenchman*) he underſtood but little Engliſh; more Women alſo coming in, and finding that he would not ſpeak to them, they pull'd up the Hood with which he cover'd his Face, and then preſently ſaw his black Beard (though newly ſhaven:) Upon which crying out to certain Men that were not far off, they came running in, and laying hold of him, and banging him ſoundly with their Fiſts, they dragg'd him through the Dirt, and put him into a dark Cellar, till they had made Earl *John* acquainted with their Proceedings.

[1.] *Id. p.* 400. *a.* *Hugh de Nunant*'s Epiſtolary Account of this Chancellor's proceedings.

[2.] *Id. p.* 401. At *Canterbury* he laid down the Croſs of his Legantine power, to take up that for the *Holy-Land*.

He diſguiſes himſelf in Women's habit to go beyond Sea, but is diſcover'd.

He is ſoundly beaten, drag'd in the Dirt, & then thrown into a Cellar, till Earl *John*'s pleaſure could be known.

[3.] Eight days after this his Impriſonment, Earl *John* gave Orders for him to be releaſed, and to go beyond Sea: Whereupon he went into *Normandy*, and there, by the Command of the Archbiſhop of *Roüen*, he was reputed as an *Excommunicated* perſon; inſomuch that in all places where-ever he came in that Dioceſe, all Divine Offices ceaſed during his ſtay there; for the Archbiſhop of *Roüen*, and ſeveral of the Biſhops had taken upon them to *Excommunicate* him for what he had before done to the Archbiſhop of *York*: Therefore, not finding any good Reception in *Normandy*, he went to *Paris*, and from thence

[3.] *Id. p.* 402. *b.* He is releas'd, and goes into *Normandy*.

And from thence to *Paris*,

ſent

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ſent Letters to Pope *Caleſtine*, therein ſetting forth how ill he had been uſed by Earl *John* and his Accomplices, who had baniſh'd and drove him out of the Kingdom, and deſired that Reſtitution might be made of what had been thus wrongfully taken from him, and farther offer'd to ſtand to the Law, and anſwer for what he had done amiſs.

He complains to the Pope of the ill Treatment he had receiv'd from Earl *John*.

And offers to ſtand a Tryal.

But as to what the Pope did on his behalf, I ſhall refer you to the Eccleſiaſtical Affairs at the end of the next Year; then the Biſhop himſelf wrote to the King, repreſenting to him the violent and unjuſt Uſage he had met with, and that Earl *John* his Brother had uſurped the Royal Power, and thruſt him out of the Kingdom; which Letters he ſent by the Prior of *Hereford* into the *Holy-Land*, as you will hear farther.

He complains likewiſe to the K by Letters.

Now the Reader may obſerve from hence the great Power of the Nobility and Common-Council of the Kingdom, as alſo of the City of *London*, in thoſe days, who thus took upon them to reſiſt and depoſe the King's Chief Juſtitiary and Chancellor for his Tyrannical Government, and Oppreſſion of all ſorts of People; and therefore it is no wonder if he found ſo few Friends to ſtand by him, none that would defend his Cauſe, unleſs it was his Countryman *Peter* of *Blois*, Arch-Deacon of *Bathe*, who, in a [4.] Letter to *Hugh* Biſhop of *Coventry*, in anſwer to his former Epiſtle; (wherein the Biſhop had given him the Character "of a haughty and imperious Prelate, profuſe and extravagant beyond "meaſure, a waſter of the King's Revenues, and injurious to all ſorts "of People;) ſets him forth to be a Wiſe, Loving, Generous, and "Mild Man, abounding in all Inſtances of Liberality, and one that "for his great Qualifications and Merits had juſtly obtain'd the chief "Adminiſtration of the Government. But what ſignifies the Opinion of one Man againſt that of the whole Nation, and the Account of all the Hiſtorians of that time, who unanimouſly agree in the Biſhop of *Coventry*'s Character of him? and *William* of *Newburgh* (who then liv'd, and not long after wrote his Hiſtory, agreeing with *R. Hoveden*'s Account of this Tranſaction) ſays, That all Men were much diſſatisfied, that the King at his departure ſhould commit the chief Government of the Kingdom to a Stranger of mean Birth, and of no known Fidelity or Abilities, and that without the Conſent or Advice of the Great Men of the Kingdom: And though *Peter* of *Blois* by way of Recrimination anſwers the Biſhop in very ſharp terms, yet does he ſay nothing to extenuate the Matters of Fact laid to his Charge; (*viz.*) his robbing all ſorts of perſons of their Money and Goods; his ſqueezing the Churches by his Legantine Power, and ſquandering the King's Treaſure and Revenues.

But finds none to ſtand by him, but his Countryman, *Peter* of *Blois*.

[4] *Id. p.* 401. *b.*

Who gives him clear another Character than that of *Hugh de Nunant*.

All Hiſtorians agree in the Bp. of *Coventry*'s Character of him.

But his Friend *Peter* of *Blois* cannot deny the Facts laid to his Charge.

I had not dwelt ſo long upon this Biſhop's Story, had not a late [5.] Author in his *Compleat Hiſtory* ſhew'd a ſtrong Inclination to vindicate his violent Proceedings, and that too from the ſingle Teſtimony of *Peter* of *Blois*; to repreſent all that had been done by the Great Council of the Kingdom againſt this Biſhop, as *the raſh and furious Effects of a Traiterous Faction.*

[5.] Dr *Brady*, P. 434.

Nor can I here omit a very Remarkable Accident which happened this Year, (as the Annals of *Morgan* and *Rad. de Coggeſhal*'s Chronicle relate it;) The Monks of *Glaſtenbury* digging deep between two old Pyramids to make a Grave for one of their Brethren, (who deſired to be buried in that place) they found a Coffin, in which were the Bones of

The Monks of *Glaſſenbury*, digging a Grave, light upon the famous K. *Arthur*'s Coffin.

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of a Woman, whoſe Hair remained unconſumed; under it lay another Coffin, on the top of which was a Croſs of Lead, with this Inſcription: *Hic jacet Inclytus Rex Arthurus in Inſula Avelona.* The Coffin being opened, there appear'd the Bones of a mighty large Man, which the Monks buried in their Church with very great Honour and Reſpect: but the Croſs was kept in the Monaſtery, and was ſeen by *Leland*, and is mentioned by *Camden in his *Britannia.* But it is time to return to King *Richard* in the *Holy Land.*

* *Somerſetſhire*, p. 65.

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[1] *G. V. It. R. R. l.* 5. *c* 1. King *Richard* with his Army goes from *Joppa* to *Ramula*, & from thence to *Aſcalon.*

[1.] The King, at the beginning of this Year (finding he was not in a condition to execute the main deſign of his Voyage, *viz.* the Taking the City of *Jeruſalem*) did, by the Advice of the *Knights Templars* and other Great Men (though much to the diſguſt of the reſt of the Army) march from *Joppa* to *Ramula*, and from thence towards *Aſcalon*: But though they at laſt arriv'd there with ſafety, yet they ſuffer'd more by reaſon of the Wet weather, (it being in *January*) and want of Victuals, than by the coldneſs of the Seaſon; inſomuch that many of the Volunteers (eſpecially the *French*) quitted the Service, being either diſcontented becauſe no more was done, or elſe tired out with long Marches and conſtant Fatigues: which when *Saladine* underſtood, and fearing no more danger from the *Chriſtians*, he ſent his Army into Winter-Quarters.

Several of the Volunteers quitted the Service.

Saladine ſends his Army into Winter-Quarters.

[2] *Id. ib. c.* 8, 9, 10, 11, 12. The K. and the Marqueſs *Conrade* meet at a Conference.

[2.] Then King *Richard*, ſo ſoon as the Seaſon would permit, ſet all hands at work to finiſh the Walls of *Aſcalon*, which done, he ſent for the Marqueſs *Conrade* to come and aſſiſt him; but He, out of Ill-will to the King, refuſed it, yet at length they met, and had a Conference at a Town called *Tmbric*: however he ſtill kept himſelf cloſe within his own Quarters at *Tyre*, which raiſed no ſmall Jealouſy between King *Richard* and the Noblemen of *France*; and they not only took the Marqueſs's part, but the Duke of *Burgundy* likewiſe, envying the Glory and good Succeſs of King *Richard*, retreated to the Marqueſs with all his Forces then in the King's Service, and (which was worſe ſtill) he recalled all the *French*: But notwithſtanding theſe Diſappointments, the King did not ceaſe to fortify *Aſcalon*, and other Places neceſſary for the ſecurity of the Country.

The *French* Nobility and D. of *Burgundy* ſide with the Marqueſs.

But for all that the K. fortifies *Aſcalon*, &c. to ſecure the Country.

[3] *Id. ib. c.* 22, 23, 24. The Prior of *Hereford* arrives with Letters from the Bp. of *Ely* to the King, complaining of his hard Uſage.

And though theſe Diviſions among the *Chriſtians* did very much to the fruſtrating the whole Undertaking, and gave great Encouragement to the *Turks*, [3.] Yet, to aggravate the more the Misfortune, the Prior of *Hereford* now arrived, bringing the Letters already mention'd from *William* Biſhop of *Ely*, the late Chancellor, to give the King an Account, how that himſelf, with all thoſe of his Party, were driven out of *England* by Earl *John* his Brother, who had likewiſe taken Oaths of Fealty from the Nobility, as alſo the Cuſtody of the Caſtles into his hands: At which the King being very much troubled, and communicating this ill News to the Great Men and Chief Commanders of his Army, they all agreed, That it was not only neceſſary for him to return into *England* for the ſafety of his Kingdom, but becauſe of the great difficulty of their ever ſucceeding in this Enterprize, by reaſon of the Diſcord and Diſſention that was now riſen between thoſe who were to carry it on; and that ſince King *Guy* was too weak to do any thing conſiderable towards regaining his Kingdom; it was requiſite

Whereupon he is adviſed to return into *England.*

for

for the King's Affairs to yield to the time, and give his consent, that the Marquess *Conrade* should be chosen King of *Jerusalem*, being the fittest person to defend what had been already gained, as well as to make new Conquests, when the King should be obliged to return home. [4.] Upon which consideration King *Richard* resolving to comply with the Desires of the Major part of the *Christian* Princes, sent to the Marquess of *Montferrat*, to let him know, that he freely gave his consent to his Election: Whereupon the Marquess, by the General Votes of the *French* Princes and those of other Nations, was elected King of *Jerusalem*, *Guy* being quite laid aside. Yet to make him amends, [5.] King *Richard* generously bestow'd on him the Isle of *Cyprus*, which was much better, to be held of himself by no other Service than Homage; in consideration of which, some Writers relate, that King *Guy* made over all his Title to the Kingdom of *Jerusalem* to King *Richard*; but I do not find it in any Author of that Age, and it is contrary to the Testimony of those, who make the King to have consented to the Election of the Marquess *Conrade* above-mention'd; which it is not likely he would have done, had he himself designed to lay any Claim to that Kingdom.

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And to have the Marquess *Conrade* Chosen K. of *Jerusalem*.

[4.] *Id. ib. c.* 24. The Marquess by the General Votes is elected K. of *Jerusalem*.

[5.] *Id. ib. p.* 37. K. *Richard* bestows the Isle of *Cyprus* upon *Guy*, the deposed Prince.

[1.] But this King elect did not long enjoy his Honour, for before his Coronation he was stabb'd in the Streets of *Tyre* by Two young *Saracens*, whom he kept in his Service, and seem'd to be turned *Christians*, but were indeed downright *Assassins*, set on to kill him by a *Saracen Emir* of *Masse*, commonly call'd *the Old man of the Mountain*; yet King *Richard*'s Enemies gave out, that it was done by his Instigation; which Calumny proved very much to his prejudice, as you will hear anon.

[1.] *Id. ib. c.* 26. But before the Marquess's Coronation he was stabb'd by two *Saracens*.

His Death was laid to the K's charge.

[2.] Not long after the Death of this Prince, *Henry*, Earl of *Champaigne*, Nephew to King *Richard*, married the Widow of the late King, and was in her Right, as well as by that of a new Election, declared King of *Jerusalem*.

[2.] *Id. ib. c.* 28. *Henry* Earl of *Champaigne* marries the Widow, and is elected K. of *Jerusalem*.

[3.] In the mean time, before this new King, with the *Frenchmen*, could arrive to King *Richard*'s Assistance, he marched out, besieged and took (though not without great difficulty) the strong Castle of *Darum*, which he presently bestow'd upon King *Henry*, together with the Adjacent Territory. [4.] But though King *Richard* was again alarum'd with some fresh Reports concerning his Brother Earl *John*'s Proceedings, and thereupon renew'd his Resolutions of returning home as soon as possible; yet he deferr'd putting them in Execution, by the persuasion of some of his Chief Councellors and Chaplains till *Easter* following, it being then about the beginning of *June*.

[3.] *Id. ib. c.* 38. The strong Castle of *Darum* taken, and given to the new King.

[4.] *Id. ib. c.* 42, 45.

[5.] Where upon both Kings with their whole Armies agreed to march once more against *Jerusalem*, and accordingly King *Richard* advanced as far as *Betenoble*; which the *Saracens* hearing, were so much affrighted at it, that they resolved upon his Farther Approach to have quitted the City; so that had the King marched boldly on during that Consternation, he had certainly carried it; [1.] but he being wholly ignorant of this, spent a whole Month at *Betenoble* to little purpose, expecting King *Henry*'s Arrival with more Forces from *Acon*: but when he came to the Camp, King *Richard* foreseeing the great Difficulties that were like to attend that Siege of *Jerusalem*, would not under-

[5.] *Id. ib. c.* 47, 48, 49. The Two Ks. agreed to go with their Armies against *Jerusalem*.

[1.] *Id. c.* 50. K *Richard* had taken the City, had he gone boldly on to it.

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undertake it without very good Advice; and therefore [2.] Twenty perſons elected by Common Conſent, (*viz.*) Ten *Knights-Templars*, and *Hoſpitallers*, and Ten more out of the Chief Men of the *French*, and others that were Natives of the Country, were all ſworn faithfully to give their Opinions, Whither it was more feaſible to march further and beſiege *Babylon*, or to go preſently againſt *Jeruſalem*; whereupon this Great Council of War, after a long Debate, adviſed the former Deſign, which both the Kings comply'd with: Yet nevertheleſs, ſince the Duke of *Burgundy* and all the reſt of the *French* Nobility oppoſed that Reſolution, there was nothing done either one way or the other, but all things continued at a Stand.

[2] *Id. l. VI. c. 1, 2.*

By a Council of War the Two Ks. were adviſed to beſiege *Babylon*.

But the D. of *Burgundy* and the *French* Nobility oppoſing it, it came to nothing.

King *Richard*'s Memory Vindicated from the Aſperſions of the *French* Hiſtorians.

This fair and impartial Account why King *Richard* did not then undertake the Siege of *Jeruſalem* may ſerve to Vindicate his Memory from the Malice or Miſinformation of many of the *French* Hiſtorians, who make him to have put off this Reſolution either out of Favour to *Saladine*, or elſe out of Envy to the *French*, who might have reap'd great part of the Glory in taking that City: But ſuppoſe the King did then follow the worſt Advice, yet it was the Advice of a Council, that were accounted the Wiſeſt and moſt Experienced Men of the whole Army, who were then againſt that Enterprize.

[3] *Id ib. c. 4, 5.*

He takes a Rich *Turkiſh Caravan*, with a great many *Dromedaries* & *Cammels*.

[3.] However King *Richard* could not endure to lye Idle; and therefore hearing of a Rich *Turkiſh Caravan*, conſiſting of a great Company of *Cammels* and *Dromedaries* that were attended by a ſtrong Convoy, he marched with a flying Party to attack them, and ſetting upon their Guard, utterly routed it (though not without a ſharp Reſiſtance,) ſo that the whole *Caravan*, with all its Rich Cargo, fell into the King's hands; the greateſt part of which he diſtributed among his Souldiers, together with all the *Dromedaries* and *Cammels*.

[4] *Id. ib. c. 6, 7.*

The New K. *Henry* comes from *Acon* with his Army to K. *Richard* at *Ramula*.

Why they did not attempt *Jeruſalem*.

[4.] After this the King quitting all Thoughts of taking *Jeruſalem*, retreated to *Bethaven*, within Four Miles of *Joppa*, and from thence went to *Ramula*, a little Town not far off, and thither the New King *Henry* came to him from *Acon*, bringing along with him all his Forces: but though they were not many Miles from *Jeruſalem*, yet durſt they not attempt that Expedition in the Heat of the Year (it being about *Midſummer*) for want of Water, *Saladine* having commanded all the Wells and Ciſterns to be ſtopped up; yet without any conſideration of theſe difficulties, the *French* Army murmur'd, and were extreamly diſcontented that the Siege was put off: inſomuch that the Duke of *Burgundy* with his Officers mightily blam'd King *Richard*'s Conduct, and the Duke himſelf made a Lampoon or Ballad upon it, which he cauſed to be Sung in his Army very much to King *Richard*'s diſgrace: which when he heard, it ſo provoked him, that in Revenge he himſelf made another Lampoon upon the Duke and his *Frenchman*, and likewiſe cauſed That to be Sung in his Camp. This, together with divers other Quarrels, begot ſo great Diſcord among them, that they marched back again toward the Sea-ſide, and ſeparating their Camps, would not aſſociate with each other any longer: Whereupon *Saladine* taking advantage of theſe Diſſentions, recruited his Army, ſending for Twenty Thouſand freſh Men to *Jeruſalem*, where he then was.

A Ballad made and Sung in the D. of *Burgundy*'s Army, much to King *Richard*'s diſgrace.

Another Ballad made and Sung againſt the Duke and his *Frenchmen*.

Their Armies ſeparate, and *Saladine* recruits his.

[5.] In

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[5.] In the mean while great Part of the *Chriſtian* Army deſerted, and ſlipped away, ſome to *Joppa*, and ſome to other places; which the King perceiving, propoſed a Truce to *Saladine* for ſome time, till he could go into his own Country and return again; but the crafty *Turk* would by no means hear of any Truce, unleſs the King would wholly demoliſh *Aſcalon*; To which He would not conſent, but quite razed the Caſtle of *Darum*, reinforced the Gariſon of *Aſcalon*, and ſo without any further delay marched back with his Army to *Acon*, intending to return home with the firſt Opportunity.

[5.] *Id. ib. c.* 11. K *Richard* propoſes a Truce to *Saladine*. But it was not accepted of, unleſs *Aſcalon* were demoliſh'd.

The K goes back to *Acon*.

[1.] So ſoon as *Saladine* underſtood that King *Richard* had left *Joppa* he marched againſt it with a powerful Army, the very ſame day that the King went to *Acon*, and ſetting down before it, he batter'd it ſo furiouſly with his Engines, that in a few days he made himſelf Maſter of the Town, and put all the Sick and Weak men in it to the Sword; but the reſt fled into the Caſtle, which *Saladine* had likewiſe certainly taken, had not the *Patriarch* of *Jeruſalem*, who was then in the place, treated with him to ſurrender it, unleſs they were relieved the next day by Nine of the Clock; and the *Patriarch*, together with the Governor of the Caſtle, were given as Hoſtages for the performance of the Conditions: yet he had before hand ſent to King *Richard* an Account of their deſperate Condition, imploring his Aſſiſtance, telling him, that they hoped for a ſpeedy Relief. The King, ſo ſoon as he heard in what a miſerable ſtreight the Beſieged were, though he had then put a good part of his Men on Ship-board, and deſign'd to go away himſelf the next day, yet now changed his Reſolution, and went immediately to the Relief of the Place; He with his Forces going by Sea, whilſt the *Knights-Templars* and *Hoſpitallers*, with many other Valiant Souldiers, march'd by Land; and they came juſt in the nick of time, for the Hour of their Surrendering being paſt, as *Saladine* was preparing to make a general Aſſault, the King's Gallies were ſeen to enter the Harbour: upon which the *Turks* found ſomewhat elſe to do; and leaving the Siege ran down to the Sea ſide, to ſee if they could hinder the *Chriſtians* from Landing: but notwithſtanding all the Oppoſition the *Turks* could make with Arrows and Stones, they got on ſhore, the King himſelf ſhewing them the way, by leaping into the Water up to the Waſt: then marching with a Croſs bow in one hand, and a Sword in the other at the Head of his Men, he deſtroyed all the *Turks* that ſtood in this way, putting the reſt to flight, and ſo at laſt by a cover'd winding way entered into the City with ſome of his Men, there killing moſt of the *Turks* that were got into the outward Caſtle and City; ſo that *Saladine* with his whole Army being preſently forced to decamp, he retreated with them further up into the Country, and the King durſt not perſue them, both by reaſon of the Smallneſs of his Forces, and becauſe he had no more than three Horſes, and thoſe too he found in the Town; however marching out, He pitched his Tents in the ſame place which *Saladine* had quitted.

[1] *Id. ib. c.* 12, 13, 14, 15, 16. *Saladine* makes himſelf Maſter of *Joppa*, and puts all the Sick & Weak to the Sword.

The Caſtle too had been taken, if not relieved next day.

K. *Richard* paſſes with his Army by Sea, the *Knights-Templars* and *Hoſpitallers* by Land, to their Relief.

The K Lands, and deſtroys and puts to flight all the *Turks*.

Upon which *Saladine* decamps, and retreats up into the Country.

And K. *Richard* pitch'd his Tents in the place the Enemy had quitted.

[2.] The *Turkiſh* Prince being highly concerned at this Defeat, and having no hopes of ſucceſs, ſo long as King *Richard* was Alive, or at Liberty, ſent certain *Saracens* and *Arabians*, (Nimble and Deſpe-

[2.] *Id. ib. c.* 20, 21.

The *Turk* ſent ſome Souldiers to ſurprize the K by night, and take him Priſoner.

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Deſperate Fellows) who voluntarily undertook to ſurprize the King by Night in his Tent, and carry him away Priſoner, being then attended with a very ſlight Guard: and they had certainly ſucceeded in it, had not theſe Conſpirators, being of two ſeveral Nations, differed among themſelves, who ſhould firſt enter the Camp and ſeize the King's Perſon, and who ſhould ſtay without to watch, that none might ſteal away in the Dark. But whilſt they were debating this matter, a certain *Genoeſe* going out before day, diſcovered theſe *Saracens* by the noiſe of their Horſe's Feet. Thereupon running back into the Camp, he gave the Alarm, at which the King leaping out of his Bed, preſently dreſſed himſelf, and put on his Armour, and then with but Ten Horſemen (of whom the New King *Henry* and the Earl of *Leiceſter* were chief) having firſt drawn up his Forces in Battalia, he preſently march'd againſt the *Turks*. But now it ſeems *Saladine* had not only ſent out a ſtrong Body of Men to ſecond and relieve the Conſpirators, but alſo had order'd his Brother *Saphadine* to follow that Body with a great part of his Army.

How they happened not to ſucceed in their deſign.

Being diſcover'd by a *Genoeſe*.

Two parties ſent to aſſiſt and relieve Conſpirators.

[3.] King *Richard* thus marching out (as I ſaid) at the head of his Forces, (after a ſhort ſpeech to excite their valour) ſtood ſtill to receive the firſt aſſault of the *Turks*; and though they made a briſk and violent Charge in ſeveral Parties, one after another, yet not being able to break their Enemy's Ranks, they were forced to retreat; the *Chriſtian* Archers perſuing them with their Arrows, and killing a great many of them. Then the King, with his few Horſe (finding there was no good to be done againſt ſuch a Body as they had, who could either aſſault them, or retire at their pleaſure) immediately rode up briskly to the *Turkiſh* Horſe, and put them to flight. And indeed it is almoſt incredible what wonderful things he himſelf perform'd that day, killing many of the *Turks* with his own hands, and delivering the Earl of *Leiceſter*, who was taken priſoner; inſomuch that *Saphadine* himſelf was ſo tranſported with his Valour, that he ſent him, even during the Fight, two brave *Arabian* Horſes, ſince he ſaw the King then ſtood in ſuch need of them.

[3.] *Id ib. c.* 22. King *Richard* march'd out againſt the *Turks*.

The *Turks* forced to retreat.

The wonderful things K. *Richard* performed that day.

Saphadin's preſent to the K. during that Fight.

This handſome Preſent being thankfully accepted, and the bringers of it nobly rewarded, [4.] the Battle was again renewed, and the whole burthen lay upon the King, and thoſe few Landmen he had with him, for the Sea-men were fled to their Galleys; and the *Turks* to divert the King's Forces had ſent ſome to fetch a Compaſs, and ſurprize the Town; which when the King heard, he preſently retreated thither though but with a very few Men, and not only drove the *Turks* out, but alſo went and made his own men once more to quit their Galleys, and come on ſhore to his Aſſiſtance; after this he led back his Party to ſuccour his ſmall Army, which were ſtill engaged, and in great pain for his abſence; but as ſoon as he return'd, the *Turks* ſet all upon him; ſo that if he had not defended himſelf almoſt to admiration, and his Souldiers had not that day ſtoutly maintained their Ranks, both He and they had certainly periſhed.

[4] *Id ib.* The Battle is again renew'd.

The reſt of the Ks. great Exploits.

Among

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Among other heroick Actions which he then performed, this was one; A certain Admiral or *Turkiſh* Commander bravely mounted and Armed, ſetting upon King *Richard*, he received his Charge, and gave him ſuch a terrible ſtroke with his Sword, that he cut off his Head, and part of his Shoulder, at one Blow; ſo that none of the *Turks* daring to engage any more with him hand to hand, they ſhot at him with their Arrows, till both his Coat of Mail, and the Furniture of his Horſe were ſtuck full of them. And the *Turks*, finding at laſt that they could not prevail againſt him and his ſmall Army, were forced to retreat, leaving above Seven Hundred dead Bodies upon the place, with the Loſs of a very few *Chriſtians*.

He cuts off a *Turkiſh* Commander's Head, and part of his Shoulder at one ſtroke.

The *Turks* deſpairing, retreated, leaving 700 dead Bodies on the place, and but a few Chriſtians loſt.

[5] The King having again retired into the Town, fell very ſick through the great Fatigues he had endured in the late Fight, as alſo through the Corruption of the Air, that was occaſion'd by ſo many dead Carcaſſes, which lay unburied. Hereupon *Saladine* threatned, That if he would not depart thence, he would quickly come down and take him Priſoner: but he ſent him word, That he would expect his coming, nor ſhould his Threats make him quit the place: However, conſidering that he was much inferior to the *Turks* in Number, and but in a bad State of health himſelf, he ſent the New King *Henry* to *Ceſarea* to deſire the Duke of *Burgundy* with his *Frenchmen* to come to his Aſſiſtance, and to defend the Countrey; but they refuſing to give him any Succour, he had no way left, but to provide for his own ſafety as well as he could: Therefore at firſt he reſolved to leave *Joppa*, and return to *Acon* for the recovery of his Health; which when King *Henry* and the *Knights-Templars* and *Hoſpitallers* heard, they earneſtly perſuaded him to the Contrary, affirming, That without him they could not maintain any Place; whereupon the King being greatly troubled in Mind what to do, found it could not conſiſt either with his own Honour, or their Safeties, to leave them till he had made a Truce with King *Saladine* upon the beſt terms he then could, therefore treating with him by the means of *Saphadine* his Brother (who had always a great Reſpect for King *Richard*) there was at laſt a Truce concluded between them for the Space of Three years, upon theſe Conditions: Firſt, That *Aſcalon* ſhould be demoliſhed, and not repaired or fortified by either Party during that time: yet that *Joppa* might be repaired, and poſſeſſed by the *Chriſtians*, as alſo all the Countrey then in the *Chriſtian*'s hands, without any hinderance or violence from the *Turks*; And then, that the *Chriſtians* ſhould have free Liberty to go on Pilgrimage to the *Holy Sepulchre* without paying any thing for it, and likewiſe ſhould have free Commerce throughout all *Saladine*'s Dominions.

[5] *Id ib.* c. 25, 26, 27.

Saladine's Threats againſt King *Richard*.

The K's Anſwer to him.

He ſends K. *Henry* to *Ceſarea*, to deſire the D. of *Burgundy*'s Aſſiſtance, but was refus'd it.

At laſt a Truce is concluded between them for Three years, upon Conditions.

Theſe Articles King *Richard* agreed to, being the beſt he could obtain, conſidering the preſent State of Affairs, and He being then in a very ill State of Health, and deſtitute of Forces, and the Enemy with a Great Army lying within two Miles of the Place where he was.

Which tho' diſadvantageous, yet was the beſt King *Richard* could make at preſent.

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[1.] *Id ib. c.* 28, 30, 31, 32, 33, 34.

Why the King desired it for Three years.

Saladine's generous Answer.

[1.] After all things were thus concluded between *Saladine* and King *Richard*, he sent Ambassadors to him to let him know, that he only desired this short Truce, that so he might return home for a time; and when he had recruited himself with Men and Money, he would return again, and once more endeavour to recover the *Holy-Land* from his Dominion. To which *Saladine* is said to have return'd this generous Answer by the same Messengers; *That he called God to witness, that he had so great an Esteem for King* Richard's *Worth and Valour, that if it must be his Fate to lose that Country, he had rather it should be to Him, than to any other Prince whosoever.* And *Saladine* so far made good his Complements, that he gave to all those who had King *Richard*'s safe Letters of Conduct free liberty to go to the *Holy Sepulchre*, and return again in safety; which was at that time a very great Favour, for he denied it to all the *French*, because King *Richard* had refused them his Letters of Protection: So King *Richard*'s Subjects being divided into three Bands under three several Leaders, (Two whereof were Noblemen, and the Third *Hubert* Bishop of *Salisbury*) they all one after another perform'd the Pilgrimage they had Vowed to the *Holy Sepulchre*: And it is very observable, that *Saladine*, though he was much pressed to it by the *Turkish* Commanders to let them go and destroy the first of those Troops that came thither, in revenge of those many Brave Men they had lost; yet He would by no means suffer it, because he knew it would be a great dishonour not only to Himself, but also to his whole Nation, if he should have now broken the Truce so lately made; and therefore he gave the *Pilgrims* leave (as I said before) to go, and return without the least molestation.

He gives those who had the K's Letters of Safe Conduct liberty to visit the *Holy Sepulchre*, but denies it to the *French*.

The K's Subjects thereupon perform'd their Pilgrimage.

[2.] *Id ib. c.* 35, 36.

After their Vows performed, in return home, great part of them perished by Shipwreck.

300,000 Pilgrims lost their Lives at the Siege of *Acon* alone.

[2.] The Pilgrimage being thus perform'd, most of the Pilgrims took Shipping in order to return home; but a great part of them perishing by Shipwreck and other Accidents, never again saw their Native Countries: And our Author assures us from very good hands, that there were no less than Three Hundred Thousand Pilgrims who lost their Lives at the Siege of *Acon* alone, besides those that died afterwards in the City: If this be so, let the Reader judge what a vast Number more must have perish'd in other places.

[3.] *Id. ib. c.* 37.

King *Richard* makes Proclamation, to pay all those to whom he owed Moneys, and resolves to return home.

He redeems *Will. de Pratellis* by Ten *Turks*.

[4.] *R. H. p.* 408. *a.*

[3.] But this is certain, that King *Richard* having now recover'd his Health by retiring to a place called *Cayphas*, and settled all his Affairs, caused Proclamation to be made, That all those to whom he owed any Money should come and receive it, for he resolved to return home with all speed, because of the various Reports he had heard concerning the King of *France* his Actions, and the Expulsion of his Chancellor. So having redeemed that stout Knight *William de Pratellis* (who had lost his own Liberty to save the King's) by Exchanging Ten *Turks* of Quality for him, and taking that Gentleman with about Twenty Others in his Retinue, [4.] he returned to

Acon

Acon, and there went on Board a great Buſs which was bound for the Iſle of *Corfu*, about the beginning of *October*; where arriving within leſs than a Month, he ſail'd partly in a ſmall Ship, and partly in certain Galleys as far as *Raguſa*, in the Gulph of *Venice*, and Landing not far from that City, reſolv'd to go by Land through *Sclavonia* into *Auſtria*; where when they arriv'd, though He and thoſe that attended him being diſguiſed like Pilgrims, and letting their Hair and Beards grow to a great length, thought they ſhould not be known; yet could he not be long conceal'd, by reaſon of his more than ordinary Expences; which was alſo confirm'd by the Rumours that ran about, of his being ſomewhere in thoſe Parts. *Anno Dom.* MCXCII.

At *Acon* goes on Board a great Buſs, bound for the Iſle of *Corfu*.

From thence he went to *Raguſa*.

When he came to *Auſtria*, he could not be conceal'd for all his diſguiſe.

Wherefore the King being afraid of the Duke of *Auſtria* whom he had affronted, as likewiſe becauſe he knew he had a great Grudge againſt him, by reaſon of the League he had made with *Tancred* King of *Sicily*, the Emperor's Competitor for that Kingdom; as alſo becauſe of the Murther of the late Marqueſs of *Montferrat* his Kinſman, in which he ſuſpected King *Richard* to have had a hand: Wherefore, I ſay, being afraid of his being taken Priſoner, he privately withdrew from his Retinue, the Charge of whom he committed to one of his Principal Gentlemen that waited on him; and ſo taking Horſe with only one Servant, he travelled Day and Night till he arrived near *Vienna*: But coming to a ſmall Village, and lying down on a Bed to repoſe himſelf, whilſt in the mean time his Servant went out to buy Proviſions, he was known by one belonging to the Duke of *Auſtria*; and being ſeiz'd and brought before him, after many Enquiries he was forced to reveal where the King was: So the Duke ſending thither, they immediately took him Priſoner as he lay aſleep; of which Prize the Duke was not a little Joyful, having now an Opportunity, not only of revenging himſelf upon the King for the Affront he had put upon him in flinging down his Banner at the Taking of *Acon*, but alſo of enriching himſelf by a great Ranſom, which he reſolv'd to have for him before he would let him go.

They reſolve to ſeize, and deliver him to the Emperor.

He is taken Priſoner near *Vienna* by a Servant of his being diſcover'd.

Thus ended this Great Prince's unfortunate Expedition to the *Holy-Land*, as inglorioufly, as it was at firſt magnanimouſly undertaken.

I have been the more particular in relating the chiefeſt and moſt remarkable Actions that were perform'd by this Valiant Prince in this famous Expedition, becauſe it has never yet been ſo largely told in *Engliſh*, and becauſe it is ſo much to the Honour of this King's Memory, and may ſerve for a Vindication of One of our Greateſt Monarchs from the falſe and rude Aſperſions of divers of the *French* Hiſtorians.

But it is now time to look back into *England* and ſee what has been doing there, ſince the laſt Account we gave you concerning the Biſhop of *Ely*; [5.] who ſo ſoon as he arriv'd in *France*, wrote to the Pope long Letters full of Complaints, how ill he had been

[5.] *Id.* p. 402. a.

Anno Dom. MCXCII. been uſed in Contempt of his Legantine Authority: At which the Pope was ſo much incenſed, that he Commanded the Archbiſhops and Biſhops of *England* to *Excommunicate* Earl *John* and all his Adviſers and Accomplices. Upon this the Biſhop of *Ely* as Legate, wrote to the Biſhop of *Lincoln* immediately to put in Execution the Pope's Brief, and ſent him the Names of all ſuch as he would have him to *Excommunicate* by name, *viz. Walter* Archbiſhop of *Roüen*, *Godfrey* Biſhop of *Wincheſter*, *Hugh* Biſhop of *Coventry*, *William* Earl Mareſchal, *Geoffrey Fitz-Peter*, *William Briwere*, *Hugh Bardolf*, and many Others; but none of the Biſhops would Execute either the Pope's or his Commands, as not owning him any longer for Legate or Chancellor: and which was more, the Archbiſhop of *Roüen* and the other Lords Juſtices of *England* (who had then undertook the Government) diſſeized him of his Biſhoprick, and Collected the Rents to the King's uſe, to make good the Money he had waſted: Aud then the ſaid Juſtices, and all the Biſhops, Earls and Barons of *England* ſent to the King, and by one Common Letter acquainted him, how that his Chancellor had impoveriſh'd the Nation, and waſted his Treaſure, and for his ſo doing, had been put out of his Office by the Common-Council of the Nation. On the other ſide, the Chancellor wrote to the King, that his Brother Earl *John* had ſeized the Kingdom, and would make himſelf King, if he did not ſpeedily return home. No wonder therefore if he made what haſte he could to get back into *England*.

The Pope writes to the A Bps. and Bps of *England* to Excommunicate Earl *John*.

The Bps refuſe to do it.

[1] *Id. p.* 408. [1.] In *Lent* following, Queen *Eleanor*, the King's Mother, being now return'd out of *Normandy*, the Archbiſhops of *Roüen* and *York*, and all the Great Men of the Kingdom, met and ſwore Fealty and Faithful Service to King *Richard*, and his Heirs, againſt all Men: Yet at the ſame time Earl *John* having promiſed the Biſhop of *Ely* for Five Hundred Pounds to reſtore him to his Office of Chancellor, had ſent for him privately into *England*, and endeavour'd to perſuade the Great Men to permit his coming, but they would not; but they ſent him word, That unleſs he forthwith departed the Kingdom, they would impriſon him; Wherefore not daring to ſtay here any longer, he went beyond Sea on *Good-Friday* following: ſo all the reſt of this Year paſſed quietly under the prudent Government of *Walter* Archbiſhop of *Roüen*, and the other Juſtices of the Kingdom.

Earl *John* endeavours to reſtore the Chancellor, but the Great Men would not conſent to it.

[2] *R. H. p.* 408. *b.* [2] I ſhall conclude this Year with an Account of the State of Affairs in *France*, where King *Philip*, almoſt as ſoon as he return'd from the *Holy-Land*, (and before he had heard of King *Richard*'s Impriſonment) went to the Borders of *Normandy*, and there held a Treaty with the Seneſchal and Noblemen of that Dutchy, of whom he demanded his Siſter *Alice*, who was then kept in the Caſtle of *Roüen*; as alſo the Caſtle of *Giſors*, and the Earldoms of *Ewe* and *Albemarle*, and ſhewed them the Agreements in writing which had been made between Him and King *Richard* at *Meſſina* for the delivery of the Lady and of thoſe Territories: but the Seneſchal and Nobility would return the *French* King no other Anſwer, Than that they had received

The King of *France*, at his return from the *Holy-Land*, goes to the Borders of *Normandy*, and demands his Siſter *Alice*.

ceived no Orders from their Maſter concerning any of thoſe things, and therefore could not comply with his Deſires: At which King *Philip* being provok'd, raiſed a great Army, and would preſently have invaded *Normandy*; but the Chief Noblemen of *France* would by no means agree to it, ſaying, That the Pope had *Excommunicated* all thoſe who ſhould make War upon the King of *England* before his Return: So King *Philip* was forced for that Time to give over this Enterprize.

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Upon the Seneſchal and other Noblemen of that Dutchy their denial, he raiſes an Army to invade *Normandy*, but durſt not.

Alſo about the ſame Time, whilſt the Seneſchal of *Gaſcony* lay ſick, the Count of *Perigord*, and the Viſcount *de la Marche*, with all the Barons of thoſe Parts, began to waſte the Territories of the King of *England*, and would grant the Seneſchal neither Peace nor Truce, though he often deſired it: Wherefore, as ſoon as he was well, he in Revenge invaded the Territories of that Count, and taking ſeveral of his Caſtles, fortified ſome of them, and deſtroy'd others, and ſubdued the whole Earldom to the King's Obedience.

The Seneſchal of *Gaſcony* ſubdues the whole Earldom of *Perigord* to K. *Richard*'s Obedience.

[3.] Not long after which, the Eldeſt Son of the King of *Navarre*, and Brother to Queen *Berengera*, came to the Seneſchal's Aſſiſtance with Eight Hundred Souldiers, and they both together entred the Territories of the Count of *Tholouſe*, and took divers Caſtles near that City, ſome of which they fortified, and others they razed.

[3.] *Id. p.* 410. *a.* Q. *Berengera*'s Brother, and the Seneſchal, take divers Caſtles from the Count of *Tholouſe*.

[4.] King *Philip*, being highly diſſatisfied that the Seneſchal of *Normandy* had refus'd to deliver him his Siſter, with thoſe Places he demanded, and being now aſſured by the Emperor's Letters of King *Richard*'s Impriſonment, was reſolved to take another courſe; therefore preſently after *Chriſtmaſs* he ſent ſeveral Meſſengers into *England* to Earl *John*, promiſing him, That if he would ſubmit to, and follow his Advice, he ſhould Marry his Siſter *Alice*, and with her ſhould enjoy all *Normandy*, *Aquitain*, and *Anjou*, as likewiſe all the Lands his late Father had been poſſeſſed of in *France*; Nay farther, he promiſed him that he would make him King of *England* in his Brother's Room.

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[4.] *Id. p.* 412. *a.* The King of *France* ſends to Earl *John*, offering him his Siſter *Alice* in Mariage, and to make him K. in his Brother's room.

[5.] Whereupon Earl *John* ſoon after paſſed into *Normandy*, where the Seneſchal and other Great Men met him, andbeing ignorant of his Traiterous deſigns, they deſired his Preſence at *Alençon* to conſult with them about the King, his Brother's Affairs, and the freeing him from his Impriſonment: But the Earl told them, That if they would receive him as their Lord, and ſwear Fealty to him, he would go with them, and undertake their defence againſt the King of *France*, but otherwiſe he would not: Whereupon the Noblemen of *Normandy* refuſed his Propoſals, and reſolved to own none but their Lawful Sovereign.

[5.] *Id. ib.* Earl *John* refuſes to treat with the *Norman* Nobility about the K's releaſe, unleſs they would accept him for their Lord.

But they refuſe.

[1.] The Earl being thus diſappointed of his Expectations, immediately went to the King of *France*, and did Homage to him for *Normandy*, and the reſt of his Brother's Dominions on that ſide the Sea; nay (as it was reported) for *England* alſo, and ſwore he would take

[1.] *Id. ib.*

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take to Wife his Sister *Alice*; and then releasing to him *Gisors*, and the whole *Norman Veuxin*, the King gave him with his Sister that part of *Flanders* he had in his possession, and swore he would do his utmost to help him to gain *England*, and the rest of his Brother's Dominions.

He does Homage to the King of *France* for *Normandy*, and swore he would marry his Sister *Alice*.

What the *French* K gave him with his Sister.

[2.] Then Earl *John* return'd into *England*, bringing many Strangers over with him, and had the Castles of *Windsor* and *Wallingford* deliver'd to him: From whence he came to *London*, and demanded the Kingdom from the Archbishop of *Roüen*, and the other Justices (or Commissioners for the Government) and the Fealty of the Military Tenants or Vassals, affirming, That his Brother the King was dead, but they believed him not: And when he saw he was rejected by the Justitiaries and Great Men, he, transported with Indignation, fortified his Places of Strength, and invaded his Brother's Territories in an Hostile manner. But the Justitiaries had so well secured the Ports, as neither *French* nor *Flemings*, that promised him Assistance, durst attempt to Land in *England*. They likewise Besieged *Windsor*-Castle; and the Archbishop of *York*, with *Hugh Bardolfe*, One of the King's Justitiaries (and then Sheriff of *Yorkshire*,) and *William de Stuteville* raised an Army in that Countrey, and marched to *Doncaster*, which they very well fortified. Then the Archbishop would have gone on, and Besieged *Tickhill*, a Castle belonging to Earl *John*: but the Other Two Justitiaries would not consent to it, because they were his * Tenants or Feudataries: Upon which the Archbishop, with his People, left them, calling 'em *Traytors to the King and Kingdom*.

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[2] *Id. ib.* E. *John* returns into *England*, and demands the Kingdom, affirming that the K. his Brother was dead.

The Justitiaries reject him, and secure the Ports.

And raise an Army to oppose him.

* *Homines sui.*

But it is high time to look back into *Germany*, and see how King *Richard* passed his Time there during his Imprisonment by the Duke of *Austria* at [3.] *Vienna*; where having been kept close Prisoner ever since the latter end of *December*, the Emperor *Henry* VI. now sent to demand him, alledging, That the Duke being his Vassal, it belonged not to him to have the Custody of the King's Person: Whereupon the Duke (partly for fear of the Emperor, and partly because he was by him promised a large Share of the Ransom demanded for his Liberty) deliver'd him into the Emperor's Custody: So on the *Wednesday* before *Easter* the King was brought into his Presence in a great Assembly of the Nobility and People. The Emperor thinking to terrify him, spake at first roughly to him, and laid many things to his Charge, especially the Murther of the late Marquess of *Conrade* his Cousin: but the King knowing his own Innocency, answer'd all the Emperor's Allegations with so much Eloquence and Courage, that he not only gave great Satisfaction to all there present, but moved the Emperor himself to Compassionate his Misfortunes, and to Reverence his Person, though not to that degree, as to make him willing to discharge him without a great Ransom, which was soon after agreed upon for One Hundred Thousand Marks; and till the payment of part, and giving Security for the rest, the Emperor detain'd him in [5.] safe (though honourable) Custody, and suffer'd his Servants and Great Officers to have Access to his Person.

[3.] *R. H. p.* 410. *a.* The Emperor sends to the D. of *Austria*, to deliver K. *Richard* up to him, which he did accordingly.

[4.] *Id. p.* 411. *a.* The K being brought into the Emperor's Presence, he at first treated him roughly.

But the King's Eloquence and Courage in answering, moved all there present to compassionate him.

[5.] *Id. ib.*

Thither

Thither alſo came to him the Biſhop of *Ely*, the late Chancellor, to complain againſt thoſe who had expell'd him the Kingdom; and thereupon the King preſently reſtores him to his former Office, becauſe he was not turn'd out by his Orders: After him came *Hubert*, Biſhop of *Salisbury*, out of *Sicily*, where he had receiv'd the ill News of the King's being taken Priſoner; but his Stay was not long there before he was diſpatch'd away into *England*, not only to take care of the Kingdom, but alſo to haſten the raiſing his Ranſom, ſince there was no Man, upon whoſe Prudence and Fidelity the King could more ſafely rely.

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The Bp. of *Ely* goes to him, and complains of his hard Uſage, who reſtores him to his Chancellorſhip.

[1.] Not long after *Eaſter* the Abbots of *Boxley* and *Robertsbridge*, who had been ſent by the Juſtitiaries ſome Months before to find out the King, return'd home, and brought back a full Account of the Agreement that had been made between him and the Emperor, which was to this effect; *viz.* That the King of *England* ſhould pay to the *Roman* Emperor an Hundred Thouſand Marks of Silver for his Ranſom, and find moreover Fifty Galleys with all their Furniture, and Twenty Knights to be in his Service for One Year; and that they themſelves had been preſent at the making of this Contract; and farther, that the King of *France* having lately ſent his Envoys to defy King *Richard* on his behalf, the Emperor had anſwer'd them, That whoever affronted the King of *England*, injur'd himſelf: All which were but meer Words, for he never did any thing againſt the King of *France* in favour of King *Richard*, nor ſent any Forces to his Aſſiſtance.

[1] *Id. ib.*

The Two Abbots that had been ſent to find out the King, return home, and bring an Account of the Agreement between Him and the Emperor.

[2.] In the mean time the King of *France* again invaded *Normandy*, and beſieged the Caſtle of *Giſors*, which *Gilbert de Vaſcoil* preſently ſurrender'd up to him, together with the Caſtle of *Neſle*; but he was accounted a moſt notorious Traytor for this unworthy Action; He having had the Cuſtody of both theſe Places committed to him by the King himſelf whilſt he was at *Meſſina*.

[2.] *Id. ib.*

Giſors ſurrender'd to the K. of *France*, and the Caſtle of *Neſle*, by *Gilbert de Voſcoil*.

[3.] King *Philip* having taken *Albemarle*, and divers other ſtrong Caſtles in *Normandy*, came before *Roüen* with his whole Army, threatning its deſtruction unleſs they ſurrender'd the City: But *Robert* Earl of *Leiceſter*, who was lately return'd from the *Holy Land*, having put himſelf into it, ſo encouraged the Citizens againſt the *French* King, that though he Beſieged the City for ſome days, yet having received more damage than what he had done to the Town, he was forced at laſt to Raiſe the Siege. But in his Retreat from thence he took the ſtrong Caſtles of *Paſcie* and *Wierie* without much difficulty. Then, to put ſome ſtop to his Carriere, the Governors of *Normandy* procured a Truce from the King of *France*, by promiſing him a great Sum of Money, and by delivering up Four Caſtles as a Pledge for the performance of the ſame.

[3] *Id. p.* 411. *W. N.*

K. *Philip* with his whole Army threatens deſtruction to *Roüen*, and beſieges it.

The E. of *Leiceſter* then in it oppoſes him, & makes him Raiſe the Siege.

The Governors of *Normandy* procure a Truce from the K. of *France*.

[4.] In the mean while King *Richard* looking upon his delivery as certainly agreed on, (the Terms of it being already ſetled as you have heard,) thereupon ſent into *England* for Ships under *Alan de Trenchmer*

[4] *Id. ib. p.* 412. *b.*

Anno Dom. MCXCIII. King *Richard* ſends for his Ships to bring him over.

Trenchmer his Admiral in order to his Tranſportation, as alſo Orders to get ready the Hoſtages that were to be delivered to the Emperor for the payment of the Ranſom, according to the Agreement which had been made between them: But the performance of it being from time to time delay'd, All began to wonder at his long Stay, and very much to doubt of his Return, for the reaſon of this delay was not then known. But the King of *France* combining with Earl *John* againſt the King his Brother, had ſent underhand certain Envoys to the Emperor, promiſing him a great Sum of Money if he would detain King *Richard* ſtill a Priſoner; So that for ſome time he was put under ſtreighter cuſtody, and had heavier Chains upon him, which made his Subjects in *England*, who knew nothing of theſe Tranſactions, to be in ſuſpence, what would become of him: and this was the true Reaſon, that now the Archbiſhop of *Roüen*, and the other Juſtitiaries, though they had forced Earl *John* to a Complyance, and taken the Caſtle of *Windſor* out of his hands, yet now made a Truce with him till the Feaſt of *All-Saints*; the Caſtles of *Nottingham* and *Tickhill* being to remain ſtill in his Cuſtody as they were before; but the Caſtles of *Windſor*, *Wallingford* and *Pet*, were ſurrender'd to the *Queen-Mother*, upon Condition, to have them re-delivered to the Earl, if the King never returned.

K. *Philip* underhand combines with E. *John*, and promiſes the Emperor a good Sum of Money to keep *Richard* ſtill a Priſoner.

A Truce made with E *John* by the A. Bp. of *Roüen* and the other Juſtitiaries.

[5] *Id. p. 413. a.*

The K. writes to his Subjects to ſend Money for his Releaſe.

[5.] Not long after this there arrived other Meſſengers from the King, who brought his Letters directed to all Archbiſhops, Biſhops Earls, Barons, Clerks and Free Tenants of the Kingdom, wherein he deſired all the Clergy and Laiety to give ſuch an Aid as might procure his Liberty; and the Emperor himſelf then alſo wrote to them (though in general Terms) that the King and He were agreed upon his Ranſom, though without naming the Sum.

[1.] *Id. ib.*

[1.] And the Reader is alſo to take notice, that the Pope had ſome time before threatned the whole Kingdom with an *Interdict*, unleſs the King were ſpeedily ſet free, and had wrote to the King of *France*, declaring, That he would *anathematize* his Kingdom, unleſs he forbore diſturbing the King of *England*'s Territories, whilſt he was a Priſoner.

[2.] *Id. ib. b.*

His Letters directed to the Q. his Mother, his Juſtices, and all other his faithful Subjects.

[2.] Our Author hath alſo given us the King's Letters above mention'd, directed to Queen *Eleanor* his Mother, and to his Juſtices and all other his faithful Subjects; wherein he lets them know, that being lately brought from the Caſtle of *Triuellis*, he had met the Emperor at *Hagenon*; and being by him honourably received, there was now a firm League and Agreement made between them, but mentions not the payment of more than Seventy Thouſand Pounds for his Ranſome, which he deſires all the Parties abovemention'd to raiſe with all poſſible ſpeed; and alſo to take an Account in writing of what Plate belongs to any Churches; and likewiſe that they ſhould get the Hoſtages ready that were to be ſent over for the true payment of the reſidue of the Money that ſhould remain behind; and further orders it to be paid to the Queen his Mother,

and

and thoſe whom ſhe ſhall appoint to receive it. Theſe Letters are dated from *Hagenow* the Tenth of *April* this Year. *Anno Dom.* MCXCIII

[3.] Upon the Receipt of the King's Letters, and by their Authority, the Queen-Mother and the Lords Juſtices determined, that all Clerks and Laicks ſhould contribute a Fourth part of their Revenues that Year for the Redemption of the King; and beſides, this ſhould add ſo much more out of their Moveable Goods, ſo that when the King return'd he might own it as an Obligation. [3.] *Id. ib.* How and upon whom this Sum was levied and raiſed.

[4] Then beſides this, they ſet Twenty Shillings upon every Knight's Fee; and farther ordered, that the Abbies of the *Ciſtertians*, and Houſes of the Order of *Semplingham*, ſhould contribute all their Wooll of that Year; and that all the Gold and Silver the Churches were poſſeſſed of ſhould be brought forth, and delivered up for the ſame purpoſe; yet that this Tax was not impoſed by the King's Prerogative, (as ſome are apt to believe) appears from hence, That [5.] (as *Rad. de Diceto* relates,) all this Money was raiſed *Aſſenſu Communi*, that is, by the Authority of the Great Council of the Kingdom. [4] *Id. ib.* The Gold and Silver taken out of the Churches, to be reſtored. [5.] *Col.* 670. This only a Benevolence.

[1.] Thus was a vaſt Sum raiſed in *England*, and received by the Emperor's Envoys at *London*, in part of the King's Ranſom, and that by exact Weight and Meaſure, being ſeal'd up, and deliver'd to ſuch as were to convey it to the Borders of the Empire, at the hazard of the King of *England*. [1.] *Id. ib.*

But certainly this was raiſed with very great Severity; for [2.] *William of Newburgh* tells us, That the King's Officers puſh'd forward this buſineſs in all Parts of *England* with that Earneſtneſs, that they ſpar'd no body; and that without any diſtinction of either Clerk, or Laick, Secular or Religious Perſons, all were compell'd to pay indifferently, according to their Ability, or their Yearly Incomes: Nor did the Privileges of Churches and Monaſteries then ſignify any thing; ſo that the very Chalices and Altar-Plate was deliver'd to the King's Officers to make up the Sum. Nor did one Levy ſuffice; for when it was believed, that the Sum already raiſed did much exceed what was demanded for the King's Ranſom, yet by Tricks and Artifices (as was ſuppoſed) of the King's Officers, it fell ſhort, ſo that there was a Neceſſity for a Second payment, and after that a Third, whereby they deſpoiled all the Wealthy Men of the Kingdom of their Money and Goods. However, this ſpecious and popular Argument of reſtoring the King his Liberty, made them the more contentedly to ſwallow this bitter Pill; for it was very well urged to the Clergy, that ſince the Gold and Silver Plate belonging to Churches might be beſtow'd upon the Redemption of Chriſtian Captives, much more for reſtoring the King to his former Liberty. This Benevolence raiſed with great Severity. [2] *Q. 4 c. 35. B. C. Col.* 12. By Three Levies, and yet proved not ſufficient.

But though the whole Nation was near quite drained of its Money, yet was it not ſufficient to diſcharge the Sum demanded, and therefore Hoſtages were to be given for the Remainder: [3.] About which Affair the Biſhop of *Ely* now came to *England*, and immediately went to St. *Albans*, where the Queen-Mother, the Archbiſhop of *Roüen*, and the other Juſtitiaries then were; and he there produced a Letter from the Emperor to the Earls, Barons, and Noblemen of *England*, ſeal'd with a * Bull or Seal of Gold, ſetting forth his late Agreement with, and great Reſpect he had for the Hoſtages given for the Remainder. [3.] *R. H. p.* 413. *b.* The Bp. of *Ely* returns into *England* to manage the King's buſineſs.

* Note, *Bulla* properly ſignifies a round Piece of Metal; whence Writings ſealed therewith were called Bulls.

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King, as alſo his Readineſs to reſent all Injuries done to him as if they were done to himſelf.

And then the Biſhop with ſeeming great Humility told the Lords, *That he came not as a Juſtitiary, or a Legate, nor yet as a Chancellor, but only as a Biſhop and the King's Envoy.* Then he Enjoyn'd ſome of the Biſhops, Earls and Barons, to go back with him, and attend upon the King; Whereupon *Gilbert*, Biſhop of *Rocheſter*, *Sefred* Biſhop of *Chicheſter*, *Benedict* Abbot of *Peterburgh*, *Richard* Earl of *Clare*, Earl *Roger Bigot*, *Geoffrey de Say*, and many other Noblemen went along with him accordingly.

[4] *Id. p.* 414 *a.* King *Richard* gives the Emperor his Kingdom to gain his Liberty.

He is reinveſted with it by the Emperor to hold it of him by Annual Tribute.

But before his Death the Emperor diſcharges him of it.

But it is now time to ſhew you, by what means the King had at laſt hopes to obtain his Liberty, [4.] which, our Author (under the laſt Year) tells us, was, by making over his Kingdom to the Emperor, inveſting him with it by the delivery of his Cap; and that then the Emperor preſently delivered it back to him, to hold it of him by the Annual Tribute of Five Thouſand Pounds Sterling, and re inveſted him by a double Croſs of Gold: but the Emperor before his Death acquitted and diſcharged King *Richard* and his Heirs of this and all other manner of Contracts: But ſince I find this Tranſaction in no other Author of that Time, nor yet to be comprized in the Articles of Peace between the Emperor and the King, and that it does not ſeem agreeable to his wonted Greatneſs of Mind, I know not what great credit to give to it.

[5] *Id. p.* 414 *b.* A great Conſpiracy againſt the Emperor for the Murther of the Bp. of *Liege*.

A Treaty between the Emperor and K. of *France*.

But broke off by K *Richard*'s Policy.

[5.] But this is more certain which the ſame Author relates, that there being about this time a great Conſpiracy of the Princes of the Empire againſt the Emperor, by reaſon of the Murther of the late Biſhop of *Liege*, which the Emperor was ſuſpected to have contrived; he had no way to avoid it, but by making a ſtricter Confederacy with the King of *France*. One of the main Articles of which (if it had taken effect) was, That King *Richard* ſhould be deliver'd up to King *Philip*, and the Day was appointed for that purpoſe: But the King of *England* by his Intereſt and Mediation ſo prevailed with the Princes of the Empire to reſt ſatisfied with the firſt Agreements, that the intended Treaty between the Emperor and the King of *France* was wholly defeated.

[1] *Id. ib.*

A Treaty between the Emperor and K. of *England*.

[1.] This done, the Emperor the next day after St. *John Baptiſt* came to *Wormes*, where the King of *England* then was: and there a Treaty was held between them four days; there were preſent at it all the Biſhops of thoſe Parts, with the Dukes of *Lovain* and *Lemburgh*, and many Earls and Barons; On the King's behalf appeared the Biſhops of *Bathe* and *Ely*, and on the Fourth day after *William Briwere*, and *Baldwin de Bretun* came to the King, though as yet they all deſpaired of his Liberty; But on the day following they came to a final Agreement upon theſe Conditions.

The Agreement between them.

I. That the King of *England* ſhould pay *Henry* the Emperor One Hundred Thouſand Marks of pure Silver, according to the Weight of *Cologne*, and another Fifty Thouſand, as an Aid toward his Reducing *Apulia*.

II. That the King ſhould give the Siſter of *Arthur* Duke of *Bretaign*, his Nephew, in Mariage to the Son of the Duke of *Auſtria*; and that the King ſhould deliver the Emperor of *Cyprus* and his Daughter.

III. That

III. That the Hundred Thouſand Marks were to be brought into the Empire, at the hazard of the King of *England*; and when they were ſafe got there, he was freely and quietly to return into *England* under ſafe Conduct. *Anno Dom.* MCXCIII.

To which we may likewiſe add one other Article, *viz.* IV. That the King was to give Hoſtages for Fifty Thouſand Marks more to the Emperor, and the Duke of *Auſtria*; of which nevertheleſs the King was to be excuſed, if he perform'd his Promiſe concerning his Reſtoring of *Henry* Duke of *Saxony*.

[2.] The Emperor likewiſe was to give the King upon his being ſet free, ſafe Conduct through his Countrey, to what Port he ſhould pleaſe to take Shipping at; and to this all the Biſhops, Dukes, Earls and Barons there preſent ſwore on behalf of the Emperor; the Form of which Bargain or Compoſition you may find at large in our Author. [2.] *Id. ib.*

[3.] But that the World might believe King *Richard* had ſomewhat more for his Money than his bare Liberty, the Emperor at the ſame time gave unto the King of *England* by his Charter the Sovereignty of *Provence*, *Vienna*, and *Viennois* (now part of *Dauphiny*) *Marſeilles*, *Narbon*, *Arleblanc*, and *Lions* upon the *Rhone*, as far as the *Alps*, and whatſoever he had in *Burgundy*, and the Homage of the King of *Arragon*, the Homage of the Earl of *Diſdiers*, and the Homage of the Earl of St. *Giles*; all which were indeed noble Dominions; but the miſchief of it was, the Emperor never was poſſeſſed of them, ſo that it proved no more than a meer empty Title, without any Power, or other Advantage. [3.] *Id. ib.* What the Emperor gave to the K. of *England*. Tho his Donation proved but an empty Title.

[4.] But it is now Time to return to *England*, and ſee what has been done here during the King's Impriſonment: And the moſt Conſiderable Action was Eccleſiaſtical, which I ſhall mention now, becauſe it has a near Relation to Civil Affairs. [4] *Id. p.* 415.

The King ſent over his Letters of *Congè* for the Election of a new Archbiſhop of *Canterbury* in the Room of *Baldwin*, who died in the *Holy-Land* (as you have already heard) upon the Receipt of theſe Letters, the Biſhop of *London*, as Dean of that Province, ſummon'd all the Biſhops thereof to that City, with *Geoffrey* Prior of *Canterbury* and his Monks; which laſt being arrived, they would not ſtay for any Nomination by the Biſhops (as not thinking it neceſſary) but preſently *Elected Hubert Walter* Biſhop of *Salisbury* (then newly return'd from the *Holy Land*) Archbiſhop of *Canterbury*; and ſoon after preſented him to the Queen-Mother, the Archbiſhop of *Roüen*, and the reſt of the Biſhops, who were by that time aſſembled for this *Election*; who when they ſaw what the Monks had done, and that the Perſon *elected* was worthy of their Choice, to avoid having any difference with them, the Biſhops likewiſe preſently *elected* him, though the Prior and Monks did not regard it, as looking upon the Right of *Electing* an Archbiſhop to be wholly in themſelves: Then the Archbiſhop of *Roüen*, and Biſhop of *London*, ſitting in the King's Seat as his Vicegerents, declared the ſaid *Hubert* to be duely *elected*, and the Archbiſhop of *Roüen*, by the King's Authority, confirmed the ſaid *Election*. The King, during his Impriſonment, ſends over Letters of *Congè* to chuſe an A. Bp. of *Canterbury*. *Hubert* Bp. of *Salisbury* being Elected both by the Monks and Biſhops, is declared and confirmed A. Biſhop.

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I have been the more particular in the Relation of this Tranſaction, to let the Reader ſee, that it was not as yet ſetled who had the Right of *Electing* an Archbiſhop, whither it lay in the Monks of *Chriſt-Church*, *Canterbury*, or in the Biſhops of that Province: But this Diſpute between them being renew'd in the next Reign, it gave the Pope a Pretence to nominate one that was choſen by neither of them, as you will find in due time.

[5.] *Id p 416. b.* The K. ſends over for his Mother and ſeveral Great Men to attend him.

[5.] Not long after this, the King ſent for his Mother Queen *Eleanor*, and for *Walter* Archbiſhop of *Roüen*, with many other Great Men, to come over to him into *Germany*, and [1.] at the ſame time appointed *Hubert* the New Archbiſhop elect, Juſtitiary of *England*.

[1.] *Id. ib.* *Hubert* made Chief Juſtitiary of *England*.

In the mean while the Emperor, by the Advice of the Princes of the Empire, ſet King *Richard* a day for his Deliverance, of which the King gave the Archbiſhop of *Canterbury* notice in a Letter, on purpoſe that He might partake of the ſatisfaction he himſelf received in the aſſurance of his being ſet free at the time prefix'd, which was to be upon the *Monday* Three weeks after *Chriſt's Nativity*, and that the *Sunday* following he was to receive the Crown of the Kingdom of *Provence*, which the Emperor had beſtow'd upon him, and whereof he now ſent him the Letters Patents, *&c.* This bears date at *Spire* the Twenty-ſecond of *September*. A little before *Chriſtmaſs* the Emperor himſelf wrote to the Biſhops, Earls, Barons, and other Subjects of *England*, not only to let them know the certain day of the King's Deliverance, but alſo how magnificently he intended to honour him with the Crown of *Provence*; but all this was only to wheadle the People to part with their Money the more eaſily and contentedly.

K. *Richard* by Letter gives the A. Bp. of *Canterbury* notice, that the Emperor had ſet a day for his Deliverance, and receiving the Crown of *Provence*.

The Emperor writes to the ſame purpoſe into *England*.

[2.] *Id. p. 414. b.* Earl *John* goes over into *Normandy*.

[2.] So ſoon as the King of *France* had heard of this Agreement between the Emperor and the King, he ſent to Earl *John*, bidding him have a care of himſelf, *for the Devil was now like to get looſe*; the Earl knowing what was meant by it, preſently paſſed into *Normandy*, not daring to expect the King his Brother's arrival in *England*. Our Author a little after gives us a much more probable Account of the Reaſon of Earl *John*'s going over, *viz.* That before the Agreement was confirm'd between the Emperor and King *Richard*, the Latter ſent *William* Biſhop of *Ely* his Chancellor, and Others into *France* to his Brother *John*, and ſo effectually prevailed with him, that he returned into *Normandy*, and ſwore Fealty to the King his Brother againſt all Men; and then by his Letters the King Commanded all the Caſtles belonging to the Honours he had given him to be delivered to him, as well in *England* as beyond Sea; but yet thoſe who had them in their Cuſtody would not deliver them upon thoſe Credentials. Whereupon he returned in Anger to the King of *France*, and ſtayed with him, and he gave him the Caſtles of *Driencourt* (now *Drencourt*) and *Arches*, which ſhould have been delivered to *William* Archbiſhop of *Rhemes*.

And ſwears Fealty to his Brother King *Richard*.

[3.] *Id. ib.* The Bp. of *Ely* and others ſent to King *Richard* by the K. of *France*, to make Peace with him.

[3.] Our Author farther relates, that ſoon after this, King *Richard* ſent the Biſhop of *Ely* his Chancellor, and *William Briwere* and Other Wiſe Men to the King of *France* to make Peace with him, upon any reaſonable Terms, and that they did it accordingly, and ſettled the Claims on both

both ſides: Then [4] follows a long form of the Peace, which was ſuppoſed to be made between the Two Kings; wherein the Firſt Article was that the King of *England* ſhould be at the Mercy of his Lord, the King of *France*, for all thoſe Territories he had taken from him, ſo that he might keep what he would of them: After this follows very large Proviſions for the Indemnity of Earl *John*, and for the ſecurity of ſuch Earls and Barons of *Normandy*, and other the King's Dominions, who had joyned with the King of *France* againſt him; alſo that King *Richard* ſhould pay to the King of *France* Twenty Thouſand Marks *per Annum* for Two Years: and for the performance of theſe Articles, and the true payment of this Money, King *Richard* was to deliver up Four Caſtles to the King of *France*, and in the mean time they were to be maintained at the Charge of the King of *England*: And the ſaid Biſhop of *Ely* with the other Three Ambaſſadors ſwore, that King *Richard* at his Return home ſhould ſwear to ratifie this Agreement by his Charter; and that if he refuſed it, they would ſurrender themſelves up Priſoners to the King of *France*, with ſome other conditions highly diſadvantageous to King *Richard*.

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[4] *Id. p.* 415. The Form of the Peace ſuppoſed to be made.

The Ambaſſadors ſwore that the King their Maſter ſhould Ratify the Agreement by his Charter.

Theſe Articles, though they are there ſaid to be ſealed by all the Ambaſſadors above-mentioned, yet ſince no Other Author makes any mention of them, and that certainly they never were confirmed, or performed by King *Richard*, and that no Peace was ever made between them according to the Tenor of thoſe Articles, I look upon them to have been only a haſty and raſh Act of thoſe Ambaſſadors: Wherefore the King their Maſter had no reaſon to ſtand to them, they being ſo much to his Prejudice, that the Continuation of the War would ſcarce have put him into a worſe condition.

But the King was no ways obliged thereby.

This is all I can find to have happen'd worth taking notice of, during this moſt unfortunate Year of King *Richard*'s Reign, except that [5.] his Queen *Berengera*, and his Siſter *Joan*, Queen-Dowager of *Sicily*, (who left the *Holy Land*, ſometime before the King, under the Guard of *Stephen de Turnham*) at laſt arrived in *Italy*, and from thence going to *Rome*, they continued there almoſt half a Year for fear of the Emperor; till they were ſent by the Pope, under the Conduct of One of his Cardinals, as far as *Genoa*; and there Embarking, they Landed at *Marſeilles*, and being honourably received by the King of *Arragon*, and then Earl of *Provence*, they were conducted through the Territories of the Earl of St. *Giles* into *Poictou*.

[5.] *Id. p.* 417. Q. *Berengera* and *Joan* the King's Siſter, their Travel from the *Holy-Land* unto *Poictou*.

As for other Foreign Affairs, it is very obſervable, [1.] that in the beginning of *Lent* this Year *Saladine* the Wiſeſt and moſt Valiant King that ever the *Turks* had, deceaſed, and his Brother *Saphadine* having then the Command of his Army, made himſelf King, whereupon a War aroſe between Him and his Nephew, the Son of *Saladine*. This I mention, to let the Reader ſee, how unfortunate it was for the *Chriſtian* Intereſt, that King *Richard* was forced to return out of *Paleſtine*; for could he have ſtay'd there, he might by thoſe Diſſentions among the *Turks*, have again recovered all that he had loſt by his Departure.

[1.] *Id p.* 414. *a.* *Saladine*'s Death, his Brother *Saphadine* ſucceeds him.

K. *Richard*'s return out of *Paleſtine*, very unfortunate for the *Chriſtian* Intereſt.

[2.] King

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[2.] *Id. p. 417. a.* A great Dyet of the Empire is aſſembled at *Spire*.

The King of *France* and E. *John* offer the Emperor great Sums to keep K. *Richard* Priſoner.

The Emperor prevail'd upon to deferr his Releaſe.

[2.] King *Richard* ſtill remain'd at *Spire*, till the time of his intended delivery, which was yet delay'd upon this occaſion; the Emperor, with the Archbiſhops, Biſhops, Dukes, and Great Men of his Empire not long after *Chriſtmaſs* again holding a Dyet at that City, to conſult further about the Delivery of the King of *England*; there came thither freſh Ambaſſadors from the King of *France* and Earl *John*, who offered the Emperor Fifty Thouſand Marks from the King, and Thirty Thouſand from the Earl, upon condition King *Richard* might be kept à Priſoner until *Michaelmaſs* following; or, if the Emperor had rather, they would give him a *Thouſand Pounds a Month* ſo long as he ſhould keep him Priſoner; or if it ſhould ſtill be more pleaſing to him, the King of *France* ſhould give him One Hundred Thouſand Marks, and Earl *John* Fifty Thouſand to deliver him into their hands, or at leaſt to keep him One Year longer; whereupon the Emperor being tempted with theſe great Offers, moſt diſhonourably put off his Delivery from time to time, and ordered it to be at *Mentz* upon *Candlemaſs*-day next enſuing.

[3.] *Id. ib. b.*

King *Richard*, with the Qu. his Mother, and ſeveral Biſhops, hold a Council for his Delivery.

The Emperor like to go from his Agreement.

K. *Richard* privately receives the *French* K's Letters for his longer Impriſonment.

[3.] At which time and place the Emperor, with all the Princes and Great Men of his Empire were again aſſembled, and King *Richard*, with his Mother Queen *Eleanor*, and *Walter* Archbiſhop of *Roüen*, *William* Biſhop of *Ely*, and *Savary* Biſhop of *Bathe* being likewiſe arrived, they all ſate in Conſultation, how to effect the King's Deliverance; for the Emperor (as I have ſaid) tempted by the great Sum of Money which the King of *France* and Earl *John* had offer'd him, would fain have gone off from his Agreement with King *Richard*: wherefore the Emperor bringing along with him the Envoys of King *Philip* and Earl *John*, and *Robert* Brother to *Hugh* Biſhop of *Coventry* being one of them, he privately deliver'd the *French* King's, and the Earl's Letters to the King of *England*, who when he had read them, and found them full of ſuch great offers for his longer Impriſonment, he began to deſpair of his Liberty.

[4.] *Id. ib.*

The Princes of the Empire reprove the Emperor for his Covetouſneſs & Breach of Faith.

[4.] Yet being reſolved to try all means poſſible to obtain it, He by his Chancellor the Biſhop of *Ely*, ſollicited the Archbiſhops of *Mentz*, *Cologne*, and *Saltzburgh*, together with the Biſhops of *Wormes*, *Spire* and *Liege*, and (for Secular Princes) the Dukes of *Swevia*, *Auſtria*, and *Lovain*, with the Count *Palatine* of the *Rhine*, and all the Great Men of the Empire, who were *Fide-juſſors*, or Guarrantees on the Emperor's part, for the performance of his Agreement with King *Richard*: Whereupon all theſe Princes going boldly to the Emperor, they reproved him for his Covetouſneſs, in his diſhonourably offering to break the Word and Faith he had ſo ſolemnly given; which Remonſtrance at laſt ſo effectually wrought upon him, that he forthwith freed the King from his Impriſonment, he leaving *Walter* Archbiſhop of *Roüen*, *Savary* Biſhop of *Bathe*, and *Baldwin Wake* and many other Sons of his Earls and Barons as Hoſtages or Pledges for the Reſidue of his Ranſom Money unpaid, and that he ſhould keep Peace to the Emperor, his Empire and all his Dominions; and the Archbiſhops of *Mentz* and *Cologne* delivered him free into the hands of his Mother Queen *Eleanor* on the fourth of *February*, having been detain'd in Priſon one Year and about Six Weeks. The King asking *Robert Nunant* to be a Pledge for him, he anſwered, he was Earl *John*'s Man or Vaſſal

He at laſt conſents to King *Richard*'s releaſe.

Robert Nunant refuſes to be Pledge for him.

and

and therefore could not; but for this ſawcy anſwer the King cauſed him very juſtly to be taken, and impriſon'd. *Anno Dom.* MCXCIV.

[5.] The ſame day the Emperor, the Archbiſhops, Biſhops, Dukes, and Earls of the Empire, by their Common Charter or Letter, to which they put their Seals, ſent to the King of *France*, and Earl *John*, that preſently upon ſight thereof they ſhould deliver to the King of *England* the Caſtles, Cities, Fortreſſes, and whatſoever they had taken from him while he was the Emperor's Priſoner, and if they did not comply, then to let them know, they would aſſiſt him to recover whatever he had loſt.

[5] *Id. p.* 418. *a.* The Emperor writes to the K. of *France*, and E. *John* to reſtore King *Richard* all his Rights and Poſſeſſions.

[1.] After this King *Richard* by his Charters granted to ſeveral Archbiſhops, Biſhops, Dukes, Earls, Barons, and others of the Empire, Annual Rents or Penſions for their Homages, Fealties, and Aids, and other aſſiſtances againſt the *French* King; and received the Homage of the Archbiſhops of *Mentz* and *Cologne*, as alſo of the Biſhop of *Leige*, the Dukes of *Auſtria* and *Lovain*, the Marqueſs of *Montferrat*, the Dukes of *Lemburgh* and *Swevia* (the laſt of whom was the Emperor's Brother,) of the Count Palatin of the *Rhine*, and of the Son of the Earl of *Haynault*, as alſo of the Earl of *Holland* and many others, ſaving their Fealty to the Emperor: then the King taking his leave of Him and all the Princes there preſent, the Emperor gave him his ſafe Conduct to *Antwerp*, where he remain'd ſome days under the Protection of the Duke of *Lovain*; and from thence he paſſed over into *England*, and landed at *Sandwich* on the Thirteenth of *March*.

[1.] *Id. ib.* King *Richard's* Generoſity to the *German* Biſhops & Nobility.

He is conducted to *Antwerp* and from thence comes to *Sandwich*.

But *William* of *Newburgh* and *Bromton*'s Chronicle alſo relate ſomewhat more concerning the King's deliverance, *viz.* that after King *Richard* was thus diſcharged, and had gone ſome days Journey toward the Sea-ſide, the Emperor through evil Council repented that he had let him go, and ſent ſome of his Officers after him to cauſe him to be brought back again; but the King having timely notice of it, made ſuch haſte to get on Shipboard before they could overtake him, that they were fain to go back on an *April*'s Errand: But ſince this Action ſeems unworthy ſo great an Emperor, and is related by no other Author except *William* of *Newburgh*, (for *Bromton*'s Chronicle ſeems only to have tranſcribed this paſſage,) I look upon it as a malicious Report.

Some Authors relate the Emperor would ſtill have detained the K. which is not likely.

[2.] Not long before the King's arrival, one *Adam* of St. *Edmund*, a Clerk and Servant to Earl *John*, was ſent by him into *England* with Letters and Directions, that his Caſtles ſhould be fortified againſt the King his Brother; this buſy *Clerk* coming to *London*, went to the Palace of *Hubert* Archbiſhop of *Canterbury*, and dined with him; where he mightily boaſted of the Greatneſs of his Maſter, and the Intimacy he had with the King of *France*, telling him that he had given him the Caſtles of *Driencourt* and *Arches*; then talked at a very high and extravagant rate what his Lord could do, if he had but *Faithful Servants*. This vain bragging Diſcourſe of his much exaſperated the Archbiſhop and all that heard him; yet out of regard to Hoſpitality, he was not then apprehended, but ſometime after Dinner the Mayor of *London* took him in his Lodgings with all his Letters and Papers, which contained Earl *John*'s whole deſign, and ſo deliver'd them to the Archbiſhop of

[2] *Id. ib.* The Inſolence of One of Earl *John*'s Servants.

His inſolent diſcourſe exaſperated the Archbiſhop. Whereupon he is apprehended and his Papers diſcover all Earl *John*'s deſigns.

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of *Canterbury*, who the next day called before him the Biſhops, Earls and Barons of the Kingdom, and ſhewed them thoſe Letters; and thereupon it was preſently determined by them all unanimouſly in Common-Council, that Earl *John* ſhould be diſſeized of all his Lands in *England*, and that his Caſtles ſhould be beſieged, and ſo it was done accordingly.

Earl *John* diſſeized of all his Lands in *England*.

[3.] He, and his Adviſers and Abetters *anathematized*.

[3.] *Id. ib.* The ſame day Archbiſhop *Hubert*, and the Biſhops of *Lincoln*, *London*, *Rocheſter*, *Wincheſter*, *Worceſter* and *Hereford*, and the Elect of *Exceſter*, with many Abbots and Clerks of the Province of *Canterbury*, met together and *anathematized* Earl *John*, and all his Abbetters and Adviſers who had or ſhould diſturb the Peace of the King and Kingdom, or unleſs they laid down their Arms, and gave ſatisfaction; and then they appeal'd to the Pope againſt *William* Biſhop of *Ely*, that he ſhould not for the future Exerciſe the Office of a Legate in *Ireland*; and having confirm'd this Appeal with their Seals, they ſent it over to the King.

An Appeal to the Pope againſt the Bp. of *Ely*.

Then all thoſe, to whom the Power of reducing Earl *John*'s Caſtles was Committed, went into the Countrey where their Commands lay, and there they levied Forces for that end; the Biſhop of *Durham* went into *Yorkſhire* and *Northumberland*, and raiſing an Army, beſieged *Tickhill*; whilſt Earl *David* the King of *Scot*'s Brother, *Ranulph* Earl of *Cheſter*, and the Earl *Ferrars* beſieged *Nottingham*; and the Archbiſhop of *Canterbury* (being, as I ſaid before, then the King's Juſtitiary) with a great Army beſieged *Marleburgh*, which within a few days was ſurrender'd to him, ſaving the Lives and Limbs of the Beſieged; after which were alſo deliver'd the Caſtle of *Lancaſter*, which *Theobald* the Archbiſhop's Brother had kept for Earl *John*; and St. *Michael*'s Mount in *Cornwall* was alſo ſurrender'd, which *Henry de Pomeray* had fortified; but the Caſtles of *Nottingham* and *Tickhil* held out till the King's return into *England*.

Earl *John*'s Caſtles & Towns in *England* beſieged.

And ſurrender'd to the King.

[4] *Id. ib.* [4] Immediately after his Landing he went to *Canterbury*, and at the Shrine of *Thomas Becket* gave Thanks to God, and that *pretended Martyr*; from whence he went to *London*, and being received with great Joy and Solemnity, after a ſhort Stay there he went on Pilgrimage to St. *Edmunds-Bury*, and from thence to St. *Albans*, to perform his Devotions at the Shrines of thoſe Saints: which done, the King marched down againſt the Caſtles of *Nottingham* and *Tickhill*, the Latter of which, by the leave of the Biſhop of *Durham* who had then beſieged it, ſent out Two Knights to ſee if the King were come indeed; and, if it were ſo, to offer him the Caſtle, which they did; but the King would not receive it, unleſs they would ſurrender to his Mercy; which Meſſage they carried back to the Governor: then the King, by the Advice of the Biſhop of *Durham*, promiſed them their Lives and Limbs, and upon that condition they delivered the Caſtle to the Biſhop: but thoſe that were in *Nottingham*-Caſtle never ſent any Meſſengers to the King at all; at which being much provoked, he came before it, and on our *Lady-day* beſieged it with a ſtrong Force; but thoſe within would not believe the King was there in Perſon, wherefore he was obliged to make an Aſſault upon it, and having killed divers of thoſe who had made a Sally, and cauſed ſome of them, who were Earl *John*'s Servants, to be hanged upon a Gallows which he had ordered to be ſet up in their ſight; and ſeeing

Tickhill-Caſtle ſurrender'd to the K's mercy.

ing the King's Petrars (or Engines to caſt Stones) were alſo made ready, the Conſtables of the Caſtle then ſent out ſome to ſee whither the King were there indeed or no; which when thoſe within were aſſured of, they delivered up the Caſtle with themſelves to the King's mercy. *Anno Dom.* MCXCIV. *Nottingham* Caſtle is likewiſe deliver'd.

[5.] On the Thirtieth of *March*, within Two days after the taking of the Caſtle, the King held a Great Council at *Nottingham*, where were preſent *Eleanor* the Queen-Mother, and *Hubert* Archbiſhop of *Canterbury*, who ſate on the King's Right-hand, and *Geoffrey* Archbiſhop of *York* who ſate on his Left hand, *Hugh* Biſhop of *Durham*, *Hugh* Biſhop of *Lincoln*, *William* Biſhop of *Ely*, the King's Chancellor, *William* Biſhop of *Hereford*, *Henry* Biſhop of *Worceſter*, *Henry* Biſhop of *Exceſter*, and *John* Biſhop of * *Whitheren* in *Scotland*: Earl *David* the King of *Scot*'s Brother, *Hamelin* Earl of *Warren*, *Ranulph* Earl of *Cheſter*, *William* Earl of *Ferrars*, *William* Earl of *Salisbury*, and *Roger Bigot*, with many other Barons. [5.] *Id. ib. b.* p. 419. King *Richard* holds a great Council at *Nottingham*. * *Candida Caſa.*

[1.] The ſame day the King alſo diſſeized *Gerard de Camvil* of the Caſtle and Sheriffwick of *Lincoln*, and *Hugh Bardolf* of the Sheriffwick of *Yorkſhire*, and of the Caſtles of *York* and *Scarburgh*, and of the Cuſtody of *Weſtmorland*, and then expoſed them all to Sale: the Chancellor offer'd down in Ready-money for the Sheriffwicks of *Yorkſhire*, *Lincolnſhire*, and *Northamptonſhire* Fifteen Hundred Marks, and an Hundred Marks every Year for each of them; but *Geoffrey* the Archbiſhop offer'd Three Thouſand Marks for the Sheriffwick of *Yorkſhire* only, and One Hundred Marks by the Year, and ſo obtained it; by which means he was made the King's Servant, and Subjected himſelf to his Power. [1.] *Id ib. Gerard de Camvil*, and *Hugh Bardolf* diſſized of their Caſtles and Sheriffwicks. *Geoffrey* A. Bp. of *York* outbids the Chancellor for their Sheriffwicks.

[2.] The Thirty-Firſt of *March* was the Second day of this Council, in which he requir'd Judgment to be given upon Earl *John* his Brother, who, contrary to the Fealty he had ſworn to him, had ſeized his Caſtles, deſtroyed his Dominions as well in *England* as Beyond Sea, and had Confederated with his Enemy the King of *France*: He alſo demanded Judgment againſt *Hugh Nunant* Biſhop of *Coventry*, who, though privy to his Secrets, had deſerted him, and adhered to his Enemies, Earl *John* and the King of *France*, and contrived all the miſchief he could againſt his Government: Hereupon it was adjudged that they ſhould be peremptorily cited, and if within Forty days they appeared not, nor ſtood to the Law, they then declared Earl *John* to † have forfeited the Kingdom, (that is, his Right to return into it again) and that the Biſhop of *Coventry* was to be Judged by the Biſhops as he was a Biſhop, and by Lay-men as he was the King's Sheriff. [2.] *Id ib.* The ſecond day of the Council. The King demands Judgment upon E. *John*, and the Bp. of *Coventry*. † *Demeruiſſe Regnum.*

But not to omit any thing Conſiderable concerning this Condemnation of Earl *John* now mention'd; I confeſs I am not certain, whither *Roger Hoveden* in this Relation of it, by this barbarous Phraſe (or rather Soleciſm) of *Demeruiſſe Regnum*, might not mean the Forfeiture of his future Right to the Kingdom; becauſe upon his refuſing to Appear to this Summos, and to ſtand to his Tryal according to Law, he was ſome time after Attainted of Treaſon by the Great Council of the Kingdom, as I find by a Paſſage in the Annals or Chronicle of *Margan*, which ſays, that King *John*'s Coronation was performed contrary to a precedent and ſolemn * Judgment of the Archbiſhops, Biſhops, Earls, Barons, and other Great Men of *England*, which had been pronounced againſt him at *Nottingham*, in the Preſence of King *Richard* his Brother, for the Treaſon by him committed againſt the ſaid King and Kingdom, in confederating with the King of *France* whilſt King *Richard* Earl *John* attainted of Treaſon by the great Council of the Kingdom. * *Vid. v. Scripter. p.* 12.

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was in Priſon; for which Earl *John* was not only diſinherited of all his Lands he then held in *England*, but alſo of all Honours which he expected to enjoy after the King's deceaſe; and it was then likewiſe adjudged, that he ſhould be Summon'd by the Space of Forty days to appear in the King's Court, there to anſwer and defend himſelf from that Accuſation. But that upon the Earl's not appearing within the Time limited, nor ſending any one to anſwer for him, Sentence paſſed accordingly; though it is here omitted by *R. Hoveden*, yet is it expreſsly related by * *Walter Hemingford*, who ſays, That King *Richard adjudged* his Brother Earl *John*, for his monſtrous Ingratitude and Perfidy, to loſe all his Honours, and This was by a Solemn Sentence of his Peers, ſo that all fear of Civil War was now at an End in *England*.

* *Lib.* 2. *c.* 71. † *Adjudicavit.* It is farther proved that Sentence paſs'd againſt E. *John*, from another Author.

This Relation is likewiſe confirmed by a Letter of Prince *Lewis* of *France*, which though it was written ſome years after to the Abbot and Convent of St. *Auguſtin's* in *Canterbury*, when that Prince came over by the Invitation of the Barons to take the Crown from King *John*, yet it is recited at large by [3.] *William Thorne* in his Hiſtory of the Abbots of that Monaſtery; the Purport of which you will find in the latter end of that King's Reign; and therefore I ſhall refer you thither, if you have a mind to conſult it.

And confirmed by a Letter of the King of *France*.

[3.] *Vid. X. Script. Col.* 1868.

From which Relation and Letter it appears, that the Biſhops did then Vote and give Sentence in Cauſes of Blood, notwithſtanding the Conſtitutions of *Clarendon* to the contrary; unleſs you will ſuppoſe this Judgment to have been given by the Peers in full Parliament, by an Act of *Attainder*, as at this day, which is not unlikely.

The Biſhops give Sentence in Caſes of Blood.

But to return to that from which we have ſomewhat digreſs'd, *viz.* the Reſt of the Tranſactions of this Great Council at *Nottingham*.

[4.] The Firſt of *April* being the Third day of this Council, It was ordain'd, That there ſhould be given the King out of every Plough Land in *England* the Sum of Two Shillings; then he required, That every Military Tenant ſhould perform one Third part of his Service, according to what every Fee would bear, and that they ſhould go over with him into *Normandy*: He alſo required of the *Ciſtercian* Order all their Wooll for that Year; but becauſe this Demand was very grievous to them, they choſe to pay the King a certain Sum of Money in lieu of it.

[4] *R. H. Ib. b.* The Acts of the Third day in this Council.

An Aid given.

[5.] The Second of *April* was the Fourth and Laſt day of this Great Council, in which many Clerks and Laicks complained of the Oppreſſions and unjuſt Exactions of *Geoffrey* Archbiſhop of *York*; to which he returned no Anſwer. After this, by the Advice of the Biſhop of *Ely*, the Chancellor, (as it was ſaid) *Gerard de Camvill* was accuſed for receiving certain Thieves, who had robbed ſome Merchants going to *Stanford*-Fair; and that they came from his Houſe when they committed the Robbery, and returned thither after they had done it. They further appealed him of Treaſon, becauſe he would not appear upon the Summons of the King's Juſtitiary, nor ſtand to the Law concerning the receiving of thoſe Robbers, nor would bring them to Juſtice: but *Camville's* Anſwer was, That *he was Earl* John's *Tenant or Feudatary, and would ſtand to the Law of his Court.* He was alſo accuſed, that he was with force of Arms in the Aſſiſtance of Earl *John*, and other the King's Enemies, when the Caſtles of *Nottingham* and *Tickhill* were ſurprized: All which *Gerard* denied; whereupon his Accuſers gave Security for proſecuting their Accuſation, as he did alſo of defending himſelf by one of his * Free-men, or Tenants, who was his Surety.

[5] *Id. ib.* The Fourth day of the Council.

Gerard de Camvill accuſed for harbouring Thieves.

And appealed of Treaſon.

His Anſwer to the Accuſations.

* *Liberis hominibus.*

And

And I ſuppoſe it was for theſe Offences, that [1.] this *Gerard*, on the Firſt day of the Seſſion of Council, was by the King diſſeized of the Caſtle and Sheriffwick of *Lincoln*, as hath been already mention'd. *Anno Dom.* MCXCIV.

[1] *Id. ib. a.*

[2.] After theſe great Affairs were over, the King declared the Day of his Second Coronation, which he now reſolved ſhould be on the cloſe of *Eaſter* at *Wincheſter*, and then went to *Chipſton* in the ſame County, to meet *William* King of *Scots*; who, as they journeyed together toward *Wincheſter*, demanded of the King the Dignities and Honours his Predeceſſors had enjoy'd in *England*, and alſo the Counties of *Northumberland*, *Cumberland*, *Weſtmorland* and *Lancaſter* (though I do not find this laſt Earldom ever to have belong'd to the Kings of *Scotland*) to be reſtor'd to him as the Right of his Predeceſſors: the King anſwer'd, He would ſatisfy him by the Advice of his Earls and Barons. They ſtay'd at *Northampton* the Tenth and Eleventh of *April*, and there King *Richard* having deliberated, and adviſed with the Biſhops, Earls and Barons, gave the *Scotiſh* King this Anſwer, That as to his demand of *Northumberland*, he ought not then to have made it, when all the Princes of *France* were become his Enemies; for if he granted it now, it would ſeem as if he did it out of Fear, and not out of Affection.

[2] *Id. ib.*

The K. of *Scot's* demands of K. *Richard.*

K. *Richard's* Anſwer to him.

Yet, to give him all the ſatisfaction he could, the King then granted by his Charter to Him and his Heirs for ever, in the preſence of the Queen-Mother, *Hubert* Archbiſhop of *Coventry*, *Hugh* Biſhop of *Durham*, *Jocelin* Biſhop of *Glaſcow*, and many other Clerks and Laicks of both Kingdoms, that whenever the King of *Scots* was ſummoned to the King of *England's* Court, the Biſhop of *Durham* and Sheriff of *Northumberland* ſhould receive him at the River *Twede*, and bring him to the *Teiſe*, and there the Archbiſhop of *York* and Sheriff of *Yorkſhire* ſhould receive, and conduct him to the Borders of that County; and ſo the Biſhops of each Dioceſs, with their Sheriffs, ſhould conduct him from County to County until he came to the King's Court. And from the time he enter'd *England*, he ſhould receive every day out of the King's privy Purſe an Hundred Shillings for * *Allowance* or Livery: and after he came to the King, and ſo long as he ſtayed there, he was to have every day Thirty Shillings allowance, and Twelve of the King's fine Loaves, or Cakes, and Twelve of the King's Biſcuits or Simnels made of the fineſt Wheat, and four Gallons of the King's beſt Wine, and eight Gallons of Ordinary Wine; with divers other allowances of Spice, Wax-candles, and other things, which need not here be particularly recited.

[3.] *Id. ib.* And Charter to the K. of *Scots*, ſetting forth the manner of his Reception and Allowance in *England.*

* *Liberatione.*

And when the *Scotiſh* King return'd into his own Countrey, he was to be conducted back by the Biſhops and Sheriffs to the River *Twede*, and to be allowed an Hundred Shillings a day. [4] This Charter was delivered to *William* King of *Scots* at the Town of *Northampton* on the Twelfth of *April* 1194, being *Eaſter-Tueſday*, by the hands of *William* Biſhop of *Ely* the Chancellor.

[4.] *Id. p.* 420.

[5.] Then on the Thirteenth of *April* the King left *Northampton*, and lay at a Place called *Silveſton*, whilſt the Archbiſhop of *Canterbury* and Biſhop of *Durham* lay at *Brackley*; where happen'd a great Quarrel between the Servants of that Biſhop and thoſe belonging to the King of *Scots*, about the Lodgings that had been aſſign'd the Biſhop, by the Kings Mareſchal; for the Biſhop would not give up his Houſe to the *Scotiſh* King, and he thereupon reſented it ſo ill, that he complain'd to the King of the Affront he had received, who ſharply reproved the Biſhop for his Incivility.

[5] *Id. ib.* A great Quarrel between the K. of *Scots* and Biſhop of *Durham's* Servants.

[1.] Then the King went by *Woodſtock* to *Worceſter*, where ſo ſoon as he

[1] *Id. ib.*

Anno Dom. MCXCIV. arrived, being the 15th of the ſaid Month, he diſſeized *Godfrey* Biſhop of *Winton* of both that Caſtle and the County of *Hampſhire*, with Two Mannors he had bought of him before his Expedition to the *Holy-Land*.

Godfrey, the Bp. of *Winton* diſſeized.

And as *William* of *Newburgh* informs us, He alſo about this time demanded the Crown-Lands from all thoſe that had bought them of him, or on whomſoever he had beſtowed them; pretending they had been only mortgaged and not ſold out right; nor durſt they defend the Right they had to 'em by any Charter or Agreement from him, for it ſignified nothing, ſeeing all were alike born down by the weight of the King's Power: and though this was a moſt manifeſt piece of Injuſtice, yet he put a very fair Colour upon it, telling them, that they ought not to take advantage of their King's Neceſſities; and beſides, that they had either received their Moneys out of the profits of the Eſtate, and then they ought to be content, or if they had not he would make it good to them; and particularly he told the Biſhop that he knew there was a Brief from the Pope to extort by way of Uſury more than the principal from their King, yet however that he would further conſider him in due time: which ſhews us, that the moſt prodigal Princes when reduced to neceſſity, become more griping and oppreſſive than any other.

The King demands the Crown-Lands from thoſe that had bought them of him formerly.

And how he excuſes himſelf for ſo doing.

[1.] *Id. ib.* The K. is new Crown'd at *Winchester*, with the manner of that Ceremony.

[2.] The King being now come to *Wincheſter*, reſolved to begin his Reign as it were anew, and to be crowned again; Since his Subjects might doubt, whither by being ſo long a Priſoner to the Emperor, and by the report of his ſurrend'ring the Crown to him, he had not weakned his Royal Title and Authority; therefore on the Seventeenth of *April* (being Eight days after *Eaſter*) the Archbiſhop of *Canterbury*, with all the reſt of the Biſhops in their Formalities, waited on the King in his Chamber, and when they had put on his Royal Robes, Sword, Spurs and other Ornaments, the Archbiſhop ſet the Crown upon his head, and put the Scepter in his Left, and the Golden Staff having a *Dove* on the top of it in his Right hand, and then after the Archbiſhop had ſaid a ſhort Prayer, and the Pre-center had ſung an Hymn, all the Biſhops, Earls and Barons went to St. *Swithins* Church in Solemn proceſſion, four Earls ſupporting the Canopy, and Three Swords being carried before him as at his firſt Coronation; the King of *Scots* going in the Middle, carry'd the firſt Sword, as Earl of *Huntington*, and on each hand of him *Hamelin* Earl of *Warren*, and *Ranulph* Earl of *Cheſter*, carried the other Two: then after the King had heard Maſs he returned back to his Palace with the like proceſſion, where he made a ſplendid Feaſt for all that were there aſſiſting at it: and the Citizens of *London* preſented the King with Two Hundred Marks; and they and the Citizens of *Wincheſter* ſerved him, the former in the * Buttery, and the latter, to bring up his Meat from his Kitchin, as they had done formerly.

* *In Pincernaria.*

[3.] *Id. ib. b.* *John de Pomeray* accuſed of Treaſon, flies the Land.

[3.] After this Solemnity was over, *John* (or *Jollan*) *de Pomeray* was accuſed of Treaſon, in that he had aſſiſted his Brother *Henry* at the taking of St. *Michael's Mount* in *Cornwall*: Wherefore *John* diſtruſting his Cauſe, choſe rather to quit *England* than to ſtand to the Judgment of the King's Court. On the 19th of this Month, *Hugh* Biſhop of *Durham*, of his own Accord, ſurrender'd up to the King the County of *Northumberland*, with the Caſtles and other Appurtenances which had been formerly granted him by Charter.

What *Hugh* Biſhop of *Durham* ſurrenders to the King.

But *William* of *Newburgh* (with greater probability) tells us, that the Biſhop did this, becauſe he could not help it; and that though he had bought his Earldom for no ſmall Sum of Money, yet he found no more favour than ſeveral others.

But

But this is certain from [4] *Roger Hoveden*, that the King ordered the Bishop to deliver the County with its Castles to *Hugh Bardolf*, and then the King of *Scots* offer'd fifteen thousand Marks for them, saying, his Father and his Brother *Malcolm* had held them of the Gift of King *Henry* the *Second*; whereupon the King offer'd him the whole County, except the Castles, for that Money, but he refused to accept it on those Terms: then the Prisoners that were taken in Earl *John*'s Castles were brought to *Winchester*, where the King caused the better sort of them to be imprisoned, that so they might compound, or fine; and the rest gave Security, every one in an Hundred Marks, for their appearance upon Summons in the King's Court, and standing to Judgment there.

Anno Dom. MCXCIV.

[4] *Id. ib.* The King orders the Bishop to deliver the County of *Northumberland*, and its Castles, to *Hugh Bardolf*.

What the K. of *Scots* offers for them.

Those taken in Earl *John*'s Castles, some imprisoned, and the rest give each 100 Marks Security.

[5] On the 24*th* of *April*, the King made a Peace and final Concord, between the Archbishop of *York*, his base Brother, and the Bishop of *Ely* his Chancellor, concerning all Controversies that had happen'd between them, as well about the Archbishop's imprisonment at *Dover*, as the Chancellor's being forced out of *England*; so that whenever he was called to it by the Archbishop, he should swear with an * Hundred Priests (his Compurgators) that he neither commanded, nor desired he should be imprisoned.

An Agreement between the Archbishop of *York* and the Chancellor.

[5] *Id. ib.*

* *Cum centesima manu Sacerdotum.*

[1] The King having received the News that the K. of *France* had invaded *Normandy*, resolved to make what speed he could over thither; so on the above mention'd day that he had made that Agreement, *viz.* the 24*th* of *April*, he and the Queen his Mother went to *Portsmouth*, to go beyond Sea, but they went not on Board until the 12*th* of *May* following, because the Wind was all that while contrary. The King growing impatient of this delay, went to Sea in a small Vessel with Oars; but being driven back again by a Tempest to the Isle of *Wight*, he return'd to *Portsmouth*, and after eight day's longer stay, set sail again with an hundred great Ships laden with Souldiers, Horses, and Arms, and landed at *Barb-fleet*: the King of *France* had then besieged *Verneüil* eighteen days; but when he heard of King *Richard*'s arrival, and that he was coming to its Relief, he retreated, unknown to his Army; but they not long after hearing of their King's departure, raised the Siege, and follow'd him on the *Monday* in *Whitson* week. When King *Richard* heard of the *French* men's retreat from before *Verneüil*, he persued the flying Army; but not being able to overtake it, he return'd to that Place, and repair'd the Breaches, and strengthned the weak Places.

The King and his Mother pass over to *France*.

[1] *Id. ib.* 421. a.

He raises the Siege of *Verneüil*.

[2.] About this time Earl *John*, when he saw he was not able to do the King his Brother any more mischief, and found himself also slighted by the *French*, thro the Mediation of Queen *Eleanor* his Mother, he got himself reconciled to the King, and coming to him implored his Mercy and Pardon, which the King readily granted him, [3] saying generously, *I wish I may as easily forget your Offence, as I doubt you will my Pardon of it*; therefore to keep him to his good Behaviour, the King did not then restore him his Castles and Lands, tho he did it afterwards, upon his perseverance in his Duty, as you will find anon: yet to give Earl *John* his due, he was so mindful of the King's Admonition, that he ever after served him faithfully in all his Wars against the King of *France*.

[2] *Id. ib.*

He and Earl *John* are made Friends.

[3] *G. C. R. Gol.* 1201.

And is served by him faithfully in his Wars against *France*.

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Earl *John*'s Cruelty and Treachery before he was reconciled to his Brother.

But I cannot here omit a notable piece of Cruelty and Treachery that had been committed by Earl *John* (if we may believe the *French* Hiſtorians) a little before his Reconciliation with his Brother, whilſt he was on the K. of *France*'s ſide, and which perhaps was done to render his Reconciliation with his Brother the more eaſy and aſſured to him: King *Philip* had not long before made this Earl Governour of the City of *Eureux*, but he reſolving to deliver that place up to K. *Richard*, knew not how to bring it about any other way than by inviting three hundred of the chief Officers and Souldiers of the Gariſon to an Entertainment. I ſhould have told you that before he had privately brought over the greateſt part of the Citizens to his Party, for they were deſirous to return to King *Richard* their former Prince. So that in the midſt of their Jollity, Earl *John* with the other's Aſſiſtance, ſet upon his Gueſts, and having cruelly maſſacred them, delivered the City to the King of *England*, as an earneſt of his future Loyalty: but the ſame [4] Author aſſures us, that tho the King preſently after received his Brother into favour, yet did he not at all approve of this his wicked and treacherous Action.

[4] *W. Brito, Philip.* p. 143. *in Hiſtor. Franc.* Vol. V.

This indeed is not mentioned by any of our *Engliſh* Writers, but it is ſet down at large by [5] *Rigord* and *William le Breton*, who lived in thoſe times; and it being ſuitable enough to this Prince's natural Diſpoſition, I think we need not much queſtion the truth of it.

[5] *Ib.* p. 77.

I ſhall alſo from the [1] ſame Authors, give you a Relation of the reſt of the Tranſactions that happened about this Time, ſince it differs very much from that we find in ours, both in the order of time, and in other Circumſtances, and indeed gives us a great deal of light into our Hiſtory, which (ſhould we rely upon our *Engliſh* Writers only) is here very obſcure: For the former relate what ours have quite and clean omitted, that the King of *France* having beſieged *Verneüil* three Weeks, whilſt he lay before it, received the News of *Eureux* being betray'd and ſurprized by Earl *John*; at which he was ſo much incenſed, that he immediately left the Siege to be carried on with part of his Forces, and march'd away privately with the reſt to *Verneüil*; where falling upon the *Normans* on the ſudden, he not only retook the Place, but in revenge of the Treachery of its Citizens, he kill'd the Inhabitants, not ſparing Age or Sex, and burnt the Town to the ground, with the Churches; ſhewing this only Mercy, that he carried away the Reliques of the Saints.

[1] *Id. ib.*

Upon the News of *Eureux*'s being betrayed by Earl *John*, the K. of *France* marches to *Verneüil*, takes it, and puts all therein to the Sword.

But in the mean while, that part of the Army which had orders to ſtay behind at *Eureux*, being diſpirited by the King's Abſence, and the briſk Sallies of the Beſieged, preſently raiſed the Siege, and march'd off with ſuch great precipitancy, that they left the beſt part of their Baggage and Proviſions behind them, and followed the King; but as ſoon as they were gone, thoſe in the Town ſallied out and enriched themſelves with their Booty: yet why the *French* Army ſhould fly away in ſuch haſt, had it not been for fear of King *Richard*'s coming upon them, I cannot underſtand: but of this the *French* Writers ſay not a word.

The Siege of *Eureux* raiſed.

The *French* fly, leaving great Booty behind them.

But *Roger Hoveden*, *Radulphus de Diceto*, and all our *Engliſh* Hiſtorians relate it quite otherwiſe, and paſſing by the *French* King's taking of *Eureux* at that time, they make him to have fled from the Siege of *Verneüil*; and *Hoveden* places King *Philip*'s burning the City of *Eureux*

The *Engliſh* differ from the *French* Hiſtorians in this buſineſs of *Eureux*.

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Eux after the Treaty with the K. of *France*'s Commiſſioners at *Vale Reole*, the Week following St. *Barnabas*'s day, or the 17*th* of *June*, and was conſequently above ſix Weeks later than the *French* Hiſtorians place this Action, who it muſt be confeſſed give an Account both of that, and the Time and Occaſion of the doing of it, with greater probability than *Roger Hoveden*, and our other *Engliſh* Writers, who make the King of *France* to have been in ſuch a Fright upon the news of King *Richard*'s approach, as to have fled away privately, and left his Army behind him; which is not at all likely, neither do they tell us any thing of what then became of him, or whither he went: But (for all that) they have no reaſon to boaſt of their over great ſincerity, ſince they do very much leſſen a great Defeat which our *Richard* gave their King not long after, as you will find by and by.

2 *R. H.* p. 421.

2 From *Vernœuil* King *Richard* marched to Caſtle *Mirabel*, which had been for ſome time beſieged by his own Subjects of *Anjou* and *Maine*, who before he could arrive, had taken the Caſtle, and razed it to the Ground; a little before which Action *Alphonſo* Prince of *Navar*, and Brother to the Queen, who commanded the Forces of that Countrey, which were ſent to the King's Aſſiſtance, returned home on the ſudden News of the deceaſe of the King his Father.

The Caſtle of *Mirabel* taken by K. *Richard*'s Subjects.

Alphonſo returns home on the News of his Father's Death.

3 Then King *Richard* from thence marched with great haſt by the City of *Tours*, and went to reinforce the Siege of the Caſtle of *Loches*, with the Souldiers of *Navar* and the *Brabanters*, who had long beſieged it, tho to little purpoſe; but notwithſtanding they were now almoſt tired out, yet they again received freſh Courage by the King's Preſence, and carried on the Siege with ſuch Vigour and Reſolution, that he took the Caſtle by Storm, and made divers Knights and Souldiers, whom he found in it, Priſoners.

3 *Id. ib.*

The K. takes the Caſtle of *Loches*.

In the mean time the Counſellors of the King of *France* had appointed a Treaty with the Seneſchal and Conſtable of *Normandy* at *Pont-del-Arche*, who on the day prefix'd came thither with *Walter* Archbiſhop of *Roüen*, on the behalf of King *Richard*, where they waited long for the Commiſſioners of the King of *France* to no purpoſe, for they came not at all, he being at that time otherwiſe engaged; for he was marched with a ſmall Army to take in a Caſtle within four miles of *Roüen* called *Fountains*, which he reduced by Aſſault after four days Siege: and tho Earl *John*, and *Robert* Earl of *Leiceſter*, were then in *Roüen*, yet finding their Forces much inferior to thoſe of the King of *France*, they durſt not fall upon them: but the Earl of *Leiceſter* imprudently ſallying out with a Party of his Men, thinking to lie in Ambuſcade, and ſo ſurprize that King in his Return, was himſelf taken Priſoner and preſented to him, who uſed him civilly for the time he had him, but for all that made him pay no leſs than 10000 *l.* for his Ranſom.

A Treaty appointed by the *French* at *Pont-del-Arche*, but none of their Commiſſioners ever came.

The Caſtle of *Fountains* taken by the *French*.

The E. of *Leiceſter* taken Priſoner, but is ranſomed for 10000 *l.*

4 After this, by the common Conſent of both Kings, *William* Archbiſhop of *Rheimes*, and the Count of *Nevers*, with ſome others, both Clergymen and Noblemen on the *French* King's ſide, and *Walter* Archbiſhop of *Roüen*, with the two great Officers of *Normandy* abovementioned on King *Richard*'s, met again at *Vale Roole*, to treat of a Truce between their Maſters, and came very near to a Concluſion, but at laſt broke off, becauſe the King of *France* ſtill inſiſted, that all thoſe who had adhered either to himſelf, or to King *Richard*,

4 *Id. Ib.* b. Commiſſioners meet again to treat of a Truce at *Vale-Roole*, but come to no concluſion.

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chard, ſhould be included in the Truce; which the latter not conſenting to, both Kings return'd again to their former courſe of burning and deſtroying each other's Countries.

The two Kings burn and deſtroy each other's Countries.

5 *Roger Hoveden* upon the breaking off this Treaty, brings in King *Philip*'s burning the Town of *Evreux*, but very much out of order, as I have already ſhewn. But this is more probable (as the ſame Author relates) that about this Time the King of *France* marched with his Army to a Place called *Freteval*; and the King of *England*, that he might attend his Motions, came with his Forces to *Vendoſme*: He had lain there but one Night, when King *Philip* early next morning ſent him word, that that day he would give him a Viſit with his Army. King *Richard* being very well pleas'd at the News, told the Meſſenger he would expect him, and if he did not come according to his promiſe, that the next Morning after he would return his kind Intentions, and repay him his Viſit in the ſame manner; but the King of *France* did not think it convenient to be ſo good as his word, but the next Morning early, when King *Richard* was marching towards him, he having notice of it, fled with his whole Army in ſuch haſt that many were killed and taken Priſoners, and all the *Waggons* and *Baggage*, as alſo a great deal of Treaſure, fell into the hands of the *Engliſh*; the King's portable Chappel was alſo taken, and the Charters of all thoſe Vaſſals of the King of *England*, who had confederated with the K. of *France* and E. *John*; to which *Mezeray* (in the Reign of *Philip. Aug.*) alſo adds, that this Prince (like the Grand Seignior at this day) carrying along with him the antient Records of the Crown, they were all taken by the *Engliſh*, and loſt, to the great damage of the King's Affairs, as well as to the Hiſtory of thoſe Times.

5 *Id. ib.*

K. *Philip* profers K. *Richard* Battel.

The King of *France* flies, leaving his Camp and Baggage a prey to the *Engliſh*.

Upon this Victory King *Richard* perſued the King of *France*, but, not being able to find him, returned to *Vendoſme* with a very great Booty, both of Men, Horſes, and ready Money. This Action is very lightly mention'd by the 1 *French* Hiſtorians, who here (as on the like occaſions) conceal their King's Defeat, and ſay no more than that as he paſſed through the Territories of the Count of *Blois*, King *Richard* ſet upon him on the ſudden, and his Forces being put to flight, he there loſt all his Money, Plate, and other rich Moveables, tho the loſs was indeed more in Men and Reputation than in Money, or Furniture.

1 Rigord & Will. Briton.

King *Richard* perſues his Victory with greater Succeſs.

2 *R. H.* p. 421. *b.*

2 This Victory produced a Truce for one Year, which was agreed on by Commiſſioners on both ſides, between *Verneüil* and *Tilieres*; the Commiſſioners for the King of *France* were *Drogo de Merlot* his Conſtable, *Urſe* his Chamberlain, and *Anſelme* of St. *Martin* Archdeacon of *Tours*, in whoſe Names the Truce was concluded on the behalf of their Maſter; and I could wiſh our Author had ſet down who were Commiſſioners for the King of *England*: but tho he has omitted them, yet it is very likely they were the Archbiſhop of *Roüen*, and the reſt that were before imploy'd in the former Treaties of like nature.

A Truce made for one Year.

The Inſtrument of which Truce is drawn up by way of Letter or Declaration from the ſaid *French* Commiſſioners, reciting, that they, by the command of their Lord K. *Philip*, had ſworn and pledged their Faith in the hands of the Legate, that the King ſhould obſerve the ſaid Truce upon the following Terms or Conditions; in the Preamble it is

The Inſtrument of it drawn up by way of Letter or Declaration.

* ſaid,

said, that the King of *France* at the intreaty of the Cardinal Legate, and the Abbot of the *Cistercians*, had granted a Truce to the King of *England* and his Subjects, which he might also confirm if he pleased; but the Articles being very tedious, and not much to our present purpose, the inquisitive Reader may find them (if he has a mind) at large in 3 *Hoveden* under this Year. *Anno Dom.* MCXCIII.

3 *P.* 422. *a.b.*

The chief Heads of them are to this effect, That the King of *England* should hold all the Lands which he had then in his possession, and the King of *France* should peaceably hold those Towns which he had taken; and that in the mean time it should be lawful for either of them to strengthen and fortify those Castles or strong Places, which they already held whole and entire; but the Others that were demolished, were not to be re-fortified, except four Castles there mentioned, which the King of *England* might fortify if he so pleased. There were also comprised within this Truce the Earl of *Angolesme* and other Noblemen, who had taken part with King *Richard*; and two Arbitrators were to be appointed by each King, who were to judge of all Injuries and Breaches of this Truce that should be committed during the time. This Instrument was sealed by the Commissioners on both sides, on the twenty third of *July* this Year: Yet for all this precaution, the Truce did not hold to the end of the term prefixed. But it is time to return to the Affairs of *England*. The Substance of the Articles of this Truce.

4 Whilst the King remained beyond Sea, *Hugh Bardolf* by his Majesty's Order, demanded the County of *Northumberland*, *New Castle* upon *Tine*, and the Castle of *Bamburgh*, of the Bishop of *Durham*, which he had promised to deliver up, but delayed the doing it till a Messenger he had sent to the King returned, by whom he offered him two thousand Marks for the County and those Castles. The Messenger brought Letters to *Hugh Bardolf*, that if the Bishop gave Security for the two thousand Marks, he should deliver him the County and Castles. On the receipt of the King's Letters, he told the Bishop that if he would have him execute the King's Command, he must first surrender to him the County and Castles, and then he would deliver them back as the King had ordered him. The Bishop replied, there was no need of that, because he had them already in his possession: hereupon *Hugh* sent the King his Answer, and received a fresh Command, that the Bishop should be disseised of the County and Castles, and should pay down also the two thousand Marks; and likewise in his Fury ordered that he should be disseized of the Manor of *Sadbergh*, with the Knight's Fees and Wapentach which he had by his Charter granted to the Church of *Durham* in pure Alms. These things were accordingly executed; by which Action you may see how arbitrary this King was towards all those who any ways opposed his Will, not valuing what Sacrilege he committed, for he now took away that which he had before granted to the Church, for a valuable Consideration. 4 *Id.* p. 423. *a.* *Hugh Bardolf* demands of the Bishop of *Durham*, the County of *Northumberland*. The Bishop is ordered to be disseised of his County and Castles, and also of the Manor of *Sadbergh*.

5 About this time also great Quarrels happening between the Archbishop of *York* and his Chanons (tho our Author does not tell us about what) the Archbishop excommunicated them, and kept them out of their Stalls in the Choir: upon which the Chanons complained to *Hubert* Archbishop of *Canterbury*, the King's Justitiary, of several Wrongs and Injuries received from their Archbishop; whereupon *Hubert* 5 *Id. ib.* The Chanons of *York*, their Complaint against their Archbishop.

Anno Dom. MCXCIII. *Hubert* by the Royal Authority which he had received, ſent Earl *Roger Bigod*, *Wil. de Warrenne*, *Wil. de Stuteville*, *Hugh Bardolf*, *Wil. Potier*, *Geoff. Haget*, and *Wil. Fitz-Richard* a Clerk, as Commiſſioners to *York*, to hear and determine the Controverſy between them, according to Right: theſe Commiſſioners heard the Chanon's Accuſations, and the Biſhop's and his Servant's Anſwers, notwithſtanding which they cauſed his Men that were accuſed of Robberies to be impriſoned; and altho he warranted what they had done, yet he could not bail them. Then they ſummoned him to come and hear Judgment; and becauſe he would not, they diſſeiſed him of all his Mannors except *Ripon*, whither he was then withdrawn, and cauſed his Chanons to be placed again in their Stalls, of which he had diſpoſſeſſed them; and then put the Archbiſhoprick and Sheriffwick of *Yorkſhire* under the Cuſtody of *William Stuteville*, and *Geoffrey Haget*, two of the ſaid Commiſſioners.

Commiſſioners ſent by *Hubert* to determine the Controverſy.

The Archbiſhop is diſſeiſed of all his Mannors, and the Chanons are reſtored.

1 *Id. ib.* a. 1 During this interval of Peace the King took all manner of ways to raiſe Money to carry on the War againſt the King of *France*, as ſoon as the Truce ſhould determine; and to this end in *September* the King ſent the Itinerant Juſtices through every County of *England*, to enquire by the Inqueſt of Twelve Men of each County, concerning all Offences that had been committed againſt him; as alſo concerning all Forfeitures and Eſcheats, and of the Lands of Wards, and to whom they had been let to Farm, and at what Value: but ſince they are very long, and now grown obſolete, I ſhall ſay no more of them here, but refer thoſe that are willing to read them in the Latin to *R. Hoveden*, where they may find them at large: yet for the ſatisfaction of thoſe who either do not underſtand Latin, or have not that Author by them, I have put down a Tranſlation of them at the end of this King's Reign, that ſo you may underſtand the difference between the Antient and Modern Pleas of the Crown. But as for theſe Juſtices Itinerant, they were not firſt inſtituted by this King (tho they were now ſent upon this particular occaſion) but had been often uſed before during the Reign of King *Henry* the *Second*, as the Reader may there obſerve.

Itinerant Juſtices ſent thro every County of *England*, to enquire concerning all Offences.

Tho not firſt inſtituted by him.

2 *Id.* p. 424. *a.* 2 Alſo that the King might the better know what *Jews* had Money, and what they were worth, the better to fleece them when he had occaſion, he directed ſeveral Articles to theſe Juſtices Itinerant, concerning the *Jews*; the chief Heads of which were, That all their Eſtates both Real and Perſonal, ſhould be inventoried; and if a *Jew* concealed any part thereof, he ſhould be impriſon'd, and forfeit whatſoever ſhould be ſo concealed. There are likewiſe divers other Articles, appointing where, and in what manner the *Jews* ſhould lend their Money, and take Pawns for it; and how thoſe or the Obligations for Moneys lent ſhould be kept, whereby no *Jew* was maſter of his own Eſtate, or could keep the Securities for his own Money: but tho theſe Articles are now become obſolete, yet I have alſo given a faithful Tranſlation of them, which immediately follow the former Articles of Inquiry.

Articles concerning the *Jews* given to the Itinerant Juſtices.

3 *Id. ib.* 3 King *Richard* continued ſtill in *France*, and having finiſhed his Affairs in *Poitou* according to his deſire, returned into *Anjou*, and there forced all his Bayliffs or Collectors of his Revenues to redeem or ranſom themſelves (as our Author words it) that is, he made them

The King forces his Officers to a Compoſition.

them to compound for their Extortions and Miſcarriages in their Offices, and did the like in *Main*; and coming into *Normandy*, he expreſſed his Reſentments againſt whatever had been concluded at the late Truce, imputing it to the ill management of the Biſhop of *Ely* his Chancellor; and therefore took the Seal away from him, and made a new one: and then ordered that it ſhould be proclaim'd through all his Dominions, that nothing ſhould be firm or of any force that had been ſealed with his old Seal; and commanded, that all who had any Charters ſhould come and renew them at his new Seal, which is another inſtance of this King's Arbitrary Proceedings, in raiſing Money by any Means: but this did not ſuffice, you ſhall have a freſh one in what follows. *Anno Dom.* MCXCIV.

Takes away the Seal from his Chancellor, and makes a new one.

Inſtances of the King's Arbitrary Proceedings in raiſing Money.

[4] The King likewiſe ordered there ſhould be Torneaments, that is, Tiltings (or Feats of Arms) performed in *England*, and by his Charter confirmed them; ſo that every one who would Tilt, or ſhew Feats of Arms, ſhould pay according to the following Rates; an Earl for a Licence twenty Marks of Silver, a Baron ten Marks; every Knight that had Land, four Marks; every Knight that had no Land, two. And he commanded that no Knight ſhould be admitted to the place of Tilting, unleſs he firſt paid down the Money above-mentioned.

[4] *Id. ib.*

What was to be paid for Licence of Tilting.

This Charter the King gave to *William* Earl of *Salisbury* to keep; and Archbiſhop *Hubert* the King's Juſtitiary appointed *Theobald Walter* his Brother to be Collector of this Money: thus did the Archbiſhop comply with the King's deſires, tho Torneaments had been already forbidden by three General Councils, and that the Bodies of thoſe that were killed in ſuch unlawful Rencounters, ſhould be deprived of Chriſtian Burial: nor had there been any ſuch Torneaments ſince the Reign of King *Stephen*.

To whom the Money was to be paid.

[5] Some time after this *Geoffrey* Archbiſhop of *York*, went into *Normandy* to the King his Brother, and there was reconciled to him for two thouſand Marks: and obtained his Letters to *William* of St. *Mary's*, and *Hugh Bardolf* (who then held the Archbiſhop's Lands under Sequeſtration) that upon payment of another thouſand Marks over and above the two Thouſand he had already paid, they ſhould reſtore to him all his Lands and Rents free, and diſcharged from all Lay diſturbance.

[5] *Id. ib.* 425. a.

The Archbiſhop of *York* reconciled to the King his Brother.

And reſtored to his Lands and Rents upon Condition.

[1] The Truce between the Kings of *France* and *England* yet continuing, we find very little to have happened conſiderable, either here or in *France*; only toward the latter end of the Truce, * *Radulphus de Diceto* informs us, that King *Philip* ſent four Ambaſſadors to King *Richard* to treat with him for the benefit of both Kingdoms; and therefore propoſed to him, that if he pleaſed to ſave the effuſion of more *Chriſtian* Blood, he was willing to leave the Controverſy between them, to be decided by five Combatants to be choſen on each ſide; and whichſoever Party got the Victory, the other ſhould ſubmit to the Terms agreed on. King *Richard's* Anſwer to this Propoſal was, That he very well approved of it, provided that the King of *France* would be the fifth Man on one ſide, and he himſelf would be ſo on the other; which Meſſage being carried back to King *Philip*, he did not well approve of that Propoſal, and ſo it came to nothing.

[1] *Id. ib.* K. *Philip* ſends Ambaſſadors to the King of *England*.

* *Col.* 676.

Offers five Combatants to be choſen on each ſide, to decide all Quarrels.

K. *Richard's* anſwer was, if their Maſter would be one, he would be another, and accept it.

[2] But

Anno Dom. MCXCIV.

[2.] *R. Hibb.*

[2] But to say somewhat of Affairs more distant; *Leopold* Arch Duke of *Austria*, having suffer'd many Calamities this Year in his Country by Fire and Inundations, as well as bad Seasons, they are by our Authors looked upon as Judgments from God for his so barbarously treating King *Richard*; however he himself was so far from being sensible of his fault, that he still pressed on more violently for the payment of the rest of King *Richard*'s Ransom which was yet behind, threatning the Hostages that were given for him with Death, if it were not speedily paid; whereupon one of them called *Baldwin de Betune*, was by consent of the rest sent over into *England*, to put the King in mind to perform the Conditions between him and the Duke. Hereupon the King compassionating the Case of his Hostages, immediately dispatched away this *Baldwin* with *Eleanor* the Sister of *Arthur* Duke of *Bretagn*, to be married to the Duke of *Austria*'s Son; but before they arrived, they received News of the Duke's sudden Death, as you will hear further in the next Year.

The Duke of *Austria* presses for the payment of the Arrears of the King's Ransom, or threatens the Hostages with Death.

The Duke's sudden Death.

I shall conclude the Affairs of this Year with some account of *Wales*, of which we have heard nothing a great while; where it seems [3] *David ap Owen*, Prince of *North Wales*, having govern'd above Twenty Years, was now deposed by his Nephew *Llewellyn*, the Son of *Jorwerth Drwyndwn*, Son to *Owen Gwyneth* formerly Prince of that Country. Wherefore looking upon himself as the true Heir of that Principality, of which his Father had been disinherited by his younger Brother *David*, (as you have already heard) this young Prince imploring the Aid of his Mother's Relations (who was the Daughter of the Prince of *Powis*) drew also his Cousins, the Sons of *Conan ap Owen Gwyneth*, to his Party; and thereupon laying claim to the Government, he entred the Countrey with a strong Force, to whom the People willingly submitted, and owned him for their Lord; and so without any Blood-shed, he was made Prince of all *North-Wales*, except Three Castles which his Uncle *David* still kept by the help of the *Englishmen*, in whom was his chief Trust, because his Wife *Emma* was Aunt to the King of *England*: but before the new Prince *Llewllyn* could be well settled in his Government, *Roger Mortimer* came with a great Power to *Melyenyth*, and built the Castle of *Cymaron*, and so quickly brought that Countrey under his Subjection, by expelling the two Sons of *Cadwallhon ap Madoc*, who before were the Lords thereof.

[3] Dr. P's *Chron.* The Prince of *North-Wales* deposed (after he had governed 20 Years) by his Nephew.

Roger Mortimer builds the Castle of *Cymaron*.

Anno Dom. MCXCV.

[4] *R. H.* p. 425. a.

[4] King *Richard* kept his *Christmas* this Year at *Rouen*, being taken up in providing both Men and Money to carry on the War against the King of *France*; for the Truce which was to have continued till the Feast of *All-Saints* next ensuing, he found was not well observed, and the Subjects of both Kingdoms in the mean while committed great Spoils and Rapines upon each other.

[5] *M.* p. 428. a.

I cannot here omit (tho it be somewhat foreign to our *English* History) what my Author mentions to have happened about this time; that [5] *Leopold* Duke of *Austria* abovementioned, keeping a magnificent *Christmas* at the City of *Gratz*, on *St. Stephen*'s day after Dinner he would needs go out to recreate himself with some of his Knights on Horseback; but his Horse stumbling, gave the Duke such a fall as broke his Leg, so that the Bones came through the

Flesh,

Fleſh, and being carried home, for want of good Chirurgeons it began to gangrene, ſo that he was forced to have it cut off, tho it was to no purpoſe; for the Gangrene ſtill ſpreading further, run up to his Heart, and quickly killed him. *Anno Dom.* MCXCV.

He on his Death-bed repenting what he had done againſt K. *Richard*, commanded his Hoſtages to be reſtored, and the Money that was behind of his Ranſom, to be releaſed; which the young Duke his Son not being willing to comply with, the Clergy of that Country would not permit the Duke's Body to be buried, till he had performed what his Father enjoined. This our Writers look upon as an evident Judgment of God upon the Duke, for ſo unjuſtly taking and detaining King *Richard* Priſoner as you have already heard, not conſidering that the King of *France*, who ſtill made War upon him without any juſt cauſe, and contrary to the Oath he had taken, went on and proſpered. However King *Richard* gain'd very well by the Death of this Duke, for above four thouſand Marks of his Ranſom were offer'd to be returned to him, and *Baldwin de Betune* abovementioned carried the young Lady back again, and delivered her to the King.

By his Command the Hoſtages are reſtored, and the Arrear of the King's Ranſom-Money releaſed.

Above 4000 Marks of the Ranſom-Money return'd to the King.

[1] Some time after this, King *Richard* being at the Caſtle of *Chinon* in *Anjou*, there came thither fifteen *Saracen* Aſſaſſins, in the Diſguiſe of Pilgrims, ſome of whom endeavoured to be admitted into the King's Preſence, that ſo they might have ſtabb'd him: but being ſuſpected of ſome Evil Deſign, they were apprehended, and upon Examination confeſſed, that they were ſent by the King of *France* to kill the King, who ſeeming to paſs by this Injury, deferred the Execution of them till the reſt of their Accomplices could be taken.

[1] *Id.* p. 427. b. 15 *Saracens* ſent by the K. of *France* to ſtab King *Richard*, as they themſelves confeſſed.

In the mean while ſome appearance of a Peace ſtill continued, becauſe it was Lent, but more by reaſon of the coldneſs of the Seaſon; [2] ſo that the War did not break out afreſh between the two Kings till after Midſummer, and then it was upon this Occaſion. The Emperor *Henry* had ſent to K. *Richard* a Golden Crown of great value, in token of his Affection, and alſo to let him underſtand, that as he loved the ſafety of his Hoſtages, he ſhould then invade the Territories of the King of *France*, and that he himſelf would ſend him ſufficient Succours to revenge the Injuries that had been done him. But King *Richard*, fearing leſt ſomewhat of Treachery might lie concealed under this kind Meſſage, ſent *William* Biſhop of *Ely* to the *Emperor*, to enquire how great his Succours ſhould be, and when he would pleaſe to let him have them againſt the King of *France*; for King *Richard* was ſenſible, that if the Emperor and that King ſhould both combine againſt him, it would tend highly to his prejudice.

[2] *R. H.* p. 431. a. The War is again renew'd between King *Philip* and K. *Richard*. The Emperor promiſes K. *Ric.* great Succours againſt the K. of *France*. The Biſhop of *Ely* ſent to him to know how many, and when he ſhould have them.

[3] But the K. of *France*, hearing of the Deſign, and knowing that the Biſhop was to paſs through his Country, laid wait to ſeize him; but being diſappointed of it, he preſently ſent the King of *England* word that the Truce was broke; which the *French* Writers do wholly lay to King *Richard*'s Charge, but without any juſt grounds; for the bare ſending an Embaſſy could be no breach of the Truce: but [4] *Belleforeſt* is fain to renew the old pretence of the diſhonour King *Richard* had done to the Royal Family of *France*, in refuſing his Siſter; and that to prevent That King's ſeizing the Caſtle of *Reole*, he was reſolved to deſtroy it himſelf; ſo that thereupon both Armies taking the Field, they began the old trade of Murder-

[3] *Id. ib.* The King of *France* attempts to ſeize the Bp. but is diſappointed. The Truce declared to be broken, by the *French* K.

[4] *Lib.* 3. p. 170. b.

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ing, Burning, [5] and committing all manner of Rapine; which the King of *France* perceiving, and that he could not well defend his new conquered Territories againſt the King of *England*, he demoliſhed ſeveral Caſtles in *Normandy*, which the King of *England* afterwards refortified, and made ſtronger than they were before. But whilſt the King of *France* was at the demoliſhing of the Caſtle of *Vale-Reole*, the two Kings had an Enterview near that Caſtle, and whilſt they were treating underneath it, the Miners that the King of *France* had imployed to undermine it ſprung their Mine, and cauſed great part of the Walls of the Caſtle to fall down on the ſudden. K. *Richard* being ſomewhat ſurprized at this, and ſuſpecting Treachery, put an end to the Conference, and therefore preſently falling upon the King of *France*'s Army he put it to flight; ſo that every body being forced to ſhift for himſelf, King *Philip* being perſued, and paſſing over the adjoining Bridge, it broke under him, inſomuch that He and his Followers very narrowly eſcaped being drowned in the River *Seine*; yet getting with ſome difficulty to the Bank ſide, he there encamped.

[5] *R. H.* ib. Both Kings again burn and ravage each other's Countries.

The two K's have an Enterview underneath the Caſtle of *Vale-Reole*, but to no purpoſe, by the K. of *France*'s Treachery.

K. *Philip* flies, and in his flight falls into the River.

[1] In the mean time K. *Richard* returned to Caſtle *Reole*, and by the way took many of the King of *France*'s Servants Priſoners; and then reinforcing his Army from all parts of his Dominions, he invaded his Country, puting all to the Sword that oppoſed him, deſtoying the Corn, and cutting up the Vineyards, and burning the Villages where-ever he came. And things continued in this ſad condition for ſome time.

[1] *Id. ib.* King *Richard* takes ſeveral of the K. of *France*'s Servants Priſoners, and kills, burns, and deſtroys all before him.

[2] But not long after the two Kings hearing what great ſucceſs the King of the *Mores* (encouraged by theſe their Quarrels) had obtained in *Spain*, they reſolved on a Peace for the common good of *Chriſtendom*; and ſo meeting at another Treaty, they were almoſt wholly agreed upon theſe Conditions: That K. *Richard* ſhould beſtow in marriage his Neice *Eleanor*, Siſter to *Arthur* Duke of *Bretaign*, on *Lewis* the *French* King's Son, and give with her in Dower all the *Norman Veuxin*, together with the Caſtle of *Giſors*, and alſo ſeveral other Caſtles which the King of *France* was then Maſter of, and twenty thouſand Marks in ready Money over and above: and in conſideration of this the King of *France* engaged to releaſe to K. *Richard* whatſoever he claimed in the County of *Angoleſme*, and that he would reſtore to him the Caſtles of *Albemarle* and *Oue*, with ſeveral other places which he had taken from King *Richard* during this War. But the concluſion of this Treaty being delayed till the feaſt of *All-Saints*, it then came to no effect, by reaſon of the Emperor's being againſt it, and ſo they broke up. However the King of *England* did then reſtore to King *Philip* his Siſter *Alice*, who had been detained ſo long like a Priſoner, and whom, as ſoon as ſhe was deliver'd, her Brother married to *John* Earl of *Pontieu*.

[2] *Id. ib.*

The two K's meet again upon another Treaty.

Lady *Eleanor* to be married to *Lewis* the *French* King's Son, and to have a great Dower.

What the K. of *France* was to do on his part in return.

The Treaty comes to nothing through the Emperor's means.

In the mean time [3] *William* Bp of *Ely*, and the other Ambaſſadors who were ſent to the Emperor, return'd, bringing the King word, that the project of Peace between him and the *French* King was by no means pleaſing to the Emperor, who did not deſire that the King of *England* ſhould loſe or give up any thing, becauſe of his being kept in his Cuſtody; but then pardoned him ſeventeen thouſand Marks of Silver which ſtill remain'd unpaid of his Ranſom.

[3] *Id. ib.* b.

But the Emperor releaſes 17000 Marks of Silver, ſtill unpaid, of K. *Richard*'s Ranſom.

When

When the time appointed by the two Kings for their next meeting was come, (which was to be at *Vernuil* on the Octaves of *All Saints*) King *Richard* happened to be there somewhat before the time; but the Archbishop of *Rheimes* coming out to him, told him as from the King of *France*, that he need not come so soon, because his Master was still in Council: Upon this King *Richard* giving credit to what he said, went back again to the place from whence he came, and waited till three of the Clock in the Afternoon, to hear from the *French* King; but when he found he still trifled with him, he was resolved to tarry no longer, and therefore went again to the place of Treaty: then *Philip* Bishop of *Beauvois* brought him word from the *French* King, that he challenged him for Breach of Faith, and being guilty of Perjury, because he had sworn to come thither at Nine of the Clock, and had not accordingly kept his word, and therefore he defied him. So this Treaty ending thus abruptly, both Kings returned from whence they came, and on the third day after the King of *France* made cruel Depredations on King *Richard*'s Territories, and marching as far as *Diepe* (which King *Richard* had lately new built) took and burnt it to the ground, with all the Ships in the Harbour; after which Action the *French* Historians add, that King *Richard* met the King of *France* in his return, and sallying upon him on the sudden, out of a Wood, *Philip* had the worst on't, and there lost many of his Men, he himself escaping very narrowly, but without any hurt.

Anno Dom. MCXCV.

Another day appointed for a Treaty.

Archbishop of *Rheimes*'s deceitful dealing with K. *Richard.*

K. *Philip* challenges him for breach of Faith. Whereupon the War is again renew'd with greater Violence.

[4] Then after I know not how many various Chances and Turns of War, the King of *France* came with his Army to *Issoudun*, took it, and besieged the Castle; which when it was told the King of *England*, he being then near Castle *Reole*, set all his other Affairs aside, and took three days march in one, and entring that Castle which the King of *France* had besieged, a multitude of Souldiers presently came in to him; King *Philip* being extreamly surprized at this his sudden Arrival, begged liberty to draw off his Army, which King *Richard* not granting him, he then desired to have a Treaty with him, and that was agreed on; at which Conference, by the mediation of the Bishops and great Men on both sides, there was an Oath mutually taken, that from that Day (being the *Saturday* after St. *Nicholas*'s Day) there should be a firm Truce till the Feast of St. *Hilary* next ensuing, and then they were to meet at *Loviers*, to make a firm Peace between them in a much greater Assembly of the Nobility; and so both Kings return'd into their own Territories, to keep their *Christmas*.

[4] *Id. ib.*

King *Richard* coming to relieve the Castle of *Issoudun*, the K. of *France* desires a Treaty.

And there an Oath was taken on both sides to keep a firm Truce till the Feast of St. *Hilary.*

But the [5] *French* Historians relate the occasion and manner of making this Truce much otherwise, *viz.* that in *November* the War between the two Kings breaking out as fierce as ever, King *Philip* muster'd his Army about *Bourget*, not far from *Issoudun*, and King *Richard* did the like, being then encamped but a little way off, on the other side of the River: but they say nothing concerning the Siege of that Castle abovementioned, nor of the great advantage which King *Richard* had obtain'd over the *French* King, only the two Armies being now ready to give Battel, King *Richard* on the sudden (contrary to all Men's Expectations) tho upon what Motives they do not tell us, more than his being touch'd in Conscience,

[5] *Rigord* P. 39. The *French* Account of this Truce.

Anno Dom. MCXCV. came unarmed with a few Attendants to King *Philip*'s Camp, and did him Homage for *Normandy*, and all other his Dominions on that ſide the Sea: and then they ſolemnly took an Oath to each other, to maintain Peace from that time forward, and agreed upon another perſonal Conference or Treaty on the Octaves of *Epiphany*, between Caſtle *Gaillard* and *Rueil*, (but our Hiſtorians ſay it was to be held at *Loviers* at the Feaſt of St. *Hilary*) to compoſe and determine all Differences between them, and that in the mean while each ſhould keep what he had gotten; and ſo they returned into their own Territories in Peace.

But it favours too much of the *Romance*, to be probable.

But this Relation, in my Opinion, does not ſeem at all probable, or that King *Richard*, who had ſo great an Advantage over the *French* King, ſhould ſo far truckle to him as to go to his Camp, there to do him Homage, before he certainly knew whither any Peace would be concluded on, or not between them; for it is plain, the preſent Agreement was for no more than a Truce, till an abſolute Peace ſhould be concluded. Therefore I rather ſuppoſe that moſt of this Story is a mere Romance, contrived by the *French* Writers, in honour of their Hero, King *Philip*: and alſo that this Homage (if done at all) was not made till the Concluſion of the Peace after *Chriſtmaſs*, of which you will hear more anon.

[1] *Id.* p. 428. a.

[1] And here I cannot omit a remarkable Paſſage which I find in the ſame Author, ſince it gives us a knowledg not only of this King's moſt private Vices, but alſo of his Repentance, *viz.* That about this time he was admoniſh'd by a *Hermit* to remember the ſubverſion of *Sodom*, and ſo to abſtain from unlawful Luſts; at firſt the King ſlighted his Admonition, as coming from a poor deſpicable Fellow, but at laſt being (in the *Eaſter* week) viſited with a ſharp fit of Sickneſs, he called for divers religious Perſons or Monks, and did not ſtick to confeſs before them his being guilty of that Filthineſs: and then not long after recovering, he again took the Queen his Wife to his Bed, whom he had not known of a long time before, and ſo he lived very lovingly with her to the end of his days. He alſo now grew very Charitable, and bountifully relieved the Poor at his Court, who flocked to him from all parts, it being a time of great Famine and Scarcity.

An Account of the King's private Vices, and his publick Repentance.

His receiving the Queen to his Bed again.

His Charity.

Farther, to make amends for the *Chalices* that had been taken and melted down to raiſe Money for the King's Ranſom, he now ordered ſeveral new ones to be made both of Gold and Silver in the room of thoſe that had been ſo taken away; for it was none of the King's fault, but his adviſers, that thoſe *Chalices* were then made uſe of; which ſhews how groſly Kings are too often put upon by evil Counſellors, who are many times able to corrupt even the beſt of Princes.

His Juſtice.

The King being throughly reconciled to Earl *John*, reſtores him all his Earldoms except the Caſtles.

Little elſe happened this Year relating to *England*, but that King *Richard* being now throughly reconciled to his Brother Earl *John*, he reſtored to him his Earldoms of *Mortaign* and *Glouceſter*, with the Honour of *Eye*, and every thing belonging to them, except the Caſtles; and for all his other Lands the King gave him eight thouſand Pounds of *Anjou* Money: the King was then likewiſe reconciled to *Hugh* Biſhop of *Coventry*, and reſtored to him his Biſhoprick, upon his payment of five thouſand Marks of Silver.

He alſo is reconcil'd to the Bpoſ *Coventry*,

But

[3] But ſome time after, when the King had alſo reſtored his Brother *Geoffrey* Archbiſhop of *York* to his favour, he, preſuming too much upon the King's kind Uſage, began to rip up old Quarrels, and provoked him to that degree by his ſharp and undecent Language, that he commanded him again to be diſſeized of his Archbiſhoprick, and of the Sheriffdom of *York*; which ſhews this Prelate to have been of a very warm and haughty Temper, and had not learn'd how to treat with Kings, whoſe Injuries are better paſſed by than remembred, becauſe they cannot be ſafely returned. *Anno Dom.* MCXCV.

[3] *Id. ib.* And would have been alſo to his Brother the Archbiſhop of *York*, had he not again provok'd him by ill Language.

[4] Nor did this Archbiſhop diſpleaſe the King his Brother only, but alſo his own Chanons of the Church of *York*; who having had divers quarrels with him about the Election of a new Dean, and other matters, this Year appealed to the Pope againſt him, accuſing him, that giving himſelf up to Hawking and Hunting, and other ſecular Affairs, he neglected his Epiſcopal Function; whereupon the Pope ſent his Letters, or Commiſſion to the Biſhop of *Lincoln*, the Archdeacon of *Northampton*, and to the Prior of *Pontefract*, to make Inquiſition into the exceſſes of the Archbiſhop, and upon Enquiry to return their Proceedings to *Rome*; which being alſo done, the Archbiſhop was then ſummon'd by the Pope to appear before him; but neglecting to obey the Summons, he was *ſuſpended* from his Archiepiſcopal Office, tho this Sentence was not executed till the Year following: but I mention it here, becauſe I would not make a breach in the Story of this Prelate.

[4] *Id.* p. 426. a. The Chanons of the Church of *York* appeal againſt their Archbiſhop.

[5] But to give you the reſt of the Eccleſiaſtical Affairs of this Year, the King reſolving that *Hubert* Archbiſhop of *Canterbury*, now chief Juſtitiary of the Kingdom, ſhould alſo be inveſted with the ſupreme Eccleſiaſtical, as well as Temporal Authority, he ſent to the Pope to deſire him that he would conſtitute him his Legate over all *England*; which requeſt the Pope readily granted, and thereupon directed [1] a Letter or Bull to the Archbiſhop, whereby he confer'd on him his Legantine Power, to viſit and reform thoſe things that needed Reformation in the Province of *York*, and to appoint and conſtitute ſuch things as were requiſite: the Pope alſo wrote at the ſame time to the Archbiſhop of *York*, with his Suffragan Biſhops and Clergy, enjoining them to ſubmit to his Legate's Authority, notwithſtanding any Privilege that Church might pretend to the contrary.

[5] *Id. ib.* p. 428. b. *Hubert* Archbiſhop of *Canterbury*, made Legate of all *England*.

[1] See it at large in *R. H.* p. 429. d.

[2] Since therefore this extraordinary Power was given chiefly to humble the Archbiſhop of *York*, who was then out of Favour, the Archbiſhop, as Legate, preſently ſent Meſſengers to *York*, commanding the Dean and Chanons of that Church, as alſo the Officials of that Dioceſs, to ſummon the Clergy, and if any refuſed to receive or ſubmit to him, they were to be declared *excommunicated*; then Archbiſhop *Hubert* going down to *York*, on St. *Barnabas*'s day, was received by the Clergy with a ſolemn Proceſſion; and tho not as Archbiſhop of *Canterbury*, and Primate of all *England*, but as the Pope's Legate, he was brought into the Cathedral Church, and on the *Monday* following, as chief Juſticiary, he cauſed Aſſizes to be held of all Pleas of the Crown, and of *Novel Diſſeiſins* and *Mort d'Anceſtors*, by his Miniſters; whilſt He and his Officials held Pleas in the Eccleſiaſtical Court, which were all diſpatch'd in one day. On the two following days, was held a famous Synod of all the Abbots, Priors, and

[2] *Id. ib.* The Archbiſhop, as Legate, orders the Clergy of *York* to ſubmit to him, under pain of Excommunication.

He goes to *York*, and the Clergy receive him with ſolemn Proceſſion.

As chief Juſticiary, he cauſes Aſſizes to be held.

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A famous Synod held there, wherein were made 18 Canons.

and other Officers, as well pertaining to the Cathedral Church, as to the Dioceſs of *York*, wherein were made eighteen Canons, for the redreſs of divers Abuſes that had crept into the Church, in the Adminiſtration of the Sacraments, and other matters; as alſo for the Reformation of the Lives of *Monks*, *Chanons* Regular, and Nuns, and of Prieſts too, forbidding them to frequent drinking-meetings, and Taverns, or to keep Concubines; all which had been ordained before by divers Synods in the Province of *Canterbury*, but being moſt of them of no great moment to us now, I do but juſt name them: yet I have been the more particular in giving ſome Account of this Synod, becauſe it was the only one of this kind I can find to have been held by any Pope's Legate in this Province, for divers Ages; tho *it was not the only Eccleſiaſtical Council that was held in this King's Reign*, as a certain Modern [3] Hiſtorian has affirmed, ſince he might have found in [4] *Radulphus de Diceto*, and [5] *Gervaſe* of *Canterbury*, that *William* Biſhop of *Ely*, when he was the Pope's Legate, held a Synod of the Biſhops and Clergy of *England* at *Weſtminſter*, not long after the departure of King *Richard* for the *Holy Land*.

[3] Dr. *Brady's* Comp. Hiſt. p. 458.
[4] *Col.* 656.
[5] *Col.* 1565.

[1] I find nothing elſe performed this Year by Archbiſhop *Hubert*, as chief Juſtitiary, but an Oath he ſent to be taken all over *England*, That all Men thereof ſhould keep the King's Peace, and neither receive Thieves, nor be conſenting with them; and that when they knew of any ſuch Malefactors, they ſhould apprehend and deliver them to the Sheriff, who was by no means to ſet them free, unleſs by command of the King and the Juſtitiary; and if they could not apprehend them, then they were to diſcover them to the King's Bayliffs, and upon *Hue* and *Cry* being made after ſuch Out-laws, Robbers, *&c.* all ſhould do their beſt to perſue and ſeize them; and if it appear'd that any had not join'd in it, who was preſent, or had withdrawn himſelf from it, they were to be apprehended as Malefactors themſelves, and to be brought to the Sheriff; not to be ſet free, but by the King and his Juſtitiary's command; and that certain Knights aſſigned for this purpoſe, ſhould cauſe all Men of fifteen years of Age to come before them, and take the Oath abovemention'd. And therefore for the performance of theſe things, there were certain faithful Men choſen and ſent through each of the Counties of *England*, who by the Oaths of credible Perſons of the Vicinage, took up many and put them in Priſon; but many others who were guilty in their own Conſciences, being forewarned of it, fled, and left their Houſes and Poſſeſſions.

[1] *R. H.* p. 430. b.
The Archbiſhop cauſes an Oath to be taken all over *England*, to keep the King's Peace, and to apprehend Out-Laws, Thieves, *&c.*

I have inſerted this, that ſo the Reader may obſerve the manner of proceedings againſt Malefactors in that Age; as alſo to let him ſee how frequent and common Robberies were then, inſomuch that many Houſeholders privately engaged in them.

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[2] This Year King *Richard* kept his *Chriſtmaſs* at *Poictiers*, and about the ſame time *Hubert* Archbiſhop of *Canterbury*, Juſtitiary and Legate of all *England*, met *William* King of *Scots* at *York*, to treat of a Mariage between his Daughter *Margaret* and *Otto* Duke of *Saxony*, King *Richard's* Nephew, whereby the King of *Scots* was to have the Cuſtody of the Counties of *Northumberland* and *Carliſle*, for the uſe of the young Princes and their Heirs; but the Queen of *Scotland*

[2] *Id.* p. 432. a.
Alſo *Hubert* treats with the K. of *Scots* of a Mariage with his Daughter to the D. of Saxony.

proving

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proving ſhortly after with Child, that Agreement came to nothing.

[3] Abour the Feaſt of S. *Hilary*, the two Kings met at *Loviers* according to their former Agreement; where, by the advice of their great Men, or * Feudataries, they conſented that the King of *France* and his Heirs ſhould for ever releaſe to the King of *England* and his Heirs *Iſſodune* with its Dependencies, and all the Right he had in *Berry*, *Auvergne*, and *Gaſcoigne*; and that he ſhould render to him the Caſtle of *Arches*, the Earldoms of *Albemarle* and *Oue*, and the other Caſtles he had taken in the War; and that in conſideration thereof, the King of *England* was to releaſe to the King of *France*, the Caſtle of *Giſors*, and all *Veuxin-Norman*: and for the performance of theſe Articles, they were mutually bound to each other in fifteen thouſand Marks of Silver, and both Princes alſo found ſufficient Sureties for the ſaid Sum.

[3] *Id. ib.* P. 435. *a.*

* *Hominum ſuorum.*

The two Kings meet at *Loviers*, and their ſeveral Releaſes to each other by Agreement.

Yet notwithſtanding theſe ſolemn Oaths and Precautions for the true obſervance of the Peace, it did not laſt long, but through whoſe fault it firſt came to be broken is not eaſy for us to determine at this diſtance of Time, eſpecially where Authors differ ſo much about it; the *Engliſh* Hiſtorians laying all the fault upon the King of *France*, and the *French* upon King *Richard*, and indeed give us ſome plauſible Reaſons why their King *Philip* ſhould again renew the War, which were, That King *Richard* had fortified the Iſle of *Andely*, againſt the conſent of the Archbiſhop of *Roüen* its Owner; but the main pretence was, becauſe the King having took ſome Offence againſt a petty Lord, called the Seignieur of *Vierſon*, and had fallen upon him, and ſeized his Caſtle of that Name, and being a Vaſſal of the King of *France*, he forthwith went to him to make his Complaint, who thereupon ſent Forces to ſecure the reſt of that Lord's ſmall Territories from being alſo taken by King *Richard*. Nor did this content *Philip*, but without ever ſending to demand ſatisfaction, he entred *Normandy*, and ſate down before the Caſtle of *Albemarle*; which ſo ſoon as K. *Richard* heard, he in return ſurprized the Caſtle of *Noren Court*, and having well victual'd and gariſon'd it, marched back to relieve that of *Albemarle*: but as he drew near the Place, he was engaged by the *French*, and his Forces put to flight; in which Skirmiſh *Guy* Viſcount of *Thovars*, a valiant Nobleman, that afterwards married the Counteſs of *Bretaigne*, was taken Priſoner.

But Peace did not laſt long between them.

The Reaſons the *French* give why their King renewed the War.

Upon which good ſucceſs of the *French*, King *Philip* had leiſure to perſue the Siege of *Albemarle* Caſtle, which being much batter'd by the Engines call'd *Petrars*, was at laſt forced to ſurrender after ſeven weeks Siege, on this ſole Condition, *viz.* that the Gariſon ſhould march out with their Horſes, Arms, and Baggage; then King *Philip* razed the Caſtle to the Ground, from whence he went to the Caſtle of *Noren-Court*, which he beſieging, ſoon took by Storm, and in it divers Knights and Eſquires.

Albemarle Caſtle ſurrendered to the *French*.

And *Noren-Court*.

But of all theſe Victories gain'd by the *French* our *Engliſh* Hiſtorians are wholly ſilent, [4] *Roger Hoveden* telling us little more than that the King of *France* ſoon repented of this Agreement, and levying a great Army, came upon *Albemarle* on the ſudden, and took and demoliſhed it; and that upon the breach of this Peace, on the *French* King's part, the King of *England* cauſed the Goods, Lands, and Poſ-

[4] *P.* 435. *a.*

Roger Hoveden's Relation of this matter.

ſeſſions

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ſeſſions of the Abbots of the rich Monaſteries of *Clugni*, St. *Denis*, and *la Charité*, lying almoſt in all places of his Dominions, to be ſeized, as having been Sureties to him, for the fifteen thouſand Marks which King *Philip* was to forfeit if he firſt broke the Peace.

The two Kings burn and ravage each other's Countries.

I cannot find any thing conſiderable that was done by way of Revenge, unleſs it were, [5] that not long after Earl *John*, the King's Brother, took the Caſtle of *Gamage*. Thus theſe Kings being now more incenſed than ever againſt each other, ſpent moſt part of this Year in burning one another's Towns, and deſtroying their Countries.

[5] *Id. ib.*

The Counteſs of *Bretaigne* is ſeized in *Normandy* by her Husband, and ſhut up in one of his Caſtles.

Not long after this, the Counteſs of *Bretaigne*, Mother to Earl *Arthur*, came into *Normandy* at King *Richard*'s Requeſt, to diſcourſe with him about private matters: But her Husband *Randulph* Earl of *Cheſter* meeting her, he ſeized her Perſon, and ſhut her up in one of his Caſtles. But when her Son, the Earl of *Bretaigne*, found he could not ſet her free, he declared for the King of *France*, and deſtroyed the Territories of the King his Uncle; who raiſing a ſtrong Army in Revenge, entred *Bretaigne*, and laid great part of it waſte. But [1] *Gervaſe* of *Canterbury*, and *Brompton*'s Chronicle, do both with greater probability report, that King *Richard* requiring the Tutelage of his Nephew *Arthur* till he came of Age, ſome of the chief Noblemen of that Countrey oppoſing his Deſigns, carried him away into the farther parts of *Bretaign*, and then being out of the King's reach, thought he could more ſafely take up Arms againſt him: all which conſider'd, ſhews us the reaſon why the Dutcheſs his Mother was lately ſecured, becauſe ſhe was wholly of the *French* Faction. But this her impolitick, and I may ſay womaniſh wilfulneſs, gave the King a juſt pretence not to declare her Son (tho his Nephew) his Succeſſour; and indeed this Folly of his Mother loſt him the Crown of *England*.

Earl *Arthur* goes over to the King of *France*.

[1] *Sub hoc Anno.*

Which loſt him the Crown of *England*.

[2] *Id. ib.*

[2] Sometime after this happened an Affair which gave the King a great deal of Diſturbance, and ſufficiently ſhews us the mighty Power, as well as Haughtineſs of the Prelates of thoſe Times, who would rather expoſe their Countrey to the Ravage of the Enemy, than part with the leaſt Right of their own.

[3] *Id. ib.* A ſharp Diſpute between King *Richard* and the Archbiſhop of *Roüen*.

But to give an Account of the original of this Diſpute between the King and the Archbiſhop of *Roüen*; [3] the Iſle of *Andely* on the *Seine* being part of the Demeaſnes of that Archbiſhoprick, was a conſiderable Paſs by which the King of *France* uſed to enter *Normandy* whenever he pleaſed, over a ſhallow Ford in that River: wherefore King *Richard* being reſolved to put a ſtop if he could to his future Incurſions, and finding this Iſle to lie very convenient for that purpoſe, he had been treating with that Archbiſhop either to buy it of, or exchange it with him for ſomewhat elſe at leaſt of equal value: but this fair offer being peremptorily refuſed by this Prelate, King *Richard*, to prevent the *French* King's ſeizing it, and ſo to do him further Miſchief, began to build a Caſtle on the ſaid Iſle, contrary to the Archbiſhop's Will and Conſent: and becauſe the King would not deſiſt upon his prohibition, he pronounced the Sentence of *Interdict* againſt *Normandy*, and went to the Pope to complain againſt the King, notwithſtanding he had offered him what Satisfaction he would reaſonably demand, either in Land or Money, for that place.

He pronounces the Sentence of Interdict againſt *Normandy*.

On

[4] On *May* the 19*th*, *John* Earl of *Mortaign*, and *Marchades* the General of the *Brabanters*, with a good body of Horſe appeared before the City of *Beauvais*, and began to plunder and ſpoil that Country; whereupon *Philip* the Biſhop of the City, and *William de Merlou*, with his Son, and a great many Knights, and ordinary People, went out armed to oppoſe them; but they were preſently routed, and the Biſhop, *William de Merlou*'s Son, and ſome Knights were taken Priſoners, and moſt part of the ordinary People killed: ſo that the ſame day King *Richard*'s men marched to *Milli*, a Caſtle belonging to the Biſhop, and took it by Aſſault; and when they had demoliſhed it, they returned triumphantly into *Normandy*, and delivered their Priſoners (among whom was the Prelate himſelf) to the King, who was very glad he had got the Biſhop in his power, he being at that time one of the greateſt Enemies he had. And therefore [5] he ordered him to be ſent to *Roüen*, and there laid in Fetters; and when two of that Biſhop's Houſhold Chaplains came ſome days after to the King, to deſire him that they might wait on their Lord in Priſon, and that he might be more gently uſed; the King's anſwer was, That he would refer the caſe to them, and let them be Judges between their Lord and himſelf: for he told them, when he was kept Priſoner by the Emperor, and had been for ſome time honourably treated as his Dignity required, after their Lord's Arrival there from the K. of *France*, he found by experience what they had been treating of over Night, being the next day loaded with as many Irons as would tire an Aſs: upon hearing of which the Chaplains went away very much confounded from his Preſence.

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[4] *Id. ib.* Earl *John* defeats the Bp of *Beauvais*, and the Country plunder'd and ſpoiled. The Biſhop and ſeveral of the great Men taken Priſoners, and moſt of the ordinary People killed.

Milli Caſtle taken, and the Bp among the reſt of the Priſoners.

[5] *W. N.* The Bp is laid in Irons at *Roüen*.

This being the ſum of Affairs that happened this Year in *France*, we ſhall now relate what fell out in *England*.

[1] At *London*, in *Lent*, a great Sedition aroſe among the common ſort of People, which might have proved of a very dangerous Conſequence to the whole City if it had not been timely prevented: and I ſhall give you a true Account of it from two Authors, who were then living, viz. *Roger Hoveden*, and *Radulphus de Diceto*, Dean of St. *Paul*'s, who was an Eye-witneſs of it; the occaſion and manner of which was thus.

[1] *R. H.* p. 435. b. A dangerous Sedition in *London*.

There was then in the City of *London* one *William Fitz-Osbert*, commonly called *William* with the *Long-Beard*, which he wore to make himſelf more reſpected by the common People, tho otherwiſe he was a Man in Perſon as contemptible as he was in Quality; yet he had procured himſelf a mighty Reſpect and Intereſt with them, becauſe he took upon him to be an Advocate of the Poor againſt the Rich: and this he often did before the Magiſtrates of the City, by a wonderful natural Eloquence which he was a great maſter of, and by means whereof he thought he might lead the People which way ſoever he pleaſed; ſo that theſe having him for their Leader, they were more at his diſpoſal than at that of the Mayor of the City, which ſtruck ſuch a Terror into the better ſort of Citizens, that they ſtood upon their Guard Night and Day: for this Fellow had neither ſpared his own Brother, nor two other honeſt Men of good Reputation, whom he had accuſed of Treaſon againſt the King, and perſecuted almoſt to Death. But not long after he raiſed a mighty Diſſenſion among the Mob (as we now call them) about a certain Aid or Tallage

A great Diſſenſion among the Citizens of *London*, about paying an Aid or Tallage.

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lage which was to be raiſed upon them; alledging, that it was unequally laid, and that the richer Citizens being excuſed, the burden fell in a manner wholly upon the Poor; which at laſt cauſed ſuch a Tumult at St. *Paul*'s Church, that many there were killed. Whereupon the Archbiſhop, who was the King's Juſtitiary, commanded that this *William* their Leader ſhould be taken into Cuſtody, and brought before him; but when the King's Officers went about to ſeize him, he and his Accomplices fled to the Church of St. *Mary le Bow* in *Cheapſide*, and getting up into the Steeple, and having ſome Proviſions with them, they fortified it like a Caſtle; ſo that not being able to get them out any other way, by the Archbiſhop's Command a Fire was made under them, which being at firſt done only to ſmoke them out, yet it took hold of the Church, and conſumed moſt part of it; tho *Radulphus de Diceto* relates, that this *William* ſet Fire on it himſelf (which ſeems not ſo likely) but however it is certain, that he and his followers being ſmoked, or rather burnt out, were forced to ſurrender themſelves; and *William* with the *Beard* being there taken, and eight others of his Companions, they were carried to the *Tower* of *London*, and there by the King's Court ſentenced to be hanged; and being drawn by the Feet as far as the Elms near *Tyburn*, they were executed accordingly, and hung up in Chains, and ſo this Sedition was appeaſed: but this *William*'s Carcaſs being ſometime after ſtolen away and buried, his Followers pretended that divers Miracles were wrought at his Grave; hereupon Guards were ſet at the place, and thoſe that came thither to pray being well beaten for their pains, People ſaw through the Cheat, and quickly left off their Devotions to this pretended Saint.

I have been the more particular in this Relation, to let the Reader ſee, that the temper of the common People, or rather the *Mob* (as they now call them) has been much the ſame in all Ages.

Before we conclude this Year, I ſhall give you ſome Account of the Affairs of *Wales*; [2] where the *Welſh* had been for ſome conſiderable time pretty quiet, but now taking Advantage of the King's being engaged in foreign Wars, *Rees* Prince of *South-Wales* muſtering a great Army, and laying Siege to the Town and Caſtle of *Caermarthen*, took them both, ſpoiling and deſtroying the ſame, and then returned with much ſpoil: after this he led his Army before the Caſtle of *Clun*, which he likewiſe took, tho not till after a long Siege: from thence he went to *Radnor* Caſtle, and took that alſo, before *Roger Mortimer* and *Hugh de Say*, who were marching thither with a powerful Army of *Normans* and *Engliſh* to prevent him, could arrive. But Prince *Rees*, reſolving not to keep his Men within the Caſtle, boldly marched out againſt the *Engliſh* Commanders; and tho a great many of his Men were undiſciplined and unarmed, yet they ſo well acquitted themſelves, that the *Engliſh* Army were routed with a great loſs of Men, the *Welſh* purſuing the reſt till the darkneſs of the Night came ſeaſonably on to protect them; then the Prince forthwith laid Siege to the Caſtle of *Payn* in *Elvel*, and took it. But *William de Bruce*, the Lord of it, coming thither to him, made Peace with Prince *Rees*, of whom he received the Caſtle again upon certain Conditions. Not long after the Archbiſhop of *Canterbury*, the King's Juſtitiary, hearing of theſe Incurſions, came with a mighty Army into

[2] Dr. *P*'s *Chron.*

Rees, Prince of *South-Wales*, with a great Army, takes both the Town and Caſtle of *Caermarthen*, and ſeveral other Caſtles.

Roger Mortimer and *Hugh de Say*, with their Army, routed by his Men.

Will. de Bruce makes Peace with the Prince, and receives his Caſtle of him upon Terms.

into *Wales*, and laid Siege to the Caſtle of *Gwenwynwyn*, at the Pool; but the Gariſon defended the Place ſo well, that he loſt divers of his Men; ſo that he perceiving he could do no good there by Aſſault, he ſent for Miners to undermine the Walls; which when the Gariſon heard of, and finding themſelves too weak to hold out, they offer'd to ſurrender it provided they might march out with their Arms: the Archbiſhop accepted of theſe Terms, and permitted them to go their way; then ſtrongly fortifying the Caſtle for the King's uſe, and placing therein a Gariſon for its defence, he returned into *England*: but immediately after Prince *Lhewellyn* laid Siege to it again, and had it ſurrendered to him upon the ſame Terms, that his Men had before given it up.

Anno Dom MCXCVI.

The ABp of *Canterbury* goes againſt the *Welſh* with a great Army, and has the Caſtle of *Gwenwynwyn* ſurrendered to him.

Prince *Lhewellyn* ſoon after recovers it again.

I cannot here omit what our Author farther relates, concerning [3] Archbiſhop *Hubert*, that whilſt he thus continued the Pope's Legate, and King's Juſtitiary, he either really was, or elſe ſeem'd to be weary of ſo great a Burden; and therefore ſent Meſſengers to the King, deſiring him to place ſome other Perſon in the Government of the Kingdom, and give him leave to lay it down, ſince he was not able to diſcharge both the Spiritual and Temporal Functions any longer. Then the King, tho very unwillingly (for he knew there was none more capable of maintaining the Laws and Rights of the Kingdom, than the Archbiſhop) yet at laſt conſented to his Diſcharge; but when it came to, the Archbiſhop repented of that Meſſage he had ſent to the King, knowing that he was very well paid for his Pains; and therefore having looked over the Rolls of Accounts, he ſent the King word, that he had raiſed out of this Kingdom for his ſole uſe Eleven hundred thouſand Marks of Silver; and added, that if he thought his Service further neceſſary, and it was his Pleaſure he ſhould ſtill continue in his Office, he would not deny ſerving of him, notwithſtanding his great Age. It is therefore no wonder that he ſtill kept the Government, ſince the King did not know where to find ſuch another Miniſter for his turn.

[3] *R. H.* p. 435. a.

The ABp begs of the King to eaſe him of the Secular Government, which is granted.

But afterwards repenting of it, he is again reſtored.

Thus we ſee Men are ſeldom cloyed with too much Power; but the greateſt wonder is, how one old Man could bear up under the weight and fatigue of ſo much Buſineſs, or how *England* having been ſo lately exhauſted for the King's Ranſom, could now again afford ſuch a vaſt Sum in ſo ſhort a time, which was then (the value of Money, and prices of things conſidered) more than five Millions of Pounds at this day; and ſhews that *England* muſt have had at that time a very conſiderable Trade for its Commodities, or elſe having no Silver Mines, the Species then wrought of Silver and Gold could never have ſo multiplied in two or three Years: and therefore we have the leſs reaſon to admire the greatneſs of the Taxes that *England* has lately undergone.

As for Eccleſiaſtical matters, this Kingdom affords us none, unleſs we may take notice [4] that *Geoffrey* Archbiſhop of *York*, having been *Suſpended* by the Pope (as you have already heard) and forced to take a Journey to *Rome* to clear himſelf of the Crimes laid to his Charge, had (tho with ſome difficulty) obtain'd a fair Hearing from his Holineſs, who was then much prejudiced againſt him, wherein he ſo well acquitted himſelf, that his Adverſaries not being able to make good their Allegations againſt him, the Pope at laſt, by the conſent

[4] *Id.* 435. b.

Geoffrey Archbiſhop of *York* goes to *Rome*, and clears himſelf to the Pope, of what was laid to his Charge.

Anno Dom. MCXCVI. consent of the whole Court of Cardinals, reſtored him again to his Epiſcopal Office, as alſo to the Benefits thereof: but when the King heard of it, he was terribly nettled, for having already deprived him of his Temporalties, he had joined with his Adverſaries to have him depoſed. But finding himſelf now ſo miſerably diſappointed, he commanded two of the Prebends (who were his Enemies) not to permit the Archbiſhop, or his Officials, to have any thing to do with the *Spiritual Juriſdiction*: And the King himſelf in the mean time beſtowed all the Prebendaries and vacant Benefices of that Church upon his own Clerks as he pleaſed: but when the Archbiſhop ſaw upon his return from *Rome* to *France*, that his Reſtitution would do him little good, ſo long as the King thus deprived him, both of his Spiritual and Temporal Rights, after ſome ſtay there, he thought it beſt to go back to *Rome* again, where he continued till the next Year before he could get the King to be reconciled to him.

And is reſtored to his Epiſcopal Office, *&c.*

But the King will not ſuffer him to have any thing to do with the Spiritual Juriſdiction.

And ſo he goes back to *Rome*, and is not reconcil'd to the K. till the next Year.

Anno Dom. MCXCVII. [5] King *Richard* being ſtill in *Normandy*, kept his *Chriſtmaſs* at *Buers*, and was very much troubled that the Archbiſhop of *Roüen* would not releaſe that Dutchy from the late *Interdict* which made the dead Bodies to lie unburied in the Streets of the Cities and Towns.

[5] *Id.* p. 437. a.

The dead Bodies lie expoſed in the Streets, becauſe of the ABp of *Roüen*'s *Interdict*.

Wherefore, not long after, the King ſent *William* Biſhop of *Ely* his Chancellor, with the Biſhop of *Liſieux*, and *Philip* the Elect of *Durham*, Ambaſſadors to the Pope to make his Defence; but the firſt of theſe falling ſick by the way, dyed at *Poictiers*, ſo the other two went on to *Rome*, and appearing before the Pope with the Archbiſhop, who was there before them, he aſſerted the Right he had to the Iſle of *Andeli*, and complained of the Injury K. *Richard* had done him, by building a Caſtle upon the Patrimony of the Church of *Roüen*, without his Aſſent, nay contrary to his Will. To which they anſwered, that the King had often offered him, by the mediation of his Biſhops, Abbots, Earls, and Barons, full ſatisfaction, according as ſelect and diſcreet Men ſhould eſtimate; and alſo affirm'd on the King's behalf, that he could not part with that Iſland in which the Caſtle was built, becauſe the K. of *France* had uſually made his Paſſage that way into *Normandy*, and often waſted it; and therefore he was obliged to fortify it for the defence of his Country, againſt his Enemy of *France*.

K. *Richard* ſends Ambaſſadors to the Pope, to make his Defence.

Their Plea on the King's behalf.

The Pope and Cardinals after long Deliberation, conſidering the damages which might accrue to *Normandy*, if there were not a Caſtle erected there, adviſed the Archbiſhop amicably to compoſe the matter, and to accept a Recompence according to the eſtimation of honeſt and indifferent Perſons; adding farther, that it was Lawful for Kings and Princes to fortify the weak places of their Countries, to prevent thoſe Dangers which otherwiſe might happen to themſelves and their People. This matter being thus ended, the Pope releaſed the *Interdict* that was upon *Normandy*.

The Pope's Advice to the ABp of *Roüen*.

The *Interdict* releaſed.

[1] *Id. ib.* b. [1] Some months after this, the Ambaſſadors and the Archbiſhop being return'd with the determination of the Pope and Cardinals, the King ſummon'd the Biſhops, Abbots, Earls, and Barons of *Normandy* together; and then gave to *Walter* Archbiſhop of *Roüen* in Recompence for his Iſle of *Andeli*, the Towns of *Diepe* and *Loviers*, with their Appurtenances, and divers other Mannors and Mills, as appears by the King's Charter, and the Pope's Confirmation of it

What the K. gives the ABp for a Recompence.

it (which you may ſee in [2] *Radulphus de Diceto*, bearing date 1198. by which exchange the Archbiſhop himſelf confeſſeth (in a Letter to that Author) that the Church had gained above five hundred Pounds clear. Thus we ſee, that in thoſe times who ever loſt, the Church was ſure to gain. *Anno Dom.* MCXCVII.

[2] *Col.* 701. N°. 40. and 702.

[3] The ſame Year King *Richard* marched to the Town of St. *Valery* in *Picardie*, and burnt it; and deſtroying the Monaſtery, he carried away the Monks, together with the Shrine and Reliques of St. *Valery* with him into *Normandy*; and finding in that Port divers Ships come from *England*, laden with Corn and Victuals, he hang'd the Mariners, burnt the Ships, and diſtributed the lading amongſt his *Souldiers*; for it ſeems he had not long before iſſued out a Proclamation, that none ſhould bring any Proviſions out of *England* upon pain of Death.

[3] *R. H.* ib. The K. plunders and burns St. *Valery*.

[4] About this time the King of *France*'s Efforts againſt King *Richard* growing ſtill weaker and weaker, it encouraged his Neighbours to deſert his Party; for now the People of *Champaigne*, the *Flemings* and *Bretaigns*, gave *Pledges* mutually, that they would not make Peace with the King of *France*, unleſs by common Conſent; for it ſeems the King of *England* had brought over to him many of the Great Men of *France* by his Favours and Bounties: he gave to the Earl of *Flanders* five thouſand Marks for his Aſſiſtance, and he gave Hoſtages not to make Peace with the King of *France*, without the King's conſent; and the King of *England* did the ſame to him. *Radulphus de Diceto* has given us the Articles of Agreement between theſe two Princes at large, which were ſworn to by Earl *John* on the behalf of the King his Brother, before ſeveral witneſſes in the Iſle of *Andeli*.

[4] *Id.* p. 438. a. Several People confederate with K. *Rich.* againſt K. *Philip*.

[5] Some time after this, *William Criſpin*, Conſtable of the Caſtle of *Dangu*, was forced to ſurrender it to King *Richard*, who having well ſtored it with Men and Ammunition, marched into *Auvergne*, and there took ten Caſtles belonging to the King of *France*, or his Vaſſals: in the mean time K. *Philip* retook the Caſtle of *Dangu*, granting to the Knights and their Followers that were in it, their Lives and Members; and receiving five hundred Marks of them for their Ranſom, he gave them their Liberties, and fortified the Caſtle for his own Uſe.

[5] *Id. ib.* *Dangu* Caſtle ſurrendred to K. *Richard*; But is retaken by the *French* King.

[1] About the ſame time *Baldwin* Earl of *Flanders* had beſieged the City of *Arras*, which the King of *France* hearing of, preſently marched thither with a great Army, upon whoſe approach the Earl of *Flanders* raiſed the Siege, and retreated; but the *French* King not ſatisfied with this, would needs follow him into his own Territories, till at laſt his Army being encompaſſed between two Rivers, the Earl by breaking down the Bridges, and putting ſtrong guards upon the Paſſes, ſo ſhut up the King of *France*'s Army, that no Proviſions could be brought to them; whereupon the King finding himſelf in ſo great a ſtreight, deſired the Earl that he would not put any Affront upon the Crown of *France*, affirming, that he came into *Flanders* with an intention to make Peace with him, and that he would reſtore to him all his Rights which he then detain'd, provided he would quit the King of *England*'s Intereſt: but tho the Earl of *Flanders* refuſed to do that, becauſe of his late Agreement with King *Richard*, yet

[1] *Id. ib.* Skirmiſhes between the E. of *Flanders* and the K. of *France*. K. *Philip*'s Army ſhut up between two Rivers. His profers to the Earl of *Flanders*.

Anno Dom. MCXCVII.

yet he ſo far complied with the *French* King's deſires, that upon his promiſe to make Peace with King *Richard* likewiſe, and to reſtore to him what he had taken from him, he ſuffered the King of *France* and his Army to make their Retreat without any diſturbance; but he had only this return for his kindneſs, that the *French* King never perform'd one jot of what he had promiſed him.

How far he offered to comply with the *French* K's deſires.

[2] *W. N.*

[2] Then the Earl went in Perſon, to perſwade the King of *France* to a Treaty of Peace between *Gaillion* and *Andeli*, where both Kings having enough of War, and being met with a great Aſſembly of the Nobility on both ſides, altho their Stomachs were too high to condeſcend to an abſolute Peace, [3] yet for the preſent they conſented to a Truce for a Year and four Months, during which it was alſo agreed that there ſhould be a free Trade between their Subjects, and that the Priſoners ſhould be ranſom'd at a reaſonable price: ſo the Aſſembly broke up, and both Kings returning home, there was an end of this years War; tho the Truce did not hold out the full time agreed upon, as you will find by and by, in the next Year.

The two Kings in a great Aſſembly, conſent to a Truce for a Year and four Months.

[3] *R. H.* p. 439. a.

[4] About this time *Philip* Biſhop of *Beauvais* growing weary of his Impriſonment, ſent his Brother, the Biſhop of *Orleans*, with Letters to the Pope, informing him that he was made a Priſoner by the King of *England*, and complained how he was bound and laden with Irons, notwithſtanding the Dignity of his Order, and (as my Author ſays) petitioned with Tears for Relief.

[4] *Ib.* p. 438. b.

The Bp of *Beauvais* his Complaint to the Pope againſt K. *Richard*.

The Pope hereupon wrote to King *Richard* on his behalf, expoſtulating with him, why he would detain in Priſon his dear Brother and Son, the Biſhop of *Beauvais*? [5] Upon this the King is ſaid to have ſent to the Pope the Archbiſhop's Armour in which he was taken, together with a Letter wherein was this Paſſage, *Holy Father, will you be pleaſed to ſee whither this is your Son's Coat, or not?* Which, if true, ſhews that that Prince was not ſo ignorant of the *Scripture*, but that he knew how to make an ingenious uſe of it when it was for his purpoſe: but whither this Anſwer were real or not, ſince I find it in no Author before *Matt. Paris*, I will not affirm; yet ſo much is certain, that the Pope return'd to the Biſhop himſelf no very kind Anſwer, being to this effect, *That he had put on the Armour of a Souldier, inſtead of the Habit of a Prieſt*; [1] "And that altho the K. of *France* was bound "by Oath, not to do any damage to the King of *England*'s Dominions "during the time of his Pilgrimage, yet that he had impudently, a- "gainſt his Faith and Oath, by Force, taken his Towns, and cruelly "waſted his Territories; the Equity of whoſe Cauſe fought for him "againſt the Arrogance and Injuries of the *French* King: that he, "the Biſhop, was not only a fooliſh Adviſer of, but an inſolent Actor "in this unlawful Quarrel; and at laſt concludes thus, *That he could* "*only ſupplicate the King of* England *in his behalf, for in ſuch a caſe* "*he neither could, nor ought to command.*

[5] *C. B.*

The Pope's Anſwer.

[1] *R. H. id.* b.

Whither the Pope wrote any more on his behalf, I do not find; but it is certain the Biſhop remain'd ſtill in Priſon till the Year following, when he offer'd for his Liberty ten thouſand Marks of Silver.

Having thus diſpatch'd foreign Affairs, let us now look homewards, and ſee what was done in *England*. [2] The Archbiſhop of *Canterbury*, the King's Juſtitiary, going over this Year, by the King's Command, into *Normandy* about the middle of *June*, ſtayed there till the latter end

[2] *Id. ib.* p. 440. a.

ABp goes into *Normandy*.

end of *October* following, where divers things were eſtabliſhed for the good of the publick; and it is very probable that [3] King *Richard* then ordained that Aſſize concerning Meaſures, which we find in *R. Hoveden* under this Year. But *Walter* of *Coventry* in his *Memoriale Hiſtoriar.* ſays, they were made at *Weſtminſter* at the Feaſt of *St. Edmund*, at the Petition, and by the Advice of all the Biſhops and Barons of the Kingdom; ſo that it ſeems to have been an Ordinance of that King's great Council of Peers. Yet ſince they were not ordained by the General Council of the Kingdom, or Parliament, I look upon them only to have been in the nature of a Temporary Edict; and therefore I ſhall refer the Reader, that has a mind to peruſe them, to the end of this King's Reign, where he will ſee them tranſlated to his hand. I do not find there happened any thing elſe conſiderable in *England* this Year.

Anno Dom. MCXCVII.

[3] *Id. ib.* b. An Aſſize concerning Meaſures, made by the King's great Council of Peers.

But to give ſome Account of the Affairs of *Wales*: [4] *Rees* Prince of *South-Wales* now deceaſed, whom the *Welſh* Chronicles highly extol, and lament with a great deal of Monkiſh Eloquence, in rhiming Latin Verſes, as a Prince of that Valour and Worth, that he was the only Hope and Defence of his Country: and indeed after his Death, all things in *South-Wales* fell into Civil War and Confuſion, his Sons taking up Arms againſt each other, contending for the Government. [5] To extinguiſh which Diſſentions, Archbiſhop *Hubert*, tho lately an Enemy, marched down into thoſe parts to ſettle Peace amongſt them, which continued for ſome time. *Griffyth*, Prince *Rees*'s ſecond Son, ſucceeded him for a while, and ſubduing all that Country, enjoyed it in Peace until *Maelgon* his Brother (whom his Father had diſinherited) made a League with *Gwenwynwyn*, the Son of *Owen Cyvelioc*, Lord of *Powis*, who both together levying tho but a ſmall Army, came ſuddenly upon Prince *Griffyth* at *Aberyſtwyth*, and killing many of his Men, took him Priſoner, and ſo recovered all the Country of *Caërdigan*, together with the Caſtle *Maelgon*: He having thus taken his Brother, ſent him to be impriſoned with *Gwenwynwyn*, who in deſpite delivered him to the *Engliſhmen*: and then *Gwenwynwyn* gathering a ſufficient Power, entred *Aruſtly*, and ſubdued it to his own Dominion.

[4] Dr. *P*'s *Chron.* Prince *Rees*'s deceaſe, and Character.

ABp *Hubert* compoſes the Differences between the *Welſh* Princes about the Succeſſion.

[5] *R. H.* ib.

[1] Alſo about this time, there was a great Diſpute in *North-Wales*; for *David-ap-Owen*, the late expell'd Prince, came with a great Army, as well of *Engliſh* as *Welſhmen*, purpoſing to recover his Country: but Prince *Lhewellyn* his Nephew, the right Heir of the ſame, and then in Poſſeſſion, came boldly out upon him, and giving him Battel, and putting his Men to flight, took him Priſoner, and ſo kept him as long as he lived, and afterward enjoyed the Country quietly.

[1] *Id. ib.* A great Diſpute between the Princes of *North-Wales*.

This Year alſo affords us ſome Account of the Affairs of *Ireland*, of which we have heard nothing a great while; but now [2] *Jourdan de Courcie*, Brother of *John de Courcie*, Prince or Earl of *Ulſter*, being murdered by one of his Domeſticks, through the inſtigation of ſome of the *Iriſh* petty Kings, his Brother in revenge made War upon thoſe Kings, ſome of whom he put to flight, and drove out of their Country, and then he beſtowed their Territories upon *Duncan* the Son of *Gilbert*, a *Scotiſh* Prince, who lately came over to his Aſſiſtance.

[2] *R. H.* p. 439. a. Some Account of *Ireland*. *John de Courcy*, in revenge for his Brother's Murder, puts ſome of the petty *Iriſh* K's to flight, and makes *Duncan*, a *Scotiſh* Prince, King

Alſo

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[3] *Id. ib.* b. A great Diſturbance in the Church of *Dublin*, and the occaſion of it.

[3] Alſo this Year there happened no ſmall diſturbance in the Church of *Dublin*; for *John Cumin* the Archbiſhop of that City, having ſuffer'd great Injuries from *Hamo de Valoins*, and the other Guardians of *Ireland*, who were the Servants of Earl *John*, the King's Brother, reſolved rather to endure Baniſhment, than ſuch Abuſes to himſelf and his Church: but before he went away, he *excommunicated* all thoſe who had done him wrong, and laid an *Interdict* upon his Archbiſhoprick, and alſo commanded the Crucifixes and Images about the Cathedral Church to be taken down, and laid upon Thorns; which, as our Author relates, produced ſuch a wonderful Miracle, that the chief Crucifix being thus uſed, its Face began to look very red and fiery, and to ſweat extreamly, and great drops fell from its Eyes as if it wept, and out of its ſide came Blood and Water, which the Officers of the Church gathering up, ſent after to the Archbiſhop, with a large Relation of this ſtrange Miracle: but it ſeems, neither the reſt of the Biſhops, nor any of Earl *John*'s Officers were converted by it; nor did they make the Biſhop any ſatisfaction, any more than did King *Richard*, or the Earl himſelf, when the Archbiſhop came over to them to complain, and to demand Reſtitution of what had thus violently been taken from him; ſo that it ſeems they looked upon this Miracle to be but a cheat of the Monks, if it was ever told them at all.

The ABp before his departure, *excommunicates* all thoſe that had injured him, and puts his Archbiſhoprick under *Interdict*.

The Miracle of the chief Crucifix look'd on as a Monkiſh cheat.

[4] *Id. ib.* a. The Death of ſeveral great Princes.

[4] This Year was alſo remarkable for the Death of ſeveral Princes; for *Henry* Earl of *Champaigne*, King of *Jeruſalem*, being about to raiſe the Siege of *Joppa*, as he was one day leaning over a Window to ſpeak to the People below, the Pillars that ſuſtained it failing, he fell down together with them, and broke his Neck.

[5] *Id.* p. 440. a.

[5] This year the Emperor *Henry* the *Sixth*, a Covetous and Cruel Prince, who had been before *excommunicated* by the Pope for keeping King *Richard* Priſoner, and making him pay ſo great a Ranſom, now falling into a fit of Sickneſs, ſent a Biſhop, who was his Kinſman and Chancellor, as his Ambaſſador to King *Richard*, to beg his Pardon, and promiſe him Reſtitution of what he had taken from him for his Ranſom: but before he could arrive and deliver his Meſſage, the Emperor died at *Meſſina*; after whoſe deceaſe there were great Contentions about a Succeſſor in the Empire for a long time.

Anno Dom. MCXCVIII.

[1] *Id. ib.*

[1] The King kept his *Chriſtmaſs* this year at *Roüen*, and the reſt of the Winter and following Summer paſſed over without any Action between the two Kings, becauſe the late Truce as yet continued; and therefore we ſhall in the mean while, give you an account of what was done in *England*.

[2] *Id. ib.* ABp *Hubert* marches to the borders of *Wales*.

[2] About the beginning of this Summer Archbiſhop *Hubert*, the King's Juſtitiary, marched down with ſome Forces to the Borders of *Wales*, and there took into his hands, for the King's Uſe, the Caſtles of *Hereford*, *Bridgnorth*, and *Ludlow*, putting out the old Conſtables, and placing in new ones, whom he could better truſt: not long after which King *Richard* deſired of the Feudataries, or Military Men of *England*, by the ſame Archbiſhop, that they would find him three hundred Horſe, to remain in his Service for one Year; or elſe to let him have ſo much Money as would maintain ſo many Knights, and give them for their Livery or Wages, every day, three Shillings of *Engliſh*

The K's Feudataries to find 300 Horſe, or pay ſo much as would maintain them.

English Money, to which demand all preſent (not daring to deny it) ſeemed to give their conſent, except *Hugh* Biſhop of *Lincoln*, who ſaid he knew not what Injury it might do the Church in future Times; and then turning to the Archbiſhop, earneſtly entreated him that nothing might be farther done in it: but whither he complied with that Requeſt or no, I do not find. *Anno Dom.* MCXCVIII.

[3] Alſo the ſame Year the King took an Aid of five Shillings of every Carucate or Hyde of Land in *England*, and ſent into every County one Clerk and one Knight to collect it: theſe took the Sheriff, and certain legal Knights, choſen for that purpoſe, who being all ſworn faithfully to execute the King's Buſineſs, cauſed to come before them the Stewards of the Barons of that County, and the Lord or Bailiff of every Town, and the Reeve with four lawful Men of the ſame (whither Freemen or Ruſticks) and two of the moſt legal Knights of the Hundred, who did all ſwear faithfully to diſcover how many Plough Tilths, or Lands, there were in every Town, how many in *Demeſne*, how many in *Villenage*; how many the Religious held in Alms, and what ſervices they did for them; and upon every Plough-land they impoſed firſt two, and then three Shillings, and inrolled them all; whereof the Clerk had one Roll, the Knight another, the Sheriff a third, and the Baron's Steward a fourth; the Money was received by two Knights, and the Bayliff of every Hundred, and they anſwered it to the Sheriff, and he according to his Roll anſwered it at the Exchequer before the Biſhops, Abbots, and Barons aſſigned for that purpoſe. [3] *Id.* p. 442. b. 443. a. The K. takes an Aid of every Hyde in *England*. Who were appointed, and the manner how it was collected.

[4] The puniſhment appointed for ſuch as concealed any thing againſt their Oath, was, If he was a Ruſtick (that is, a Villain) he was to give his Lord the beſt Oxe in his Plough, and pay as much of his own to the King's uſe, as by his Perjury he had concealed: if a Freeman was convicted, he was in the King's Mercy, and to anſwer as much of his own to the King's Uſe as he had concealed. It was alſo ordained, that the Barons with the Sheriff ſhould diſtrein their Tenants, and if they did not, ſo much ſhould be taken upon their Demeſnes as the Tenants were in Arrear. All Free-Fees (that is, Mannors and Military Fees) belonging to Parochial Churches and Serjeanties, which were not ſettled upon Knight's Fees, were excepted out of this Aid; yet the names of the Serjeants and the value of their Lands were inrolled, and they were ſummoned to be at *London* fifteen days after *Whitſunday*, to hear and perform the King's Command; and thoſe who were choſen and appointed to do this buſineſs for the King, allow'd for the Carts and Ploughs (called here the *Wainage*) of each Plough-Land, one hundred Acres, according to the value or eſtimation of certain Legal Men. From whence we may obſerve, that in this Taxation, a hundred Acres of arable Land were reckoned a Plough-Land. [4] *Id. ib.* The Penalties inflicted upon Concealers againſt their Oath. What Fees excepted out of this Aid.

I have been the more particular in relating this Taxation, as alſo the manner how it was performed, that ſo the Reader may ſee that it was not only very great, but alſo impoſed without the conſent of the Great Council of the Kingdom; and tho it was very ſtrict and ſevere, yet it was equally laid upon all the Kingdom alike, and therefore the better born, being not as our Taxes are at this day. This was not only a great Tax, but impoſed without the conſent of the great Council.

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[5] Sometime after this, the Monks of the *Holy Trinity* (or *Chriſt-Church* in *Canterbury*) being not at all pleaſed with ſome of Arch-Biſhop *Hubert's* Actions towards them, ſent ſome of their number to *Rome*, and complain'd to the new Pope *Innocent* (for *Celeſtine* was lately dead) that contrary to the Canons, he was chief Juſtitiary of the Kingdom, and a Judg in cauſes of Blood, and ſo involved in ſecular Buſineſs, that he could not but neglect the Affairs of the Church; and they likewiſe accuſed him in particular, that the Peace or Sanctuary of the Church of St. *Mary del Arch*, or *Bow-Church* in *London*, had been violated by his Precept, and that *William* with the *Beard*, was by force taken out from thence, with nine of his Companions, and adjudged to Death, and hanged accordingly.

[5] *Id. ib.* p. 443. a. A Complaint made by the Monks of *Canterbury* to the Pope againſt ABp *Hubert*.

Upon this the Pope ſent a Paternal Admonition to King *Richard*, that for the health of his own Soul he ſhould remove the Archbiſhop from all ſecular Affairs, and for the future neither to admit him, nor any other Biſhop or Prieſt to any ſecular Employment or Adminiſtration, and commanded all Prelates by virtue of their Obedience that they ſhould not dare to undertake them for the future.

The Pope ſends to the K. to remove him from Secular Buſineſs.

[1] Thus was the Archbiſhop laid aſide, tho much againſt his Will, being a ſtirring ambitious Prelate, who delighted more in Temporal than ſpiritual Functions; after whom *Geoffrey Fitz-Peter* ſucceeded in the Government of the Kingdom. But the main occaſion of this Quarrel, and which alſo the Monks then chiefly laid to his Charge, was, that in prejudice of the Mother-Church of *Canterbury*, he had finiſhed the Chappel at *Lambeth*, which had been begun by Archbiſhop *Baldwin* his Predeceſſor, and placed ſecular Chanons therein, endowing them with the Lands and Goods of the Monks, and contrary to the Cuſtom and Dignity of the Church of *Canterbury*, had conſecrated Biſhops therein; inſomuch that they were afraid, unleſs it were timely prevented, that the Dignity of the Mother-Church would be diminiſhed, and transfer'd to that * *Apoſtate* Chappel: their true meaning was, that they were apprehenſive that theſe might become ſome time or other the Archbiſhop's Chapter, and the power of electing the Archbiſhops would be transfer'd to them; whereupon Pope *Innocent* being much moved at this Information, wrote to the Archbiſhop, charging him to demoliſh the Chappel within thirty days after the receipt of his Letters, and aſſured him that if he did not do it, he was thereby *ſuſpended* from his Epiſcopal Dignity and Function, until he ſhould appear before him, and make ſatisfaction for the ſame. His Letters bare date the 8*th* of *May* at *Rome*, in the firſt Year of his Pontificate, for *Celeſtine* deceaſed in *January* before, and he was choſen the next day by the Cardinals, being then himſelf but a Deacon Cardinal, and not much above thirty years of Age.

[1] *Id. ib.* *C.B. Col.* 1275.

The main Complaint was, his finiſhing *Lambeth* Chappel, *&c.*

**Apoſtatricem.*

Innocent made Pope about 30 years of Age.

[2] Yet notwithſtanding, the Archbiſhop thought himſelf ſo well guarded by the King's Power, who ſupported him in this Quarrel, that he was far from obeying the Pope's Command, and hoped he was able to overcome the obſtinacy of theſe Monks; and therefore to humble them, and bring them to his beck, he ſeized into the King's hands all the Revenues of that Monaſtery, with the Oblations made at *Thomas* of *Becket's* Tomb, and ſhut up the Monks in their Cloyſters. Yet for all that this ſtout Archbiſhop could do, he was forced at laſt, for fear of the Pope's Threats, to comply with the Monks, and demoliſh the above-

[2] *R. H.* p. 444. a.

The ABp ſeizes the Revenues of the Monks, and the Oblations at *Tho. Becket's* Tomb.

aforementioned Chappel, as you will find in the next Year; and this being a piece of Ecclesiastical History, ought to have been set last; but that I was loth to break the connexion of the Story. *Anno Dom.* MCXCVIII.

[3] Sometime also this Year (for our Author has not given us the Month) *Geoffrey Fitz-Peter*, the new Justitiary, sent forth Itinerant Justices throughout *England*; and *Hugh Bardolf*, Mr. *Roger Arundel*, and *Geoffrey Haget*, had the Office committed to them, and went their Circuit through the Counties of *Lincoln*, *Nottingham*, *Derby*, *York*, *Lancashire*, *Westmoreland*, *Cumberland*, and *Northumberland*, and held both the new and old Pleas of the Crown in them all; the Articles of which being long, I have referred them to the Laws at the end of this King's Reign. [3] *Id.* p. 445. a. Itinerant Justices sent throughout *England* by the new Justitiary.

But before this Inquisition was fully ended, there began a new Oppression upon the Subjects, to the ruin of many Men, which was set on foot by *Hugh de Neville*, chief Justitiary of all the King's Forests in *England*, with *Hugh Wac*, and *Ernis de Neville*, his Associates; who going as Justices Itinerants of the King's Forests, they issued out their Precepts to this Effect, *viz.* "That in all the Counties thro which "they were to pass, the Archbishops, Bishops, Earls, and Barons, and "all Freeholders, and the chief Officer and Constable of every Town, "should come before them at the Pleas of the Forest, to hear the "King's Commands. Here also follows the King's Assize, or Laws concerning the Forests; and tho they are long, yet since they may be satisfactory to those who are curious to know what the Forest Laws were in this King's Reign, before the *Charter* of *Forests* was granted by King *John*, I have also added them immediately after the aforesaid Articles or Pleas of the Crown. A new Oppression upon the Subjects, begun by *Hugh de Neville*, chief Justitiary of all the K's Forests.

[4] About the same time the King commanded all Men, both Clerks and Laicks, that had any Charters or confirmations of Charters under his old Seal, to carry them to his new one, to have them renewed, or else they should be of no Force; and therefore Mr. *Pryn* informs us in his *Chronological Vindication*, &c. * that he found most of this King's Charters to Monasteries renew'd in the seventh and tenth Years of his Reign, which he had granted in his first, or any other following Year: from whence it appears, that there were two several Callings in and Renewals of all former Charters, against all Equity and Justice. [4] *R. Id. p.* 446. b. All Charters and Confirmations of them are order'd to pass the new Seals. * Tom. 1. p. 1133.

But to say something of Ecclesiastical Affairs; [5] this Year the Clergy * refused to give the King five Shillings upon each Plough-Land, as the Laiety had done before; wherefore the King in Revenge issued out an Edict or Proclamation, that whoever injured a Clergyman in any thing, should not be compelled to make him satisfaction; but if a Clergyman owed a Layman any thing, he was to be forced to make true payment. [5] *R. H.* ib. *In the printed Copies it is *voluerunt dare*, but *noluerunt* in all the Manuscripts that I have consulted of this Author.

Thus Kings sometimes were fain to stretch their Prerogative a little too far, to make these stubborn Clergymen comply with their reasonable desires. This I take notice of, because Dr. *Brady* in his History, p. 456. says, the Religious *Orders* now gave the King five Shillings out of each Plough-Land, as the Laiety had done before; but had he consider'd what follows, or consulted the Manuscripts above-mention'd in the Margin, I suppose he would have been of another mind. The Clergy refusing to give the King 5 *s.* out of each Plough-Land, are denied common Justice.

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But before I pass to the Affairs of *Normandy*, it is fit I should give some Account of what was done in *Wales* this Summer; [1] where Prince *Gwenwynwyn* abovementioned designing to extend the Limits of *Wales* as far as ever they had been formerly, gathered a great Army, and laid Siege, first to the Castle of *Payn* in *Elael*, which was the Estate of *William de Brause*; making Proclamation, that so soon as he had gained the Castle, he would burn the whole Country as far as the *Severn* without any Mercy, in revenge of the Murder of *Trahern Vachan* his Cousin, who had been treacherously put to Death the Year before by this *William de Brause*; but because he wanted Engines and Miners to put his design in Execution, he lay three Weeks before that Castle, whilst *William de Brause* sent for Succours into *England*; whereupon *Geoffrey Fitz-Peter*, Lord Chief Justice of *England*, assembled a great Army, and joining with him all the Lords Marchers, came to raise the Siege; and because the Fortune of War is variable and uncertain, he sent first to *Gwenwynwyn* to have a Treaty of Peace with him; but he and those of his Party would hear of no Peace, for they made that Expedition partly to revenge their own Injuries; whereupon the *English* Lords thought it best to set *Griffyth*, Son to *Rees* Prince of *South-Wales*, free, whom they knew to be an old Enemy to *Gwenwynwyn*.

[1] *Id. ib.* P. 444. *a.* Dr. P's *Chron.*

Gwenwynwyn Prince of *Wales*, invades the *English* Borders.

Geoffrey Fitz-Peter raises an Army, and marches against him.

Griffyth is set at liberty, and joins the *English* Lords against *Gwenwynwyn*.

Then *Griffyth* mustering up great Forces, joined with the *English* Lords, and marched towards the Castle; against whom *Gwenwynwyn* came out very stoutly, and there began a cruel Battel with much slaughter on both sides; but at last the *English* got the Victory, and *Gwenwynwyn* lost a great number of his Men, among whom were divers of the Blood-Royal, tho some of them were taken Prisoners. *Matt. Paris* makes this Battel to have been fought before *Maud* Castle, and that of the *Welsh* there were slain three thousand seven hundred.

Who is defeated, and a great number of his Men killed.

After this Victory *Geoffrey Fitz-Peter*, with the other *English* Lords, returned home with great Honour.

[2] *R. H.* p. 444. *b.*

The Truce [2] between the two Kings was not yet expired, which our Author makes to have been only during the time of Harvest; yet it appears from *William* of *Newburgh*, that it was for a Year and four Months, which I take to be certain, since we find no acts of Hostility committed during one Year last past; but whatever occasion there was for breaking it before it was expired, I find not: yet now the two Kings (as if it were by mutual Consent) invaded each other's Territories, wasting them with Fire and Sword, and carrying away many Prisoners on both sides; but the King of *France* found a new way of exercising his Cruelty upon the King of *England*'s Subjects, and that was by pulling out the Eyes of many whom he took Prisoners, which provoked him to do the like to those belonging to the King of *France*: so that all the rest of this Autumn was spent in mutual Slaughters, Cruelties, and Devastations.

The K. of *France* causes the Eyes of the *English* to be pulled out.

[3] *Id. ib.*

Then several Princes and great Men of *France*, who had taken part with [3] King *Philip*, seeing him resolved to ingage them in a perpetual War for his own Advantage, and finding also that they could not vanquish King *Richard*, whose Strength daily increased, left the former and adhered to the latter. These Princes were the Duke of *Lovain*, the Earls of *Brene*, *Boloign*, *Perche* and *Blois*, as also *Ar-*

Many Noblemen desert him, and adhere to K. *Richard*.

thur

thur Earl of *Bretaign*, and ſeveral others, who all took an Oath to be true to the King of *England*, as he likewiſe did to them, that they would not make Peace with the King of *France*, unleſs it were by common Conſent. But tho *Roger Hoveden* has alſo here added the Earls of *Flanders* and *St. Giles*, yet in this he forgot himſelf; for he tells us under the Year 1197, that the Earl of *Flanders* had already made Peace with King *Richard*; and under the Year before that, the Earl of St. *Giles* was then reconciled to him, by marrying his Siſter *Joan*, Queen Dowager of *Sicilie*; [4] But our Author is more certain in what follows, *viz.* that not long after the renewing of the War, the Earl of *Flanders* beſieged the Town of St. *Omers*, and took it by force at three Weeks end, the King of *France* not being able to relieve it; the like he did to *Air*, and ſeveral other Towns of ſmaller importance in *Flanders*.

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[4] *Id. ib.*

[5] Not long after which, in *September*, the two Kings had a ſharp skirmiſh between the Caſtles of *Vernon* and *Gamage* in *Vexsin*, in which engagement the King of *France* was put to Flight, and loſt twenty Knights, ſixty Eſquires, and a great many Horſe and Foot, and was cloſe perſued until he got to his Caſtle of *Vernon*.

[5] *Id. ib.*

The K. of *France* put to Flight.

[1] About the middle of the ſame Month the King of *France* entered *Normandy* with a great Army, whilſt King *Richard* had not with him above ſixty Men, for he had diſperſed his Army into divers Gariſons; yet nevertheleſs getting together as many Souldiers as he could, upon the ſudden he followed them in the Rear, until ſuch time as two hundred Horſemen, and *Marchade* Captain of his *Flemings* could come up to him; then the *French*, after they had burnt about eighteen Villages, (altho they were much ſuperior in number to King *Richard*'s Men, yet) ſeeing him at their Heels, retreated as faſt as they could, but the King perſued, and killed a great many of them, and took about thirty Priſoners; this happen'd near *Vernon*: and that which was a greater Diſgrace than all to the *French* was, that their King fled ſo faſt, that in the way he ran over an old Man, and carried nothing away with him out of *Normandy* but Shame and Diſhonour.

[1] *Id.* p. 445 a. *C. B.*

The K. of *France* enters *Normandy* with an Army, and burns ſeveral Villages.

K. *Richard* perſues, and kills many of the *French*.

K. *Philip*'s ſhameful Flight.

Then the King of *England* in revenge invaded *France* near the Ford of *Dangu*, and took the Caſtle of *Curcelles* by Aſſault, and alſo another leſſer place called *Buric*, with all that were in it, and returned that night with his Army to *Dangu*: the day after the King of *France* came from *Maute* with three hundred Knights and their Followers, to ſuccour the Caſtle of *Curcelles*, which he hoped and thought had not been taken; but when K. *Richard* knew of his coming, he went out to meet him, tho accompanied with no great Force, for he had placed the greateſt part of his Army upon the Bank of the River *Ethe*, becauſe he believed the *French* K. would have come upon them by *Dangu*, from the other ſide the River, whilſt indeed he with his Men came down toward *Giſors*; but King *Richard* meeting with them, there began a very ſharp Fight between *Curcelles* and that place, [2] in which he behaved himſelf ſo valiantly, that he diſmounted no leſs than three *French* Knights with one Lance, and took them Priſoners, whoſe names need not to be recited, only the chiefeſt of them was *Matthew de Montmorancie*, Anceſtor to the Dukes of that name; and beſides theſe there were above an hundred Knights more taken, whoſe names the Reader may find in R. *Hoveden* (but I think needleſs

He is again routed by K. *Richard*.

[2] *K. D. Col.* 704.

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needless to repeat them here) besides ordinary Horsemen, Footmen, and Servants without number, as also a great many Horses covered with Iron. The issue of which Battel was, that the King of *France*'s Army being wholly routed, he fled as fast as he could to the Castle of *Gisors*; but when he came upon the Bridg that leads to the Town, it broke under him, being over-charged with the weight of those that crouded after the King; so that he and most of those that were upon it fell into the River, from which if he had not been quickly pulled out, he had been certainly drown'd, as were many Persons of Quality that were with him; most of which particulars we learn not only from our Author's Relation, [3] but also from K. *Richard*'s own Letter to *Philip* Bp of *Durham*, which gave him an account of this Victory; wherein after he had related some of his own Exploits, he concludes with great modesty, that he does not ascribe this to himself, but to God who had supported his Right; yet says in Railery, that he heard the King of *France* had fallen into the River, and drunk his Belly full before he could be got out. This Letter bears date from *Dangu* the thirtieth of *September*, being two days after the Battel.

He hardly escapes drowning.

[3] *R. Hib. b.* K. *Richard*'s Account of this Action, in a Letter to the Bp of *Durham*.

The King of *France* to be revenged of this shameful Defeat, after a little breathing time, recruits his Army, and again invaded *Normandy*, and burnt and destroyed all the Country as far as *Beaumont le Roger*, and then return'd home; after which there were no great Mischiefs done on either part, only Earl *John* burnt the Town of *Newburgh*, and took some Prisoners; and *Marchade* with his *Flanderkins* fell upon a Fair which was near *Abbeville*, and spoiled the Merchants there, carrying away a great many Prisoners, with much rich Booty.

[4] *Id.* p. 445. a.

[5] *Id. ib.* b.

[5] Upon these mutable and various Successes, both Kings growing weary of the War, began again to think of Peace, and *Hubert* Archbishop of *Canterbury* was sent for out of *England* into *Normandy*, to treat on the behalf of King *Richard*; to whom the King of *France* offer'd for the procuring of Peace, to restore all the Territories and Castles which he had taken from him, except that of *Gisors*; and for this he was willing to refer it to six Barons of *Normandy* whom he himself should chuse, and to six Barons of *France* to be chosen by King *Richard*, to judg who had most Right to it: but tho these Conditions were advantageous enough for the King of *England*, yet would he not agree to them unless the Earl of *Flanders*, and all other Princes and Lords who had quitted the King of *England* and adhered to him, were likewise comprised in it; which I suppose was at last agreed to, for in the Month of *November* there was a Truce clapt up between the two Kings, till the Feast of St. *Hilary* next ensuing; and so ended this Year's Action.

The two K's weary of War, begin to think of Peace.

The *French* K's offers.

A Truce agreed on till the Feast of St. *Hilary*.

[1] *Id.* p. 447. a. b. Pope *Innocent* writes to the Bps and Clergy of *England*, for the Relief of the *Holy-Land*.

[1] As for Ecclesiastical matters there happen'd little, only we find Pope *Innocent* wrote a long Epistle to the Archbishops, Clergy, Nobility, and People of *England*, to contribute Men and Money for the Relief of the *Holy Land*, which was still in great Distress: but the Nation being much exhausted with the late heavy Taxes, I do not find any thing farther done in it. [2] The Pope also wrote a little before to King *Richard*, that he would be reconciled to his Brother the Archbishop of *York*, and restore him to his Archbishopwick, lest otherwise he should be forced to constrain him by *Excommunication* and *Interdict* upon his Kingdom; at which the King being much

[2] *Id.* 446. b. And to the King on behalf of the ABp of *York* his Brother.

concern'd,

concern'd, he ſent to the Archbiſhop to let him know, that if he would confirm the Donations he had made in the Church of *York*, he would entirely reſtore him to the Archbiſhoprick: but he for ſome reaſons refuſed it, and went again to *Rome* to complain, and ſo continued in the ſame ſtate during the King's Life, but that was not long, for he happened to die the next Year. *Anno Dom.* MCXCVIII.

[3] As for foreign Affairs, the moſt memorable is, that *Otto*, Son to *Henry* Duke of *Saxony*, having by the mediation of his Uncle King *Richard*, with the Princes of the Empire, been elected Emperor, was firſt crown'd King of the *Romans* according to Cuſtom, at *Aix la Chapelle*; but he was not long after ſtiffly oppoſed by *Philip* Duke of *Swevia*, Son to *Henry* the late Emperor, who alſo claimed it by election of ſome other Princes of the Empire of the contrary Faction. [3] *Id.* p. 448. *Otto*, K. *Richard*'s Nephew, crowned K. of the *Romans*.

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[4] This being the tenth and laſt Year of King *Richard*'s Reign, he kept his *Chriſtmaſs* at *Dampfront* in *Normandy*, whilſt King *Philip* kept his at *Vernon*; and not long after that Feſtival King *Philip* finding himſelf like to be worſted in this long War, became more earneſt for Peace than ever, and made a freſh Propoſal to renew the Truce, which was now almoſt expired: For this end the two Kings agreed to meet at a place upon the River *Seine*, between *Andeli* and *Vernon*, where they both met accordingly upon St. *Hilary*'s day as they had appointed; the King of *England* came up the River in a Boat, but not being willing to come on Shore, diſcourſed with the King of *France* on Horſeback, near the Bank of the River. [4] *Id.* p. 449. a. K. *Philip* makes freſh Propoſals of Peace. K. *Richard* treats with K. *Philip* on Horſeback.

But not coming to any concluſion then, they appointed another day of Treaty, and at laſt thro the mediation of *Peter* of *Capua*, Cardinal Deacon of St. *Mary*'s, and the Pope's Legate, and by the Advice of all the great Men on each ſide, they agreed upon a Truce for five Years, beginning from the Feaſt laſt paſt, upon this only condition, that Things and Poſſeſſions ſhould remain as they then were on both ſides; and ſo they confirmed the Agreement with their Oaths. A Truce agreed on for five Years.

[5] *Matthew Paris* gives us a more particular Account of this laſt Treaty, and tells us, that after the Battel of *Gureelles*, (which happened towards the latter end of *September*, or beginning of *October* 1198, wherein the King of *France*'s Forces were routed) he was at laſt glad to deſire Peace; and therefore now ſent to the Pope to requeſt his Mediation, that a Peace, or at leaſt a Truce for ſome time, ſhould be made between him and the King of *England*, that ſo ſuch as were willing to undertake the *Cruſado*, might have better leiſure to perform it; and that it might be accompliſhed with greater certainty, he deſired to have a Cardinal Legate ſent with ſo full a Commiſſion, that (if need were) he might force either of them, upon proving obſtinate, to Peace and Concord, by *Excommunication*. Whereupon Pope *Innocent*, who much affected the buſineſs of the *Croſs*, (tho induced thereto more by Money than Devotion) ſent *Peter de Capua*, a Cardinal, to negotiate the matter between them; who, when he came to the King of *France*, by his Advice, took ſome Biſhops of both Nations with him, and went to the King of *England*, and when he came, laid before him what Injuries, Damages and [5] *In hoc Anno.* *Matt. Paris*'s Account of the Treaty.

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and Depredations had been, and might be done in both their Dominions, if a firm Peace was not ſpeedily eſtabliſhed.

[1] *Id. ib.* K. *Richard* refuſes to do any thing upon the Pope's Account.

[1] King *Richard* anſwered with Indignation, that he was not obliged to do any thing of that kind upon the Pope's Account, eſpecially ſeeing he had often requeſted him to compel the King of *France* by Eccleſiaſtical Cenſures to reſtore him his Dominions and Caſtles which he had ſo unjuſtly ſeized, in violation of the Oath he had made, not to give him any trouble whilſt he was in the *Holy Land*, endeavouring to reduce it to the Obedience of the *Chriſtian* Church. So that by reaſon of the Pope's remiſneſs, he was forced to ſpend a vaſt Sum of Money to regain his Inheritance; when as the King of *France* had not only been guilty of Perjury, but deſerved to have had the Sentence of *Excommunication* long ſince pronounced againſt him; neither did King *Richard* know whither he deſired a Truce, or not.

[2] *Id. ib.* The Cardinal's Advice to K. *Richard.*

[2] Then the Cardinal taking the King aſide, and injoining him Secreſy, acknowledged, that he was ſent from the Pope at the ſpecial inſtance of the King of *France*, to compound the Differences between them, and adviſed the King for that time to acquieſce in the Pope's deſires, and to be poſitively aſſured, that he would hear him as well concerning the King of *France*, as concerning all his other Affairs.

[3] *Id. ib.*

[3] King *Richard* was mightily pleaſed that his Nephew *Otto* had been Crowned King of the *Romans*, and did hope, by the favour of the Pope, to get him put into the poſſeſſion of the *Empire*; and therefore, being alſo preſſed by the importunity of many Religious Perſons, he at laſt yielded, and ſo far confirmed it by his Oath, *That for five Years the Subjects and Traders of both his and King* Philip's *Dominions, ſhould have free intercourſe to paſs and repaſs peaceably to Fairs, and buy and ſell with one another.*

[4] *R. H.* p. 449. a. The Truce like to be broke again.

But tho [4] this Truce was ſo far concluded, yet was it like to have been ſoon broke again on the King of *France*'s part; for whilſt the Forces on both ſides were returning to their Quarters, and *Marchade* with his *Flemings* on their way home, four *French* Earls, whoſe Territories he was to paſs through, ſet upon him, and routing his Party, kill'd many of his Men; and farther, whilſt King *Richard* went into *Poictou* to reduce ſome Rebels to their Obedience, the King of *France* fortified a certain new Caſtle between *Beauvais* and *Gaillé*, and cut up the King of *England*'s Foreſts about that place: wherefore upon his return into *Normandy*, he ſent *Euſtace* Biſhop of *Ely*, his Chancellor, to the King of *France*, to let him know that the Truce was broke, unleſs he would preſently demoliſh that Caſtle; which Meſſage, ſo ſoon as the Ambaſſador had delivered to the King of *France*, he promiſed him that rather than the Truce ſhould be broken, he would forthwith demoliſh it; but King *Richard* not being content with this, ſent him further word, that if there were not a full Agreement made between them, then there ſhould be no Peace at all: ſo that at laſt they agreed upon new Articles, whereby the King of *France* ſtood obliged to reſtore to the King of *England* all his Territories by which way ſoever obtain'd, excepting the Caſtle of *Giſors*, and in lieu thereof he granted to him the Donation of the Archbiſhoprick of *Tours*; and covenanted that *Lewis* the *French* King's Son

But at laſt they agreed upon new Articles.

ſhould

should marry the Daughter of the King of *Castile*, King *Richard*'s Niece: and King *Philip* swore on his part, that he would assist *Otto* King *Richard*'s Nephew, to obtain the *Roman* Empire; for tho he had been Crowned King of the *Romans*, yet could he not enjoy the Empire, by reason of the Opposition of the Duke of *Suevia*, as has been said before. On the other side King *Richard* swore, that he would not only release the Castle of *Gisors*, but also bestow twenty thousand Mark's in Silver, as a Portion with his Niece.

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[5] Then the King of *France*, who was always a sower of Discord, gave King *Richard* to understand, that his Brother Earl *John* had come over to him, and pretended to shew him a Charter of his to that purpose; whereupon King *Richard* being highly incensed against his Brother, ordered him to be dissezed of all his Territories; which when the Earl understood, and the reason of it, he presently sent two Knights to the *French* Court, who undertook on the Earl's behalf, to prove him innocent of this Crime by any means the King of *France*'s Court should adjudge: but when neither that King, nor any other would undertake the Proof thereof against Earl *John*, King *Richard* for the future put more confidence in his Brother, and gave his Credit to the King of *France*'s Messages.

[5] *Id. ib. b.*

The K. of *Fr.* acquaints K. *Richard* that E. *John* was come over to him.

But the Earl undertakes to prove his Innocence.

[1] After this Truce King *Richard* going into *Aquitain*, to settle his Affairs there, *Vidomar*, the Viscount of *Limosin*, having found a great Treasure of Gold in his own Land, sent a good part of it to the King; but he not being content with that, demanded all of it by his Prerogative, as being, he said, *Treasure trove*: but when the Viscount would by no means yield to that, the King came into those parts with a great Army, and besieged his Castle of *Chalus* near *Limoges*, in which he supposed that Treasure was hid; but tho the Knights and others that were in the Castle went out to him, and offer'd to surrender it, provided they might have their Lives, Limbs, and Arms secured to them, yet the King would not accept of it, but swore he would take the Castle, and hang them all up; at which the Knights went back again much confounded, and resolved to defend themselves as well as they could.

[1] *Id. ib.*

[2] The same day whilst the King, being arm'd only with his Corselet, went after Dinner with *Marchade* (Captain of the *Brabanters*) about the Castle, to view what part lay most open for their Assault, a certain Cross-bow man shot at the King from the Wall, and gave him a desperate wound in his Shoulder, joining to the Neck; upon which presently mounting his Horse, he return'd to his Quarters, and then order'd *Marchade*, and all his Army, never to leave storming the Castle till they had took it; which being done, he commanded all within to be hanged, except that Man who had wounded him; and how he would have used him had he recovered, I will not determine.

[2] *Id. ib. Rad. Coggeshal.*

K. *Richard* wounded in the Arm by an Arrow.

But the King put himself into the hands of an unskilful Chirurgion of *Marchade*'s, who as he strove to pull out the Arrow, left the head of it in his Flesh, and could not tell how to get it out without grievously mangling that part, which at last turn'd to a Gangreen; and thus lying eleven days in great Torment, and finding there was no longer hopes of Life, he made his last Will and Testament, and in it bequeathed the Kingdom of *England*, and all his other Dominions and

And dies of the Wound.

He devises the Kingdom of *England*, &c. to his Brother *John*.

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Territories to Earl John his Brother, and caused all that were then present to swear Fealty to him, and commanded that they should deliver him up all his Castles. He also left him three parts of his Treasure, but the fourth part he ordered should be divided between his Servants and the Poor; he then devised his * Jewels to *Otho* King of the *Romans*; and lastly, having caused *Bertram de Gurdun*, the Person who had given him his death's Wound, to be brought before him, he said thus, *What have I done to thee, that thou couldst kill me?* to whom the young Fellow bluntly replied, *Thou slewest my Father and my two Brothers with thine own Hand, and now thou couldst have slain me; take therefore what revenge thou shalt, nothing in earth can be Torture whatsoever thou canst inflict upon me, grieves me, but that I have not slain thee, who hast done so much mischief in the World.* The King, notwithstanding this rough and desperate Answer, caused him to be let loose, and not only forgave him his Death, but commanded a hundred Shillings to be given him: but *Marchade*, after the King was dead, caused him to be flead alive, and hanged.

His Generosity to his Servants and the Poor.

* *Baubella.*

His Clemency to the Man that gave him his Death's wound.

But *Marchade* after his Death caused him to be flead and hanged.

The King deceasing on the sixth of *April*, his Body was Interr'd at *Fontevrard*, at the Feet of his Father, his Heart at *Rouen*, but his Bowels were buried at *Charron* in *Poitou*, according as he himself had appointed before he died; the reason of which some *French* Authors relate thus: That after he had order'd how his Body, Heart, and Bowels should be disposed of, as you have heard, he said farther to those that stood by his Bed-side, that he had so disposed of the first to testify his true Repentance, for offending his Father, being willing to make satisfaction even to his Ashes; that by the second he thanked the Esteem he retain'd for his Valiant and Faithful *Normans*; and by the third, the small value he had for the *Poitovins*, whom he had always found inconstant and disaffected to him.

How the K's Body, Heart, and Bowels were disposed of.

Thus fell this Valiant and Magnanimous Prince, in the forty second Year of his Age, and the tenth of his Reign, by the hand of a mean Fellow, having (according to *Rad. de Coggeshal*'s Account) govern'd nine Years, seven Months, and twenty days, reckoning from the day of his Coronation.

And it is somewhat remarkable, that he [] who had revived the use of that fatal Engine the Cross-bow, and had himself dispatched so many with it, should himself meet with the same Instrument; and which was worse, that he should contribute to reach to his own Death; first by a too great desire of Money, and then by his own willfulness, in not accepting the Surrender of the Castle upon those reasonable terms proposed by the Besieged, unless he might put them all to Death; and lastly, by his too great carelessness of his own Person, not considering, *That he who fears not to expose his own Life, may at any time be master of another Man's.*

But before I dismiss this Subject, I cannot but take notice of the various Accounts Historians give us of the Place and other Circumstances of this King's Death; for the *Radulphus de Diceto* was alive at that very time, and wrote his Chronicle, (which he called the *Images of History*) not long after, and agrees with *R. Hoveden* as to the Place, yet he differs from him in the Person that gave him the Death's Wound, for he calls him *Pierr Basile*; but *Gervase* of *Canterbury* (who lived likewise at, and wrote about the same time) tells us, that

The various Accounts that Historians give of the Place, &c. of this K's death.

that the King received this Wound at a Caſtle of the Earl of *Angoleſme's*, called *Nantrum*, and that the name of the Perſon who ſhot him was *John Sabraz*; but *Walter* of *Hemingsford* (otherwiſe called *Walter* of *Gisborne*, from the place in which he was a Chanon) in * his Chronicle (lately publiſhed by the Learned and Reverend Dr. *Gale*, now Dean of *York*) makes it to have been at the Caſtle of *Galliard*, which King *Richard* had lately built in the Iſle of *Andeli*; and that the *French* coming ſuddenly upon it, ſurprized and took it; and the King going to beſiege and retake it, there received his death's Wound in the manner as has been already related, but without naming the Perſon that gave it him: and beſides, he makes him not ſo much to die of the Wound, as by lying with his Wife, which was forbid him by his Chirurgeons. *Anno Dom.* MCXCIX.

* Inter Script. tor. Ang. Edit. Oxon. *Vol.* 2.

He gives us alſo a Relation of the Diſcourſe between the King and the Archbiſhop of *Roüen*, when he acquainted him that he could not live; as that he deſired of the King to beſtow his three Daughters before he died, which were *Pride*, *Covetouſneſs*, and *Luxury*; and that the King replied to him, "Yes, I will; for my eldeſt Daughter *Pride*, "I beſtow to the Knights-Templars; my Daughter *Covetouſneſs* to "the *Ciſtertian* Monks; and my Daughter *Luxury* to the *Benedictines*. This, tho it be a ſevere Satire upon the chief Religious Orders of thoſe times, yet it is not at all likely that the Archbiſhop would preſume to talk ſo lightly and ſaucily to the King when he lay a dying, or that he ſhould be in the humour to make ſo Sarcaſtical an Anſwer to him: but *R. Hoveden* ſuppoſes the King to have ſaid this to one *Fulke*, a *French* Prieſt, who taxed him long before of his having thoſe three Daughters abovementioned; only he ſo far differs from the Author laſt quoted, that he makes the King beſtow his daughter *Luxury* upon the Prelates; which is indeed the more probable Relation, if the King ever ſaid it at all.

An Account of the Diſcourſe between the ABp of *Roüen* and the K. before his Death.

His Legacy to his 3 Daughters, *Pride*, *Covetouſneſs*, and *Luxury*.

I have given the Reader theſe different Readings, that he may ſee how variouſly the Place and Circumſtances of this King's Death were related, even by them that lived ſo near that time; not but that I give moſt credit to *R. Hoveden* and *Radulphus de Diceto*, who both agree in the Relation of his receiving his Death's Wound at the Caſtle of *Chaluz*, tho they differ in the Man's name that did it.

I ſhall conclude this King's Reign with a Deſcription of his Perſon and Character; as for the former, [4] *Geoffrey Vinſauff*, in his Relation of this King's Voyage to *Jeruſalem*, deſcribes him to have been very Tall, of a fair and comely Viſage, his Eyes blew and ſparkling, his Hair between Red and Yellow; his Limbs ſtreight, of a noble and majeſtick Mein, that ſeemed worthy of Empire.

An Account of the King's Perſon.

[4] *L.* 2. *cap.* 5.

As for his Valour and Magnanimity, he equals him with all the Heroes of the Antients; and for Eloquence and Prudence, compares him to *Neſtor* and *Ulyſſes*: which, tho a great Hyperbole, yet that he might have had both thoſe Qualities in ſome degree I will not diſpute, tho his Voyage to the *Holy-Land*, and his paſſing through an Enemy's Countrey in his return from thence, do not much confirm that Character. But as for his undaunted Courage, it is not to be denied, for it gave him the Sirname of *Coeur de Lyon*; nor is his Wit to be diſputed, ſince that ſufficiently appears by his ſharp and witty Replies upon all occaſions; and I wiſh we had that Song or Ballad, which

His Valour, Eloquence, and Prudence.

Anno Dom. MCXCIX.

this Author relates he made upon the *French*, who had began with him in the ſame manner, for then we might have the better judged of his Genius in writing, as well as in his Diſcourſe. He was alſo Magnificent and Liberal to exceſs, and that made him likewiſe as Covetous at other times when he wanted Money, which he ſtuck not to get by all the means he could, how hard and unjuſt ſoever, as you may obſerve through the whole courſe of his Reign; eſpecially after his return from his Impriſonment, when (as *Rad. de Coggeſhal* relates) he was ſo greedy of Money, that ſcarce any Man of an Eſtate could quietly enjoy his own Inheritance, unleſs he would pay for it almoſt as much as it was worth; and he then ſo much oppreſſed his People, that he ſpared no Orders nor Degrees of Men, altho Archbiſhop *Hubert*, whilſt he was his Juſtitiary, having ſome mercy on the afflicted People, did as much as he could to alleviate and mollify the King's ſevere Edicts; yet he adds this in his commendation, that he did not reap any Advantage to himſelf, by keeping Biſhopricks and Abbeys vacant in his hands, as his Predeceſſors had done.

His Covetouſneſs.

In his Youth he was noted for too great Cruelty, which in his riper Years turn'd to a due ſeverity towards Malefactors; yet the ſame Author repreſents him as very harſh and moroſe towards thoſe that had any Buſineſs with him, unleſs they would mitigate his Paſſion, either by ready Money, or large Promiſes: nevertheleſs, when he was in private among his Confidents, he was affable and good humour'd, unbending his Mind with Raillery, Jeſts, and pleaſant Converſation; yet he was alſo very Cholerick, and Paſſionate, and ſooner provoked by little ſudden Accidents than greater Injuries, as you may ſee by the ſtory of his Rencounter with *Des Barres*. He was very ſevere to thoſe againſt whom he had a Prejudice, and that even to cruelty; yet he had likewiſe a great ſtock of Generoſity, Clemency, and (what might be then called) good nature, even to ſeveral that had moſt highly offended him, as appears by his dealing with the *Greek* Emperor of *Cyprus*, as alſo with his Brother Earl *John*, after his Rebellion againſt him; and this is moſt conſpicuous in the laſt Act of his Life, when he not only pardoned, but rewarded the man that had been the cauſe of his Death.

Affable in his private Converſation.

But ſubject to Paſſion.

His Generoſity and good Nature.

He was alſo obſerved to be juſt and conſtant to his Word, and firm in his Reſolutions, which are indeed the two Qualities that beſt become a Prince. He is likewiſe taken notice of for having been much given to Women, if not to other more unlawful Luſts; which is no great wonder for a Prince of his warm and vigorous Conſtitution: yet *Brompton*'s Chronicle tells us, that not long before his Mariage, in his Voyage to *Paleſtine*, he made a ſolemn Confeſſion to the Biſhops then with him, of his failings in that kind, and received Penance for it at their hands; tho we read in *R. Hoveden*, that ſome Years after leaving his Wife, he returned to the ſame Vices as formerly; of which being admoniſhed by a Hermit, and alſo by a ſevere fit of Sickneſs, he was again reclaimed to his Queen's Bed, and ever after continued conſtant to her.

To conclude, tho *England* ſuffer'd ſeverely under his Government, through the conſtant occaſions he had for Money, and the great Rapacity of his Juſtitiaries, during his almoſt as conſtant abſence out of *England*, where he never ſpent above eight Months of his whole Reign; yet this Nation, as well as his other Dominions, ſoon found

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the miſs of him under his Brother *John*, who had all his Vices, but few or none of his Vertues. In ſhort, we may ſay of him, what a *Roman* Author does of one of their Emperors, that it had been better he had never Reigned, or had Reigned longer; ſince his Subjects felt all the inconveniencies of his Courage, without being much the better either for that, or his other good Qualities in time of Peace; which he never enjoyed, except it were a very little while, at the beginning of his Reign. I have dwelt the longer on this Character, becauſe he was not only one of the greateſt and moſt generous Princes that this Nation ever bred, but perhaps any other whatſoever.

The Nation quickly felt a loſs by his Death.

His Wives.

As for his Wives, we have already ſhewn you, that in his Infancy he was Contracted to a Daughter of *Raymond* Earl of *Barcelona*, and after that he was affianced to *Adela*, or *Alice*, the Daughter of *Lewis* King of *France*, yet was never married to either of them; but to *Berengera*, the Daughter of *Garſias* King of *Navarre*, whom his Mother Queen *Eleanor*, brought to him into *Sicily*. She went alſo with him to the *Holy-Land*, and returned before him into *France* (as you have already heard) after which we hear little of her; whither he was not very fond of her, or elſe ſo taken up with Martial Affairs, as that he could not conſider her, I know not: only we find that in the third Year of King *John*, ſhe compounded with him for her Dower.

His Iſſue.

Nor do we read that King *Richard* had any Children by her, nor any natural Iſſue by other Women, except one *Philip*, whoſe Mother is not mentioned any more than the place of his Birth. But yet he beſtowed on him the Caſtle and Honour of *Cuinac* in *Aquitain*; nor do we find any more of him; which ſhews that he was not indued with many of his Father's noble Qualities, or elſe ſure he would have made himſelf more remarkable.

Concerning Ireland *during this King's Reign.*

WE have but a dry Account of the Affairs of *Ireland* for nine Years and odd Months, that King *Richard* reigned; for tho it muſt be acknowledged from the Teſtimony of [5] *William* of *Newburgh*, that Earl *John* was left by King *Henry* his Father Lord of all his *Iriſh* Acquiſitions, which is alſo confirmed by [1] *Radulphus de Diceto*, under the Year 1190. when he relates, that the Pope then ſent his Brief to *William* Biſhop of *Ely*, appointing him his Legate over all *England* and *Wales*, as likewiſe over that part of *Ireland* which was under the Dominion of Earl *John*: yet notwithſtanding his great Intereſt and Power in that Kingdom, I do not find he ever went over thither in his Brother's Reign, being (I ſuppoſe) taken up during his Abſence in the *Holy Land*, either by Domeſtick Intrigues againſt the Biſhop of *Ely*, or elſe in open Rebellion; or after this King's Return home and Reconciliation to him, he was otherwiſe

[5] *L.* 4. *c.* 3.

[1] *Col.* 655.

wiſe ſo imploy'd in the War againſt *France* (which took up all the reſt of this Reign) that he had no leiſure to go over to ſettle the Affairs of *Ireland*, which by reaſon of his Abſence and want of a good Government there, were in great Confuſion; ſince through the negligence or deficiency of Power in his Juſtitiary, or Lieutenant, the *Engliſh* Nobility did not only deſtroy each other by their Civil Wars, but the *Iriſh* Princes thereby took Courage to rebel and caſt off the *Engliſh* Yoke; ſo that I do not find *Ireland* more than twice mention'd by *Hoveden* in all this Reign.

But that Earl *John* had ever any abſolute independent Power in that Kingdom, without any relation to *England*, I cannot believe, notwithſtanding what a late [2] ingenious Gentleman has wrote to the contrary; for firſt, it is certain, that tho he was by his Father King *Henry* made King of *Ireland*, in a Parliament at *Oxon*, (as you have already heard) yet that he was no more than his *Vice-Roy*, or Lieutenant, appears by the [3] Oath of Fealty which was at that time taken by all thoſe great Men, upon whom that King beſtow'd Eſtates in *Ireland*; the Oath being in theſe words, *That they ſhould be true and faithful to King* Henry, *and to the Lord* John *his Son:* upon whoſe return out of that Kingdom with ill Succeſs, it ſeems his Father revoked his Power. For the [4] ſame Author preſently after tells us, that King *Henry* obtain'd from Pope *Urban*, that which he could not get from *Lucius* his Predeceſſor, to wit, that he might make which of his Sons he pleaſed King of *Ireland*, and in token thereof the Pope then ſent him a Crown of Peacock's Feathers interwoven with Gold, which had been needleſs, if Earl *John* had been already abſolute King or Lord of *Ireland*, as the Author abovemention'd will needs have him. But indeed, tho it ſeems to have been once King *Henry*'s Deſign to have had his Son *John* crown'd King of *Ireland*, and that this Pope's Legate came over to do it, as you will find in [5] *R. Hoveden*; yet it is alſo as certain, that when it was juſt going to be executed, the King himſelf put it off, and carried the Legate over with him into *Normandy*; ſo that Earl *John* never being crown'd, only contented himſelf with the Title of Lord of *Ireland* ever after.

And tho this Dominion was thus left him by his Father King *Henry*, yet that it was never independent from the Crown of *England*, further alſo appears from another Paſſage in the [1] ſame Author, where he relates, that *John* Archbiſhop of *Dublin*, having received divers great Injuries from *Hamo de Valoins*, and other of Earl *John*'s Officers or Miniſters in *Ireland*, the Archbiſhop thereupon went over into *Normandy*, to complain againſt them to King *Richard* and Earl *John*; and tho he could obtain no Relief from them, yet however his very complaining to the King ſhews, that his Brother had not then a ſole and independent Authority in that Kingdom.

But as for this Prince's Charters, which are alſo urged as Teſtimonies to prove his being Lord of *Ireland*, I cannot but obſerve, that I never ſaw any of them before he was King, wherein he ſtiles himſelf Lord of *Ireland*; and as for their Seals, tho the words *Domini Hiberniæ* are plain enough to be read, yet it is very doubtful to whom thoſe words refer; for in two of his Charters now kept in the Office of the Dutchy of *Lancaſter*, the Inſcriptions run thus, * *Sigillum Johannis Filii Regis Angliæ, Domini Hiberniæ*; and in another preſerved in the

[2] Mr. *Molyneux* Caſe of *Ireland*, p. 40, 41.

[3] *R. Hov.* p. 323. *b.* 324. *a.* *Brompton's* Chron. *Col.* 1127.

[4] *R. H.* p. 359. *a.*

[5] *Id.* p. 361. *b.*

[1] *Id.* p. 439. *b.*

* Vid. *Sandford's* Gen. Hiſt. *p.* 55, 81.

* *Cottonian*

* *Cottonian* Library, (which I my self have seen) being a Grant of certain Lands to the Monastery of *Montacute*, and is dated in his Brother's Reign, the Title on the Seal stands thus, *Sigillum* † *Johannis Regis Richardi, Domini Hiberniæ*, which last words seem rather to relate to King *Henry* in the former, and to K. *Richard* in the latter Inscription, than to Earl *John* himself; but I leave this to the Judgment of the impartial Reader, having only thought fit fairly to represent the matter of Fact for his better Instruction.

* *Sub Effigie Faustinæ.*

† *Note*, the Wax is here broke.

Taxes and Money raised in this King's Reign.

I shall now give you an Account of the Taxes and Monies that were raised in this King's Reign, and shall then conclude with the Laws and Judicial Proceedings that were ordained by him.

His Taxes were as follow.

1. A *Scutage* for *Wales* of *ten Shillings* of every Knight's Fee in the first Year of his Reign, which probably happen'd upon this Account: *Richard* was Crowned *September* the third; in *October*, *Rees Fitz-Gerald*, King of *South Wales*, came into *England* as far as *Oxford*, conducted by Earl *John* of *Mortaigne*; and because King *Richard* would not meet him as his Father had done, he fell into a Passion, and returned into his own Country, and would not speak with the King; so that this might be taken for a good occasion to raise some Forces to reduce *Rees* into a better temper.

A *Scutage* of 10 *s.* for every Knight's Fee.

2. Next Year toward his Expedition to the *Holy Land*, two Saddle-Horses and two Sumpter Horses were taken for an Aid of every Fee; also of every Abbey one Saddle Horse, and one Sumpter; and of each of the King's Manors, as of the Abbeys, for an *Aid*.

An Aid granted for the Expedition into the *Holy Land*.

3. For his Ransom, when Prisoner to the Emperor, of every Knights Fee twenty Shillings, the fourth part of the Rents of all *Laici* (that is, of the Husbandmen or Tenents) also a fourth part of the Rents of some Clerks, and a tenth of others; all the Gold and Silver the Churches had, and all the Wool of that Year of the *Cistertian* Monks, and the Order of *Semplingham*.

A Tax for the K's Ransom.

4. A *Carucage* of every Plough-land, two Shillings; also of the Husbandmen or Occupiers of every Knight's Fee a third part of the service for his Expedition into *Normandy*. After his return the King demanded all the Wool of the *Cistertians* this Year also, for which they made a Fine or Composition in Money.

An Aid for his Expedition into *Normandy*.

5. For liberty of *Tornaments* or Tilting, every Earl was to give twenty Marks; every Baron ten Marks; every Landed Knight four Marks; every Knight of Fortune, or without Land, two Marks. So that eleven hundred thousand Marks were raised in two Years, (viz. in *Anno Dom.* 1195, and 1196, but not said how) by *Hubert* Archbishop of *Canterbury*, the King's Justiciary for his Master's Use.

For liberty of Tornaments.

1100000 Marks raised by *Hubert* the K's Justiciary.

6. *Anno Dom.* 1198. He had also an Aid of five Shillings of every *Carucate*, or Plough-land.

The Religious Orders this Year gave the King the same upon each Plough Land, as the Laiety of the Kingdom had done before.

The

The occasion of these Taxes.

The Cause of this great Tax (besides the King's Exigencies abroad) might be two Expeditions into *Wales* this Year, one by *Hubert* Archbishop of *Canterbury*, when he was Justitiary, about *Christmas*, when he turned out the Constables of the Castles of *Hereford*, *Brecknock*, and *Ludlow*, and put in others to keep them for the King's Use; the other by *Geoffrey Fitz-Peter*, for the Assistance of *William de Braose* an *English* Baron, whom *Gwenwynwyn*, Son of *Cadwallan*, had besieged in *Maud*-Castle, where above three thousand *Welsh* were slain and put to flight.

Much Money was also raised by Seizures, Fines and Compositions, and the Sale of his Demesnes. *Radulphus de Coggeshal*, in his History of this King's Reign observes, that none of his Predecessors rais'd so much Money upon the People as he did in five Years after his Return, tho the same Author does in great part excuse him, in regard of his great Occasions for Money to maintain his Wars against the King of *France*, and to bring over the great Men of that Kingdom to his Interest, as also to promote his Nephew *Otto* to the *German* Empire.

Laws (properly so called) we find none made in this King's time, only some Edicts or Temporary Constitutions; and they were such as these that follow.

[2] *R. H. Itinerant* or *Errant* Justices sent thro *England*.

[2] In the Month of *September*, *An. Dom.* 1194. the King sent *Itinerant* Justices throughout all the Counties of *England*, who were to proceed in doing Justice, according to the underwritten Heads or Articles.

The Form of proceeding in Pleas of the Crown.

First, four Knights were to be chosen out of the whole County, who upon their Oath should choose two Legal Knights of every Hundred or Wapentach, and those two should choose upon their Oaths ten Knights in every Hundred or Wapentach; and if there were not Knights enough, then Free and Legal Men, so as those twelve together might answer to all the Articles, which concerned that Hundred or Wapentach.

Articles of the Pleas of the Crown.

[3] *Id. ib.*

[3] The Justices should enquire of, and determine new and old Pleas of the Crown, and all such as were not determined before the King's Justices; also all Pleas of *Novel Disseisins*, and all Pleas which were summoned and brought before the Justices by the Writ of the King, or Chief Justice, or sent to them from the King's * Capital Court. Also concerning *Escheats*, what they were, and had been since the King's Expedition to *Jerusalem*; and what were then in the King's hands, and whither they were now in the King's hands, or not: and if they were taken out of his hands, how, and by whom, and into whose hands they came, and in what manner, and who received the Issues and Profits of them, and what the Profits were, and what was, and now is their true Value; and if there be any *Escheats* which belong to the King, and were not in his possession; also of Churches which were in the King's Gift, as likewise of the Wardships of Boys (or Youths) that belong to the King; also of the Mariages of Maidens and

* *Note*, There was then but one Court, that of the *Common Pleas* being not at that time erected.

and Widows that appertain to him: and of Malefactors, their Receivers and Encouragers; alſo of *Falſonaries*, ſuch as Forged and Counterfeited falſe Charters and Writings; moreover of the killers of *Jews*, who they were, and of the Pawns belonging to the *Jews* that were ſlain, of their Goods, Lands, Debts and Writings, who had them in their Poſſeſſion, and what was their Value: Furthermore, the Pawns and Debts of the *Jews* were to be taken into the King's hands; and thoſe that were preſent at the killing or murdering of the *Jews*, and had not made Fine or Compoſition with the King, or his Juſtices, were to be taken, and not delivered but by the King or his Juſtices. Alſo Enquiry was to be made of all Aids given for the redemption of the King; who, and how much every one promiſed, how much is paid, and how much was in Arrear: Alſo of the Favourers and Abettors of Earl *John*, who have made Compoſition with the King, and who not: Alſo of the Goods and Chattels of Earl *John* and his Abettors, which were not yet converted to the King's Uſe; how much the Sheriffs and Bayliffs had received, and whither any one had bribed them contrary to the antient Cuſtoms of the Kingdom: Alſo of all the Lands of Earl *John*, ſuch as he had in his own hands, his *Wardſhips* and *Eſcheats*; of ſuch as had been given him, and for what Cauſe they had been given him; all theſe to be taken into the King's hands, unleſs ſuch as the King confirmed to him: Alſo of the Debts and Fines due to Earl *John*, and for what cauſe due, and they were all to be required for the King's Uſe. Alſo of *Uſurers* that were dead, and of their Goods. Alſo of Wines ſold contrary to the Aſſize, and of the falſe Meaſures of Wines, and other things: Alſo of ſuch as undertook the *Cruſado*, and died before they ſet forward toward *Jeruſalem*; who had their Chattels, what, and how much. Alſo of great * Aſſizes, which were of Land worth an hundred Shillings a Year, and under. Alſo of *Defaults* (that is, Non-appearance in Court, at the day aſſigned). Furthermore, they were to chooſe, or ſee there ſhould be choſen, three Knights, and one Clerk in every County, who were to be Keepers of the *Pleas of the Crown*; and no Sheriff was to be a Juſtitiary in his own County, nor in any County which he held, ſince the firſt Coronation of the King. Furthermore, all Cities, Burghs, and the King's Demeſnes, ſhould be taxed. But the † Juſtices named, together with the Bayliffs of ‖ *William* of St. *Mary*'s Church, *Geoffrey Fitz-Peter*, *William de Chimelli*, *William Briwer*, and *Hugh Bardolf*, with the Sheriffs of the Places, ſhould cauſe the Knights in the Counties named in a Roll, to be ſummoned, that they come at the day, and to the Place they ſhould have notice of, to ſwear before them, that they would uſe their utmoſt lawful endeavours to * ſtock the King's *Ward Lands*, and *Eſcheats*, and appriſe them for his Advantage, and not omit it for the Hatred, Fear, or Favour of any Man: and the Knights named in the Roll were to chooſe, upon their Oaths, twelve Lawful Knights, or elſe Legal Freemen, if Knights were not to be found, in ſeveral parts of each County in the *Iter* (or Circuit) of the aforeſaid Juſtices, as they ſhould think fit; and theſe in like manner were to ſwear, that they would apply their utmoſt lawful Endeavours, Counſel and Help, to improve and appriſe the King's *Ward-Lands* and *Eſcheats* in thoſe parts, to the profit of the King, as aforeſaid;

* *i.e.* Trials by Writs of Right.

† I ſuppoſe the names of the Juſtices are omitted by the Author.

‖ Theſe were *Commiſſioners* joined with the Juſtices, for the better management of the King's *Ward-Lands* and *Eſcheats*.

* *Inſtaurare.*

ſaid; and the ſaid *Jurates* (or ſworn Perſons) were upon their Oaths to chooſe ſo many out of the beſt Freemen reſiding upon the *Eſcheats* and *Ward-Lands*, and ſuch as they thought fitteſt for their purpoſe, to manage the King's buſineſs, for his beſt Advantage and Profit: and they were directed to improve the *Ward-Lands*, and *Eſcheats*, out of the Iſſues and Profits thereof, until *Michaelmaſs*; and if that were not ſufficient, then what was wanting to be ſupplied out of the King's Tolls (or Duties) ſo that thoſe who took to farm thoſe *Ward-Lands* and *Eſcheats*, were to anſwer for them from *Michaelmaſs*, as ſtocked; and the King would warrant to ſuch as held them in farm, thoſe *Ward-Lands* and *Eſcheats* from Year to Year during their Term; ſo that altho the King gave ſome of them to any one, yet the former ſhould hold his Farm until the end of the Year, paying what ſhould be due to the King to his Grantee; but the Juſtice (or Royalty) of the *Eſcheat*, ſo granted by the King, was to remain to him, unleſs he granted them particularly by name (that is by expreſs words.)

The Farmer, when he left his Farm, ſhould take off all his own Stock he ſet upon it, (except the King's Stock) freely, and without diminution: and the Farmers ſhould have the Letters Patents of the Archbiſhop (*i. e.* as Chief Juſtice) containing the tenour of the King's Charter made concerning this matter. They were alſo to enquire what was the Rent of Aſſize (or conſtant Rent) in every Mannor of the King's Demeſnes, and the value of all things upon thoſe Mannors, and how many Carucates or * Plough-Lands they contained: and what their value, not eſtimating them only at † twenty Shillings the Plough-Land, but more or leſs, according as the Land was better or worſe; and thoſe that took the Farms might ſtock them out of the Profits of the Lands, as aforeſaid. They were alſo to enquire how many Oxen and Horſes ought to be kept for the Tilling of every Plough-Land, and what Stock every Mannor would maintain, and clearly and diſtinctly to put them in Writing: a Plough-Oxe was to be valued at four Shillings, a Cow and ‖ Plough-Horſe at the ſame rate; a Sheep with fine Wool at ten-pence, and with coarſe Wool ſix-pence; a Sow at Twelve-pence; and a Boar at Twelve-pence: and when the Farmers left their Farms, they were to pay ſo much Money, or leave ſo many ſaleable Beaſts upon them, at their choice; and when all the *Ward-lands* and *Eſcheats* were thus ſtocked, improved and valued, they then were to be inventoried clearly and diſtinctly, and the Inventory carried into the *Exchequer*: but *Biſhopricks*, *Abbacies*, and the Lands of Barons near of Age, were excepted out of this Conſtitution. They were alſo to enquire by the Oaths of the Perſons aforeſaid, of all *Wards* and *Eſcheats*, that were not already in the King's hands, that ſo they might be taken into his poſſeſſion, and ordered as the others.

* *Carucate.*

† *Note*, This ſeems to have been the higheſt Price of a Plough-land at that time.

‖ *Averium.*

Articles concerning the Jews.

At the ſame time the King directed ſeveral Articles to the ſaid Juſtices Itinerant, about the *Jews*; that all their Debts and Pawns ſhould be inventoried, and all their Lands, Rents and Poſſeſſions; and if any *Jew* concealed any of theſe matters, he ſhould forfeit his Body, (that is, ſhould be impriſoned) and the Concealment (that is, the thing concealed)

* and

and all their Poſſeſſions and Goods: nor ſhould it be lawful for any *Jew* to recover the Concealment (*i.e.* have it reſtored.) That ſix or ſeven Places ſhould be allowed where the *Jews* ſhould lend their Money, and take Pawns; and there ſhould be two legal *Chriſtians*, two legal *Jews*, and two legal *Scribes* appointed, before whom and the Clerks of *William* of *St. Mary's Church*, and *William de Chimelli*, the Money (ſo lent upon the Pawns, and the Pawns taken) ſhould be regiſtred; and that the Charts of the Money lent, and Pawns taken, ſhould be in form of a *Chirograph*; and one part to remain with the *Jew*, ſealed with his Seal that borrowed the Money, and the other part to remain in a *common Cheſt*, to which there were to be three Locks, of which the two *Chriſtians* were to have one Key, and the two *Jews* another, and the Clerks of *William* of *St. Mary's Church*, and *William de Chimelli*, the third; and beſides thoſe Locks, three Seals were to be affixed by thoſe that kept the Keys: and that the Clerks of the two *Williams* ſhould have a Tranſcript; and as the Charts were changed, the Roll was to be changed likewiſe: for every Charter three pence was to be paid, half from the *Jew*, and half from him that borrowed the Money, of which the *Scribes* were to have two pence, and the keeper of the Roll one penny; and for the future, no Security ſhould be given, nor Pawns taken, nor any Payments to be made to the *Jews*, nor any changing of Charts, but before the aforeſaid Perſons, or the major part of them, if all could not be preſent: and that the two *Chriſtians* ſhould have one Roll of the payments of the *Jews* delivered to them for the future, and that the two *Jews* ſhould likewiſe have one, and the keeper of the Rolls another; alſo that every *Jew* was to ſwear upon his * *Rolle* (if he did not believe the *Goſpel*) that he would cauſe all his Debts, Pawns and Rents, and all his Things and Poſſeſſions to be inventoried, and that he would conceal nothing; and if he knew any thing another *Jew* concealed, he would reveal it to the Juſtices ſent about that Affair; and that he would diſcover all Falſifiers or Forgers of Charts, and Clippers of Money wherever he knew them.

* *i.e.* the Law of *Moſes*, then (as now) written in a *Roll.*

Furthermore, Inquiſition was to be made what the King's Officers had taken, or exacted, as well his Juſtices, Sheriffs, Conſtables, and Foreſters, as their Servants, after the firſt Coronation of the King; and why thoſe prizes were taken, and by whom.

Here alſo follows another Article concerning the Chattels, Gifts, and Lands of Earl *John*, which having been already ſet down in the former Articles, need not be again repeated.

One Aſſize of Meaſures and Weights appointed over England.

In the year 1197. King *Richard* made an Aſſize of Meaſures, by which he appointed one Meaſure throughout *England*, for all ſorts of Grain, as well within *Cities*, and *Boroughs*, as without; alſo that the Meaſures of Wine and Ale, and other Liquors ſhould be the ſame over all the Kingdom, according to the diverſity of Liquors; and the Weights to be the ſame, according to the diverſity of things weighed; and all the Meaſures were to be ſo ſecured, as that they could not be falſified. He likewiſe ordered, that all woollen Clothes, wherever made, ſhould be of the ſame breadth; that is, two Ells within the Liſts, *Id. ib.*

Keepers of the Aſſize in Cities and Boroughs.

and that the Ells ſhould be made of Iron. He alſo ordered there ſhould be four or ſix Perſons, according to the largeneſs of the City or Borough, aſſigned in every City, or Borough, who ſhould ſee and ſearch that all things were ſold according to theſe appointed Meaſures and Weights: and if they found any one that confeſſed, or was convicted of ſelling by other Weights and Meaſures, than by thoſe appointed, he was to be impriſoned, and all his Goods ſeized into the King's hands. If the Keepers of the Aſſize were negligent, and convicted before the King's Juſtices, they were to be in the King's Mercy concerning their Goods. And he commanded that no Man in any Court, after the Feaſt of *Purification*, ſhould ſell any thing but by the Meaſure preſcribed, nor that any Man after the Fair at *Stanford* in *Mid-Lent*, ſhould ſell any Cloth that was not two Yards within the Liſts.

After the making of this Law or Aſſize concerning Meaſures, in the Year following the King's Juſtitiary ſent forth new Juſtices *Itinerant*, who were to enquire concerning

Other Articles of Pleas of the Crown in this Form.

The Judges Itinerant were to hear and determine all Pleas of the Crown, new and old, which were not determined before the Juſtices, and all *Aſſizes* of the *death* of *Anceſtors*, *Novel-Diſſeiſins*, and of *Great Aſſizes*, ſo far as ten Pounds by the Year of Land and downwards, and of Advouſons of Churches: the Actions of the great Aſſize (or a Writ of Right by which the Property was tryed) were brought by the King's Writ, or that of his Capital Juſtice. Alſo they were to enquire of vacant and full Churches which were in the King's Gift, who gave them, and who enjoy'd them, and what was their Value; alſo of the King's *Eſcheats*, their Value, who had them, and by whom. Of young Gentlemen and Gentlewomen, who were, or ought to be in the King's Wardſhip (that is, as to Marriage) what the value of their Lands, and whither they were married, and to whom, and how long. They were alſo to enquire what Widows had not fined or compounded for Licence to marry, and the Fine to be taken to the King's Uſe. Of the King's Serjeanties, who had them, and from whom, and their Value, and which of them had contributed towards an Aid to the King, and which not; the Fine or Compoſition for the Aid to be taken to the King's Uſe: Of the Uſury of *Chriſtians*, and of their Goods, and what Uſurers were dead. Of thoſe that were in the King's Mercy, and were not amerced or fined. Of *Purpreſtures*, or of the King's ways ſtreightned: Of *Treaſure-Trove*: Of *Malefactors* and their Receivers: Of *Fugitives*, who had been accuſed and were returned, ſince the laſt Aſſize: Of all Weights and Meaſures and Ells renewed; and vvhither four Men that vvere appointed to look after them in every Town, (that is, City, Burgh or Mercate Town) had done as the Statute required, and had attached or proſecuted the Tranſgreſſors or not; if not, they vvere to be puniſhed as the Tranſgreſſors themſelves. All Wine ſold contrary to the Aſſize or Statute, vvas to be ſeized to the King's Uſe, and the Owners and Sellers of the Wine vvere to be in the King's Mercy (that is, to be fined by him): They vvere alſo to enquire hovv many Hydes or Plough-Lands there vvere in every County, and vvhither the Officers appointed

appointed to aſſeſs and collect the five Shillings upon every Plough-Land, had done their Duty, and had received it of all, or concealed any part of it. Of the Officers of Sea-Ports, if they had received any thing they had not given an Account of, or taken any thing for concealing the King's Right; or if any one had received any thing, who was not appointed a Receiver. Laſtly, they were to enquire if all appear'd as they ought, that were ſummoned by the King's Juſtices, and who they were that came not, and what their Names.

Before this *Iter*, or theſe Circuits of the Juſtices were over, the *Iter* or Circuit of the *Foreſts* began; and the King commanded *Hugh Neville*, chief Juſtice of all the Foreſts in *England*, *Hugh Wac*, and *Ernis Nevill*, that, in every County through which they went, they ſhould ſummon to appear before them at the *Pleas of the Foreſt*, the Archbiſhops, Biſhops, Earls, Barons, and all free Tenants, and the *Reeve*, and four Men of every Town, to hear the King's Commands. *Id. ib.*

Then follows the Aſſize it ſelf.

This is the Aſſize of our Lord the King, and theſe are his Precepts concerning his Foreſts in *England*, made by the Aſſent and Advice of the Archbiſhops, Biſhops, Earls, Barons, and Knights of the whole Kingdom.

The King declares, that if any one forfeits in any thing concerning his Veniſon, or his Foreſts, he is not to expect that he ſhall only be puniſhed in his Goods, as hitherto; for if after that time any one ſhould forfeit, and be convicted, he ſhould have full Juſtice done upon him, as it was in King *Henry* his Grandfather's time; that is, he ſhould loſe his Eyes and Teſticles: alſo the King forbids, that any one have Bows and Arrows, or Hounds, or Grey-hounds within his Foreſts, unleſs he had the King's Warrant, or the Warrant of any other that was of Right able to protect him: alſo the King forbids, that no Man give or ſell any thing to the deſtruction of his Wood, nor do waſte in his Foreſts; but he grants that any Man may take of his own Wood, as much as he ſhall have need of, without waſte; and this by the overſight of his Foreſter and Verderers. Likewiſe the King commands, that they who have Woods within the bounds of the Foreſt, do ſet good Woodmen to look after them, and ſuch as they will be anſwerable for; or ſuch as can give Security to make ſatisfaction, if they offend in any thing that concerns the King. Alſo the King commands, that his Foreſters ſhall ſwear, that according to their whole Power, they ſhall keep this his Aſſize, or Law, which he hath made concerning his Foreſts, and that they ſhall not vex or trouble the Knights, or worthy Men, about what he granted them concerning their Woods. Alſo he commands, that in every County wherein he hath Veniſon, there ſhall be twelve Men appointed to preſerve his Veniſon, and *Green-Hue* in his Foreſts; and that there ſhall be four Knights appointed to agiſt his Woods, (that is, take in a certain number of Cattle to feed there a certain time, or to aſſign the number of Cattle to ſuch as had Right to feed in the Foreſt) and to receive his *Paſnage* or *Pannage*, (that is, the Money due for ſuch Feeding) and to preſerve it, that it ſhould not be diminiſhed. Alſo he commanded, that no Man might agiſt his Woods (that is, put their Cattle into them) within the bounds of his Foreſt, *Id. ib.*

Foreſt, before their own Woods were agiſted. And it is to be noted, that the King's Agiſtment (or Right of feeding Cattle in the Woods and Foreſts) begins fifteen days before *Michaelmaſs*, and continues fifteen days after: alſo the King commands, that if his Woods, that were in his own hands, or his Demeſnes were deſtroyed, and his Foreſter could not tell by whom, his Body ſhould be impriſoned. Alſo he commanded, that no Clerk ſhould offend concerning his Veniſon or Foreſts, and that if his Foreſters found them offending, they ſhould take them, and he would warrant their ſo doing. Alſo the King commanded, that all *Eſſarts*, as well old as new (*i. e.* places where Underwood and Buſhes had been ſtubbed up, and the Land ploughed and ſown) which were within the Regard or View of the Foreſt, ſhould be viewed once in three Years; and in like manner all *Purpreſtures*, and waſte in Woods; and that every one of theſe ſhould be inrolled by it ſelf. And the King commanded, that the Archbiſhops, Biſhops, Earls, Barons, Knights, and Free Tenants, and all Men of his Land, ſhould come to his *Pleas of the Foreſt*, at the ſummons of his maſter-Foreſters. It was alſo forbidden at the *Pleas of the Foreſt*, that any Cart or Waggon ſhould go out of the way in the Foreſt, or any Hogs to be in the Foreſt at the time of *Foineſon*, that is to ſay, fifteen days before St. *John Baptiſt*, and fifteen days after: and 'tis to be noted, that he who takes Veniſon in the King's Foreſt, and ſhall be thereof attainted, ſhall be in the King's Mercy, as to the loſing of his Eyes and Teſticles; and he that offended in the King's Foreſt in the *Green-hue* of *Vert*, by cutting down Trees, or lopping of the Branches, or by digging Turfs, or flaying, (that is, taking the Green-ſword of the Ground) or by cutting away the under part of Thickets, or by *Eſſarts*, or new Purpreſtures, or by Hedges or Ditches, or erecting Mills, making new Water-courſes, and erecting ſteep Coates or Lodges, or other Houſes, or by mowing Hay beyond the Hedges and Ditches, ſhall be all in the King's Mercy for his Goods, unleſs he hath the King's Verderers or Foreſters to warrant him. In like manner, he that carried Bows and Arrows, or Dogs uncoupled, through the King's Foreſt, and was thereof attainted, was in the King's Mercy. It was alſo decreed, that once in three Years there ſhould be a view of the Foreſt, and in the regard or view of the Foreſt theſe things were to be obſerved; what old or new *Eſſarts* were ſown, ſince the laſt review, and with what Grain; the new *Eſſarts* were to be taken into the King's hand: if the old *Eſſarts* were ſown with Wheat or Rye, every Acre was to yield the King twelve Pence for the Crop; and every Acre that was ſown with Oats, Barley, Beans, or Peaſe, was to yield the King ſix pence for that Crop.

THE

Advertiſement to the Reader, concerning the Account of the Year of our Lord, *which is obſerved in the enſuing Volume.*

AS I have in my former Volume followed *Bede* and the reſt of our *Engliſh-Saxon* Chronologers, who begin the new Year with *Chriſtmaſs-day*, or the 25*th* of *December*; ſo I have purſued the ſame method in this; ſince almoſt all the Authors here made uſe of, follow the ſame Account with thoſe who wrote before the entrance of the *Normans*: ſo that I could not well depart from it, without altering the Chronological Calculation of thoſe Writers from whom this Volume is chiefly collected.

Not that I am inſenſible that even during this Period, which I have here given you, there were ſome other Accounts of Time made uſe of by ſome Authors, tho of no great Note: For *Gervaſe* a Monk of *Canterbury*, who lived and wrote in King *John*'s Reign, at the * beginning of his Introduction to his Chronicle, expreſly mentions divers " different Accounts of the Year of our Lord, which were then ob- " ſerved, and which he ſays bred a great deal of Confuſion in the " Church, whilſt ſome begin the Year of our Lord from the † *An-* " *nunciation*, ſome from the Nativity, and others from the Paſſion of " our Lord *Jeſus Chriſt*. Now which of theſe ſhall we take? The " Solar Year, according to the *Roman* Tradition, and the antient cu- " ſtom of God's Church, begins at the Kalends of *January*, or on the " day of our Lord's Nativity, that is, at the end of *December*; how " then can both theſe Accounts be true? When the one begins the " Year of the *Incarnation* from the beginning, and the other from the " end of the Solar Year, and yet both Parties call their Years by the " ſame Title, ſince they both reckon from ſuch or ſuch a Year of our " Lord's *Incarnation*.

* Col. 1336.

† i. e. *Lady-day*.

Then in the two next Columns he thus concludes; " Yet I call all " theſe ſeveral ſorts of Years above-mention'd, *Years of Grace*, for that " we find Grace and Truth in all the Works of Chriſt: Yet becauſe " that the Grace of our Lord and Saviour, which from the Incarnation " lay hid in the Womb of the Virgin, now manifeſtly appeared at his " Nativity, and at which ſacred Solemnity, *Glory to God, and good Will* " *towards Men* was proclaimed by the Angels; therefore I here put an end to the old Year, and begin the New from that Feſtival: for which, as alſo for another Reaſon there given (needleſs here to be inſerted) he farther tells us, " That ſince all thoſe who have written Chronicles be- " fore him, have begun their Years from the Nativity of Chriſt, he like- " wiſe is reſolved to follow his Predeceſſors in the ſame Calculation. I thought fit to give you this Paſſage from ſo exact a Writer, that you may ſee how generally the old *Engliſh* way of beginning the Year at *Chriſtmaſs-day* obtain'd in that Age: In which he was alſo ſucceeded by all the Hiſtorians who wrote during King *John*'s Reign, or that of his Son *Henry* the *Third*; but eſpecially by *Rog.* of *Wendover*, and *Matthew Paris*, who tranſcribed and added to that Work which

Wendover had begun. And the same method we find pursued by *Matth. Westminster*, who wrote during the Reign of *Edward* the Third. †Yet I cannot but observe that tho *Will. Rishanger* (*M. Paris*'s Continuator) takes upon him to follow the same Account; yet towards the latter end of his Work he forgets himself, and without giving the Reader any notice of the Change, often begins the Year at our *Lady-day*, by which means he sometimes puts things done at the beginning of the Year, in the latter end of it; and has thereby led divers of our Modern Historians that make use of his Account of Time, into many Mistakes, which I have in great part observed in the ensuing History. Yet I must own, that there are some few Historians that write in the Reigns of King *Edward* the *Second* and *Third*, who in their *Chronicles* begin the Year at our *Lady-day*, according to our present Account, such as are *Thomas Wikes* and *Walter Hemingford*, to which I could likewise add some others of less note, which since they are not many, either in Number or Authority, in comparison of those that follow the old Account from *Christmas-day*, I would not for their sakes deviate from the Method I had at first resolv'd to pursue throughout this Volume; from which if I vary in the next (if I shall put out another) it shall be upon very good Reasons and Considerations, which shall likewise be communicated to the Reader.

THE

THE General History OF ENGLAND BOTH Ecclesiastical and Civil,

Containing the REIGNS OF

King JOHN, AND King HENRY the Third.

Taken from the most Antient Records, Manuscripts, and Printed Historians.

The Second Part of VOL. II.

By *JAMES TYRRELL*, Esq;

LONDON,

Printed for W. Rogers at the Sun in *Fleetstreet*, Robert Knaplock at the Angel in St. *Paul's Church-Yard*, Andrew Bell at the Cross-Keys and Bible in *Cornhil*, and Thomas Cockerill at the three Legs and Bible over against Grocers-Hall in the *Poultrey*. MDCC.

THE General History OF ENGLAND BOTH Ecclesiastical and Civil.

VOL. II. BOOK VII.

Containing the Reign of King *John*.

KING *Richard* being thus suddenly taken off at most in the Prime of his Years, (his only Surviving Brother and Successor, *John* Earl of *Mortaign* presently sent over *Hubert*, Archbishop of *Canterbury*, and *William le Mareschal*, Earl of *Strigul*, (or *Chepstow*,) into *England*, that they, together with *Geoffrie Fitz-Peter*, the Justiciary under the late King, might keep the Nation in Peace, till he could come over, and set the Things himself; then he went to *Chinon* in *Touraine*, to make sure of his Brother's Treasure, which was at that time in the keeping of *Robert de Turnham*, who immediately upon his arrival delivered it up to him, as also the strong Castles of *Chinon* and *Saumur*, of both which this *Robert* was then Governor.

But things did not go so well for Earl *John*'s Interest in other Parts, [2]. for the Provinces of *Anjou*, *Touraine*, and *Main*, in a General Assembly of the Chief Men, or Estates of those Countreys, firmly adhered to his Nephew *Arthur*, Earl, or Duke of *Bretaign*, as their Liege-Lord, declaring it to be the Right and Custom of those Territories, for the Son of the Elder Brother deceased, to succeed in the Patrimony or Inheritance before the Younger.

In compliance with which Determination, *Thomas de Furnes*, Nephew to *Robert de Turnham*, making the contrary Party to his Uncle, delivered up the Castle of *Angiers* to *Arthur*, as the other Noblemen

[1] Earl *John* invades the City of *Mans*, and pulls down the Walls.

[2] Earl *John* is invested with the Dutchy of *Anno. Dom.* MCXCIX. *R. R. Ph.* Earl *John* succeeds his Brother K. *Rich.* and sends over *Hubert* the Archbish. and *William le Mareschal* to Rectify the Kingdom in Peace. Is the meantime the Earl possesses himself of his Brother's Treasure and Castles.

[3] The Nobility of *Anjou*, &c. declare for E. *Arthur* his Nephew.

The Castle of *Angiers* delivered up to Earl *Arthur*.

Ann. Dom. MCXCIX. did all the reſt of the Provinces above-mentioned, excepting thoſe Caſtles which Earl *John* had already poſſeſſed himſelf of; whereupon *Conſtance*, Counteſs of *Bretaign*, and Mother to Earl *Arthur*, brought him along with her to the City of *Tours*, and there delivered him (being then about Thirteen years of Age) to the Cuſtody of *Philip* King of *France*, who ſent him to *Paris* to be there Educated with Prince *Lewis* his Son; and at the ſame time poſſeſſed himſelf of all the Cities, Caſtles, and ſtrong Places which belonged to Earl *Arthur*, putting into them *Caſtellans*, or *Governors* of his own, reſolving to make this Alteration wholly ſubſervient to his particular Intereſt, as you will by and by perceive.

Who is delivered by his Mother to the K. of *France*, who ſeizes on all the ſtrong Places that belonged to him.

[3] *Id. ib.* [3] So ſoon as Earl *John* heard this Unwelcome News, he thought it high time to put a ſtop to theſe Succeſſes of the *French* King. Wherefore, marching forthwith into the Province of *Main* with a ſtrong Force, he ſoon took the City of *Mans*, and in revenge for their owning *Arthur*, and to be a Terror to other Places, he demoliſhed the Walls of the City, together with the Caſtle, and all the Stone Houſes, carrying away the Citizens Priſoners, Becauſe that contrary to their Fealty ſworn to him, they had received *Arthur* for their Lord, which was a Preſage of this Prince's Cruel and Impolitick Reign; for what could a Foreign Enemy have done more than Spoil and Diſmantle One of the beſt fenced Cities in his Dominions, which might have been much better ſecur'd by a ſtrong Gariſon, as his Father and Brother had done before in ſuch like Caſes?

Earl *John* takes the City of *Mans*, and pulls down the Walls.

[4] *Id. ib.* When [4] Earl *John* had thus diſpatched his Affairs in thoſe Parts, and kept his *Chriſtmas* at *Beaufort* in *Anjou*, he went from thence into *Normandy*, and coming to *Rouen*, was on the 25th of *April* (being St. *Mark*'s Day) in the Cathedral Church, girt with the Sword of the Dutchy of *Normandy*, having alſo a Coronet (adorned with Golden Roſes round about) put upon his Head by *Walter* Archbiſhop of that City; and then he took an Oath upon the Holy Goſpels and Reliques of the Saints, in the Preſence both of the Clergy and Laity, *That he would Preſerve Holy Church, with her Dignities (or Privileges) and Adminiſter true Juſtice, Abrogate Evil Laws, and ordain Good ones*; which Oath is almoſt Word for Word with our antient Engliſh Coronation-Oath.

Earl *John* is inveſted with the Dutchy of *Normandy*, by the Archbiſhop of *Rouen*. When he alſo took an Oath almoſt the ſame with the *Engliſh* Coronation-Oath.

[5] *Id. ib.* Whilſt [5] theſe Affairs were tranſacting beyond Sea, *Hubert* Archbiſhop of *Canterbury*, and *William* the Earl Mareſchal, cauſed all the Freemen of the Kingdom, both of Cities and Boroughs, as alſo the Earls, Barons, and Free Tenants, to ſwear Fealty to *John* Duke of *Normandy*, Son of King *Henry Fitz-Empreſs* againſt all Men; Nevertheleſs all the Biſhops, Earls, and Barons, who had Caſtles, Fortified, and ſtored them with Victuals and Ammunition; which ſhews, that they were either not ſatisfied with King *John*'s Right by Inheritance, or elſe ſuſpecting his Fickle and Imperious Humour, they reſolved in time to provide as well as they could againſt it. But whatever might be the Reaſon of this Proceeding, when Archbiſhop *Hubert*, and the Earl Mareſchal, with *Geoffry Fitz-Peter* Juſticiary of *England*, knew it, they met at *Northampton*, and there ſummoned before them thoſe of the Nobility, whom they ſuſpected moſt likely

The Archbiſhop of *Canterbury*, and the Earl Mareſchal, make all the Freemen of *England* to ſwear Allegiance to *John* Duke of *Normandy*.

Nevertheleſs all the Biſhops and Great Men fortify their Caſtles, & ſtand upon their Guard.

Archbiſhop *Hubert* and the other Juſtices of *England* meet the Nobility at *Northampton*, where they promiſe them, that Duke *John* would maintain them in their Rights.

likely to raiſe any Diſturbance, ſuch as were Earl *David*, Brother to the King of *Scots*, *Richard* Earl of *Clare*, *Randulph* Earl of *Cheſter*, *William* Earl of *Tutesbury* (or *Darby*,) *Waleran* Earl of *Warwick*, *Roger* Conſtable of *Cheſter*, and *William de Mowbray*, with ſeveral other Earls and Barons, whom they aſſured that Duke *John* would render to every one his Right, upon which Condition or Agreement the above-mentioned Earls and Barons renewed their Oaths of Fealty to Duke *John*, and engaged to ſerve him faithfully againſt all Men. *Anno Dom.* MCXCIX.

Then [1] *William* King of *Scots*, taking advantage of this ſudden Change, and the Unſettledneſs of Duke *John*'s Affairs, ſent his Envoys into *England*, to demand *Northumberland* and *Cumberland* with their Dependancies, (which they called their Maſter's Patrimony) and which, if reſtored, they promiſed on his behalf that he ſhould then ſwear Fealty and Faithful Service to Duke *John* againſt all Men; but the Archbiſhop, and *William* the Earl Mareſchal, with *Geoffry Fitz-Peter*, wiſely conſidering the great Conſequence of their Demands, and the Danger of giving them a poſitive Denial in ſo ticklish a Time, would not permit them to go over into *Normandy*, but warily diſmiſs'd them home, ſending with them Earl *David* his Brother, with this Meſſage, That he ſhould patiently wait for an Anſwer, till Duke *John* came into *England*, who alſo ſent him the like Meſſage by *Euſtace de Veſcie*, King *William*'s Son in Law, promiſing, That upon his own arrival here, he would in all things comply with his Deſires, if in the mean time he well obſerved and maintained the Peace he had formerly agreed to in his Brother's Reign.

[1] *Id.* p. 451. (a) The King of *Scots* ſends Envoys to demand *Northumberland* and *Cumberland*.

The Archbiſhop, *&c.* returns a Wiſe, but Dilatory Anſwer to their Meſſage.

Affairs [2] being as well ſettled in *Normandy* and the other Countreys beyond the Seas, as the ſhortneſs of the Time would permit, Duke *John* reſolved to go over, and take poſſeſſion of the Crown of *England*, and on the 25th of *May* landing at *Shoreham* in *Suſſex*, the next Day he went to *London*, in order to be Crown'd the day following; where met him the Archbiſhops of *Dublin*, and *Ragiſa*, (who it ſeems was then in *England* about ſome Affairs not mentioned by our Author) there alſo appeared the New Biſhop of *London*, with moſt of the Biſhops, Earls, and Barons of *England*, who all attending the Duke to the Abby-Church at *Weſtminſter* in ſolemn Proceſſion, *Hubert*, Archbiſhop of *Canterbury*, ſtanding in the midſt of them (as *Matt. Paris* relates) ſpoke to this Effect. "All here preſent hearken to me, your Wiſdoms may underſtand, that no Man "ought to ſucceed to the Kingdom upon any previous Conſiderations, unleſs he be firſt Unanimouſly E L E C T E D for the Excellency of his Manners, (the Grace of the Holy Spirit being firſt implor'd) by the *General Body* of the Kingdom, and Anointed King after the Example of *Saul*, whom God ſet over his People, tho' he was neither a King's Son, nor deſcended of Royal Blood; ſo in like manner after him *David* the Son of *Jeſſe*, the One, becauſe he was Valiant, and fit for the Royal Dignity; the Other becauſe he was Pious and Humble; that ſo he who ſurpaſs'd others in Virtue, might alſo excell them in Dignity and Power; therefore if any One of the Family of the Deceaſed King, do excell the reſt, we ought indeed moſt readily and willingly to conſent to his *Election*; and we have ſaid this, in reſpect to the

[2] *Id.* Duke *John* arrives in *England*, and is met by the Biſhops and Nobility.

The Archbiſhop's Speech at the Coronation of Duke *John*.

Anno Dom. MCXCIX. "Noble Duke *John* here preſent, the Brother of our Illuſtrious King "*Richard*, who deceaſed without any Heir of his Body; This Duke "being Prudent and Valiant, We all, as well in reſpect of his "Deſerts, as of his Royal Blood, (with the Invocation of the Holy "Spirit) do unanimouſly *Elect* King: Which Propoſition was a-greed to by all there preſent.

Our Author's Character of this Archbiſhop.

Upon whoſe Speech the Duke is Elected King.

Now you muſt obſerve, (ſays my Author) That the Archbiſhop was a Man of a deep Foreſight, and was ſuch a ſteady Pillar of Conſtancy and Wiſdom, that none durſt diſpute what he ſaid, knowing that he had not without good Cauſe thus determin'd this Matter; with which Speech Duke *John* and all there preſent readily acquieſced, and ſo Unanimouſly *Electing* and Receiving him for their King, Cryed out, *Long may the King Live!* But the Archbiſhop being afterwards queſtion'd, why he had thus ſpoken? He anſwered, "That he clearly foreſaw, being aſſured by certain **Prophecies* or "Preſages, that King *John* would ſometime ſpoil the Kingdom and "Crown of *England*, and bring it into great Confuſion; therefore "leſt he might take an unbridled Licenſe of doing what he would, "he had affirm'd, That he ought to be *Elected*, and not to ſucceed "by Hereditary Succeſſion.

The Archbiſhop's Reaſon for his making this Speech.

* *Oraculis.*

Whether the Archbiſhop ſpoke this purely out of Policy or Conſcience, I will not determine; but this much is certain, that either he did not believe any Hereditary Succeſſion to the Crown, or if he did, it was ſuch a One as our Law does not acknowledge at this Day. But ſince I intend to ſpeak more amply on this Subject in my Introduction to this Volume, I ſhall ſay no more of it in this Place: Only that the Clergy and People of *England* are not ſo much to be blamed for thus preferring Earl *John* to his Nephew *Arthur*, ſince this was according to the antient *Engliſh Saxon* Cuſtom, whereby the Uncle did always ſucceed before the Nephew; beſides this, Earl *John* was a Man of ripe Age, and a Native of this Kingdom, whereas the Latter was but a Minor of 12 or 13 Years of Age, and a Foreigner, born in *Bretaigne*. But I will not take upon me to Excuſe the Partiality of the Queen-Dowager *Eleanor*, who contrary to the Cuſtom of moſt Grandmothers, was fonder of her Son *John*, than Grandſon *Arthur*; which whether it proceeded from the little Knowledge ſhe had of him, who had been always bred up with his Mother, the Counteſs of *Bretaigne*, or out of pure Emulation to her, whom the Queen found would govern all Affairs during the Young Prince's Minority, I will not take upon me to determine, after ſo many Ages.

The Reaſons why the Clergy and People of *England* preferr'd *John* before his Nephew *Arthur*.

[3.] *R. H.* But to proceed to this King's Coronation, (from which our Author has made a Digreſſion) [3] after this *Election* was over, the Archbiſhop placed the Crown upon the King's Head with the uſual Ceremonies, notwithſtanding *Philip* Biſhop of *Durham* appeal'd againſt it, [4.] becauſe of the Abſence of the Archbiſhop of *York*; Then the Coronation-Oath was Adminiſtred, conſiſting of theſe Three Heads, (being the ſame with that taken by his Brother) *viz. That he would cheriſh Holy Church, and all the Clergy, and would Preſerve her ſafe from the Violence of her Enemies; That all Evil Laws being abrogated, he would eſtabliſh Good Ones, and would exerciſe true Juſtice, throughout the Kingdom of* England; and he was farther

After the Election, the New King is Crown'd.

[4.] *M. P.* p. 199.

The ſubſtance of the Coronation-Oath.

adjured

adjured by the Archbiſhop, that he ſhould not preſume to undertake this Dignity, unleſs he reſolved to fulfill what he had now ſworn, to which he anſwered, That he would by the help of God obſerve in good Faith, all thoſe things he had promiſed, and on the next Day (having received the Homages and Fealties of his Nobility) he went to pay his Devotion at *St. Alban*'s Shrine. *Anno Dom.* MCXCIX.

It is alſo worth our obſerving [5.] (what *R. Hoveden* farther relates) that on the Day of his Coronation he girt *William* the Earl Mareſchal with the Sword of the Earldom of *Strigoil*, and *Geoffry Fitz-Peter* with that of the Earldom of *Eſſex*; for tho' they were before called Earls, and had the Adminiſtration of their Counties or Earldoms, yet were not ſolemnly Inveſted with them; from whence we may obſerve, that the antient Cuſtom of creating Earls by Inveſting them with the Sword of the County they were to govern, was ſtill in uſe. [5.] *P. 451. William* Earl Mareſchal, and *Geoffry Fitz Peter* inveſted with the Earldoms of *Strigoil*, and *Eſſex*.

The [1.] ſame day he alſo made *Hubert* Archbiſhop of *Canterbury* his Chancellor, which was then looked upon as a Diſparagement to his Archiepiſcopal Dignity, for when he ſeemed to glory of his New Office, and his great Favour with the King, *Hugh Bardulf* a bold Baron, thus anſwered him, *My Lord, with your good leave, if you would well conſider the Great Power and Dignity of your Spiritual Function, you would not undertake this Yoke of Lay-Servitude:* With which Reproof the Archbiſhop being corrected, remain'd ſilent. [1] *Id. ib. Hubert* the Archbiſhop is made the King's Chancellor.

In the mean time, the King of *Scots* by three Priors of his own Nation, renewed his Demand of *Northumberland* and *Cumberland*, and made the ſame Promiſes as before; King *John* anſwered them prudently, that when their Lord the King of *Scots*, his Dear Couſin, came to him, he would do what was Juſt concerning that, and all his other Demands, and ſo ſent *Philip* Biſhop of *Durham* to meet him, expecting his coming; having alſo ſent *Roger* Biſhop of *St. Andrews*, and *Hugh Maleville* before, to invite him; then the King went himſelf to *Nottingham*, where he arrived on *Whitſunday*, and ſtaid ſome time in thoſe Parts in expectation of him, but he came not at all; only he ſent back the Meſſengers with the ſame Demand of the two Counties, and to let the King know, That if he denied his Demands, he would endeavour to acquire them by Force, and expected his Anſwer within Forty days: In the mean time, King *John* committed *Northumberland* and *Cumberland*, with their Caſtles, to the Keeping and Defence of *William Stutevil*, and ſo returned into the South of *England*. [2.] *Id. ib.* (*b*) The King of *Scots* by certain Priors renews his Demand of the above mentioned Counties; to which the King returns a prudent Anſwer. The K. ſends *Philip* Biſhop of *Durham* to meet the *Scottiſh* King, who comes not at all. The King being fruſtrated of his Expectations, returns into the South.

[3.] Having thus diſpatched his Affairs in *England*, the King paſſed into *Normandy*, landed at *Diepe*, and arrived at *Rouen* on *Midſummer-day*, where came in to him great numbers of Soldiers both Horſe and Foot; but preſently there was a Truce made between him and the King of *France*, until the 16th of *Auguſt*; and here *Philip* Earl of *Flanders* did homage to King *John*, but it is not there ſaid for what. Then the King's Natural Brother *Geoffry* Archbiſhop of *York*, having diſpatched his Affairs at *Rome*, return'd to the King, and was Joyfully received by him. [3.] *Id. ib.* And ſo paſſes over into *Normandy*, where great numbers of Men flock in to him; and a Truce is made between him and the King of *France* for a ſhort time.

About

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About [4] the ſame time *Henry* Earl of *Namur*, Brother to *Philip* Earl of *Flanders*, *Peter* of *Doway* a Famous Soldier, and his Brother the Biſhop Elect of *Cambray*, were taken by ſome of the *French* King's Soldiers, and delivered to him; whereupon Cardinal *Peter* of *Capua*, and the Pope's Legate Interdicted *France* for the Detention of the Elect of *Cambray*, as alſo *Normandy* for the Impriſonment of *Philip* Biſhop of *Beauvois*; but becauſe he was taken in Arms, he ſoon after gave King *John* 2000 Marks (*M. Paris* ſays 6000.) for his Ranſom, and ſo was ſet at Liberty, upon his taking an Oath never to bear Arms againſt Chriſtians.

[4] *Id.* p. 452. (*a*) The E. of *Namur* and his Brother, the Biſhop Elect of *Cambray*, taken Priſoners. The Biſhop of *Beauvais* ranſomed.

Not [5] long after, *Philip* King of *France* Knighted *Arthur* Earl of *Bretaigne*, and received his Homage for that Province, as alſo for thoſe of *Normandy*, *Anjou*, *Poitou*, *Tourain*, and *Bretaigne*: On the morrow after the Aſſumption of St. *Mary* or (*Auguſt* the 16.) the two Kings treated two days by their Commiſſioners, between *Bonvant* and *Gaillon*, and the Third day they confer'd together by themſelves in Perſon; but the King of *France* would expreſs no kindneſs to King *John*, and being afterwards asked, why he had entertain'd ſuch an Averſion for him, his Anſwer was, *Becauſe he had poſſeſſed himſelf of* Normandy, *and the other Territories, without his Licence, whereas he ought firſt to have come to him and demanded them as his Right, and done him Homage for them*; ſo much did King *Philip* now take upon him, above what any of his Predeceſſors had done before; for whereas they thought it ſufficient to own for Duke of *Normandy*, whomſoever the Eſtates of that Country thought fit to Elect or Recognize, this King now took upon him to determine to whom of Right that Dutchy belonged, which had never been done before.

[5] *Id. ib.* The King of *France* receives Homage of Earl *Arthur* for *Bretaigne*, *Normandy*, and the reſt. A Treaty is held between K. *Philip* and K. *John*, at which the former ſhews the latter no kindneſs.

At [1] this Treaty the King of *France* demanded all the *Norman Veuxin*, that is, all that lies between the Foreſt of *Lyons*, the *Seine*, the Iſle of *Andeli*, and the River *Epte*, affirming, That *Geoffry* Earl of *Anjou*, the Father of the late King *Henry*, had given it to *Lewis* the *Groſs*, late King of *France*, for his Aſſiſtance in gaining *Normandy* from King *Stephen*; and further demanded, that *Poitou*, *Anjou*, *Tourain*, and *Main* might be render'd to *Arthur* Earl of *Bretaigne*, and made divers other unreaſonable Demands, which the King of *England* could not grant, and ſo they departed upon very ill Terms: Then the Earls and Barons of *France*, that had adhered to King *Richard*, became Feudataries of King *John*, and Swore to him, they would not make any Terms with the King of *France*, unleſs with his Conſent; and he in like manner Swore to them, he would not make Peace with him, unleſs they were comprehended in it.

[1] *Id. ib.* The King of *France* his unreaſonable Demands.

They break off upon very ill Terms.

In [2] *October* the King of *France* ſeized the Caſtle of *Balun*, and Demoliſhed it; This was much reſented by *William de Raſibus* (or *de la Roche*) General of Earl *Arthur*'s Forces, who Expoſtulating with King *Lewis* about it, told him, That this was contrary to the Agreement between him and *Arthur* his Maſter; but the King replied, He ſhould not omit to do what he thought good, with what he had acquired, notwithſtanding his Lord *Arthur* might not like it; and then went and beſieged *Lavardin*: but hearing the King of *England* was coming with his Army to Relieve it, he left the Siege, and marched to *Mans*; King *John* followed him, and he alſo quit-

[2] *Id. id.* (*b*) The King of *France* ſeizes on the Caſtle of *Balun*, and demoliſhes it, which is highly reſented by the General of Earl *Arthur*'s Forces.

ted

ted that Place; in the mean while *William de la Roche* had cunningly gotten *Arthur* out of the Custody of the King of *France*, and reconciled him to his Uncle King *John*, to whom he also delivered the City of *Mans*, of which he was Governor. But notwithstanding, the very same day, it being told *Arthur*, and the Countess his Mother, (whether on true or false Intelligence, I will not determine) that King *John* intended to put him in Prison; thereupon he and his Mother that Night made their Escape; but the true Reason of this seems rather to have been, because the Viscount of *Touarz*, (on whose advice the Countess and her Son then chiefly relied,) had been lately disobliged by King *John*, out of whose hands he had taken the Command of the Castle of *Chinon*, and the Seneschally of *Anjou*; the former of which the King bestowed upon *Roger* Constable of *Chester*, till he could resolve how better to dispose of it; wherefore the Viscount above-mentioned, incensing the Earl and his Mother against the King, presently they fled away, together with many other Noblemen, to the City of *Angiers*, and from thence return'd again to the King of *France*.

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William de la Roche gets Earl *Arthur* out of the Custody of the *French* King, and reconciles him to his Uncle King *John*, but it does not hold. For with his Mother he presently returned back to King *Philip*, with the Cause of it.

[3] Not long after their arrival, the Countess of *Constance* having now quite alienated her Affections from *Randulph*, Earl of *Chester*, her Husband, was divorced from him, (tho' the Grounds of it are not set down) and then she married *Guido*, Brother to the said Viscount of *Touarz*, which tended much to her Dishonour.

[3] *Id. ib.* *Constance*, Countess of *Bretaigne*, is divorced from the E. of *Chester*, and Marries *Guido*, Brother to the Viscount of *Touar*.

In [4] the mean time, the Cardinal of *Capua*, the Pope's Legat, who had been formerly sent to reconcile the Differences between the late King *Richard* and the King of *France*, and at whose instance a five years Truce had been lately made, now laboured all he could that it might still continue between the Two Kings; and so by his Mediation it was agreed between them, That the former Truce should still continue till the Feast of St. *Hillary* next ensuing; thus all things remain'd for a while in the same state.

[4] *Id. ib.* The Popes Legat uses his utmost Endeavours to continue the Truce between the two Kings.

About [5] this time also *Philip*, Natural Son to King *Richard*, and on whom he had bestowed the Castle and Honour of *Cuinac*, killed the Viscount of *Limoges* in revenge of his Father's Death; for it was he who held the Castle of *Chalux* against King *Richard*, when he received his Death's wound. This I thought fit to mention, as being the only Action I can find worth the Noting, done by this *Philip*, who lived ever after in a private Condition.

[5] *Id. ib.* *Philip*, Natural Son to King *Richard*, Kills the Vicount of *Limoges*.

But to give you some farther account of Foreign Affairs: There had been a late Contest between *Otto*, Duke of *Saxony*, and *Philip* Duke of *Swevia*, for the *German* Empire, to which they both pretended; Pope *Innocent* and all the *Romans* disclaiming the Latter, owned the Former, Emperor; who being thus confirm'd by the Pope; He also in his favour Excommunicated Duke *Philip*, and all his Adherents, unless he desisted from his Pretensions; whereupon the Emperor *Otto* sent Ambassadors to his Uncle King *John*, not only to give him notice of his good Success, but also to advise him to defer making Peace with the King of *France*, for that he himself would shortly give him as powerful an Assistance as he could expect.

Id. P 452. (a) After a great Contest between Otto Duke of *Saxony*, and *Philip* Duke of *Swevia* for the Empire, the Pope and *Italians* disclaim the latter, and own the former.

As

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As for Eccleſiaſtical Affairs, there happened this Year no Alterations in the Church, [1] only whilſt *Geoffrey* Archbiſhop of *York* ſtayed in *Normandy*, he referr'd all Differences between him and the Chanons of his Church, to *Hugh* Biſhop of *Lincoln* and others; but the Archbiſhop not ſtanding to the Award they had made, and ſtill giving his Chapter further diſturbance, they made their Complaint to *Hubert* Archbiſhop of *Canterbury*, and *Geoffrey Fitz-Peter*, the Juſticiary, who thereupon ſent to the King, adviſing him not to permit the Archbiſhop to return into *England*, becauſe if he came over, he would bring Diſcord and not Peace along with him.

King *John* being ſtill in *Normandy* kept his *Chriſtmas* at *Buers*; not long after which, he and the King of *France* held a Treaty of Peace between *Andeli* and *Gallion*, at which they agree; That *Lewis* the *French* King's Son, ſhould Marry *Blanche*, Daughter to *Alfonſo* the Eighth, King of *Caſtile*, being King *John*'s Niece, with whom he promiſed to give the City and Earldom of *Eureux*, as alſo to quit his Claim to all the Caſtles and Strong Places which King *Philip* held in *Normandy* at the time of King *Richard*'s Death; and farther engaged to give with her 30000 Marks of Silver, and to Swear, that he would not give any Aſſiſtance to his Nephew *Otto* either in Men or Money, whereby he might obtain the *Roman* Empire; but the final Concluſion of theſe Points was delay'd until eight Days after *Midſummer* following.

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This Treaty being thus ended, King *John* ſent his Mother Queen *Eleanor* to *Alfonſo* King of *Caſtile*, to perſuade him to agree to the Match for his Daughter, as alſo to bring her along with her.

[3] Not long after King *John* paſſed into *England*, and took of every Plough-Land throughout the Kingdom Three Shillings for an Aid; but whether the King raiſed this Tax by the conſent of the Common-Council of the whole Kingdom, I will not determine; ſince *Rad. de Coggeſhal* relates it as a Grievance, that not long after the King's arrival in *England*, he required an Aid for the Diſcharge of the 20000 Marks for his Niece's Portion, ſo that there iſſued out a Royal Edict throughout all *England*, That every Plough-Land ſhould pay Three Shillings, which ſevere Exaction did extreamly impoveriſh the People, who had lately payed at his Coronation a *Scutage* of Two Marks upon every Knight's Fee.

In *Lent* he went to *York*, expecting the King of *Scots* would have met him there, but he came not; then he preſently after returned into *Normandy*, having firſt kept his *Eaſter* at *Worceſter*.

[4] In the mean time, *Eleanor* the Queen-Dowager, having brought her Grand-Daughter *Blanche* as far as *Burdeaux*, and being weary with her Journey, retired to the Nunnery of *Font-Everard* to refreſh her ſelf; but ſhe ſent the young Princeſs under the Conduct of the Archbiſhop of that City, to the King; and ſo ſoon as ſhe arrived, the two Kings met again at the ſame Place, and at the time before appointed, (being Eight Days after *Midſummer*) in order to make a full Concluſion of the former Treaty; at which Meeting the King of *France* ſurrender'd back to King *John* the City of *Eureux* with the Earldom, and all the Caſtles, Cities, and Lands he had poſſeſſed himſelf of in *Normandy*, and the other Dominions of the King of *England*; and King *John* preſently became his Liege Man, and did him

[1] *Id.* ibid. (b) Geoffrey Archbiſhop of York refuſing to ſtand to the Award of the Biſhop of Lincoln & others, and giving his Chapter freſh diſturbances, the King is adviſed not to let him return into *England*.

[2] *Id.* p. 454. (b) K. *John* has a Treaty with the King of *France*, at which a Peace is concluded upon Terms very advantageous for the latter.

[3] *Id.* ibid. The King returns into *England*, and raiſes a great Tax; and then goes to *York* to meet the King of *Scots*, who comes not. *Rot. Pipæ* 1 *Johan. Civitat. London* and *Middleſex*.

[4] *Id.* p. 456. (a) The Queen-Dowager brings Lady *Blanche* out of *Spain* as far as *Bourdeaux*. Upon the Arrival of this Princeſs, the two Kings meet again, and make a full Concluſion of the former Treaty.

him Homage, and forthwith gave back all those Territories to Prince *Lewis* in Marriage with his Niece, as had been before agreed on, and the next day they were solemnly Married in *Normandy*, by the Archbishop of *Bourdeaux*, in the Presence of several of the Bishops, Earls, and Barons of *France*; for the Marriage could not be solemnized in that Kingdom, as being then under the Pope's Interdict, because the King of *France* had sometime before put away *Isemburge*, Daughter to the King of *Denmark*, (for no other reason, but that he did not like her) and had taken to his Bed one *Agnes*, a *German* Princess, whom he called his Wife.

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She is married to Prince *Lewis* in *Normandy*, and the Reason of it.

*She is called by our Authors *Batilda*.

[5] So soon as the Wedding was over, Prince *Lewis* carried his New Bride with him into *France*, and the same day the Two Kings met again at *Vernon* (a Town belonging to the *French* King) where where Duke *Arthur* did Homage to his Uncle King *John* by consent of King *Philip* for *Bretaigne* and his other Countries, and was again delivered to the King of *France*, in Tutelage.

[5] *Id. ib. (b)*

The young Prince carries his Lady into *France*.

D. *Arthur* does Homage to his Uncle K. *John* for *Bretaigne*.

And that this Peace might remain the more firm and stable, [1] all the Articles already recited, were some time after reduced into Writing under the Great Seal of both Kings, wherein it was among other things agreed, that divers of the Chief Earls, and Barons of each Kingdom, should stand engaged for the punctual Observance of it, who were also on both sides obliged by Oath, that whosoever of them broke this Agreement, these Guarantees, together with all their Tenants, Estates, should be freed from their Fealty, and have Liberty to quit their own Prince; and tho' the Particulars of this Peace are now of no great concernment to us, yet it shews, what Notions the Princes of that time had concerning the Fealty or Allegiance of their Subjects; which they did not think then so sacred a Thing, but that it might be transferr'd from one Prince to another, in case that either of them broke those Articles to which they had Sworn.

[1] *Id. p. 463. (a)*

The Articles of this Peace are reduced into two Charters, seal'd by both Kings.

It is also observeable, That in consideration of Thirty thousand Marks, which the King of *France* then acknowledged to have received from the King of *England* King *Philip* did thereupon release and make over to him all his Right to the Fee or Superiority of *Bretaign*, so that Duke *Arthur* was for the future to hold *Bretaign* immediately of the King of *England*.

This Treaty consisting of two several Charters, or Instruments, that Part which was Seal'd by the King of *France* (as you may find in [2] *Roger Hoveden*) remain'd with the King of *England*; and that Part which the King of *England* executed, remain'd with the King of *France*, which is also to be found in the First Volume of *Norman* Writers, put out by [3] *Du Chesne*; as also in the Learned Monsieur *Leibnitz's Codex Diplomaticus*, p. 23. to both which I refer the Curious Reader.

[2] *Id. ib.*

[3] *Ed. Paris*, F. 1055.

This Peace, so Disadvantageous and Dishonourable to King *John*, was the first demonstration both of his want of Courage and Policy, for had he deferr'd making it, he might by the Assistance of the Emperor, his Nephew, and the Earl of *Flanders*, have regain'd those Territories in *Normandy*, and other Countries, which he was now forced to part with for ever, and had also kept the Thirty thou-

This Peace proved very prejudicial to K. *John*.

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thouſand Marks which he gave to the King of *France* as a Portion with his Niece, whom he was no ways obliged to provide for, and thereby loſt the Friendſhip of the Emperor, for the feigned Careſſes of a Prince, who hated him mortally, and had never made this Alliance, but for his own Advantage, and who afterwards under the Title of this Match, did abet his Son *Lewis* againſt him.

[4] *Id.* p. 457. (a) K. *John* reduces *Aquitain* to his Obedience.

[4] Immediately after the Concluſion of this Peace, King *John* marched with a ſtrong Army into *Aquitain*; where finding none able to reſiſt him he ſoon reduced that Province to his Obedience; not long after, being grown weary of his Wife *Hawiſe*, or *Avis*, Daughter to *William* late Earl of *Gloceſter*; He was divorced from her by *Elias*, Archbiſhop of *Bourdeaux*, and Two other Biſhops appointed by the Pope for that Purpoſe, becauſe they were Couſins in the Third Degree; which Exception had been taken long before againſt the Marriage by *Richard*, late Archbiſhop of *Canterbury*, when it was firſt Conſummated; but it was then carried againſt him, becauſe King *Richard* would have it ſo, and that King *John* was then either very fond of her, or elſe of her great Eſtate: But, having been married to her above Nine years without any Iſſue, he was reſolved to be rid of her, and marry ſome Younger Lady; wherefore being thus divorced, by the Advice of the King of *France*, he married *Iſabel*, Daughter of *Aymer* Earl of *Engoleſme*, whom her Father had formerly, at the Requeſt of King *Richard*, betroathed to *Hugh le Brun*, Earl of *Marche*: They had been affianced ſome time before; but the Marriage not being Conſummated, becauſe the Lady was thought too Young, her Father now finding King *John* had a great Kindneſs for her, being very handſom, took her away from the Earl againſt his Conſent, and beſtowed her upon the King; ſo that they were ſoon after Married at *Engoleſme*, by the Archbiſhop of that Place; but this Injury was ſo deeply reſented by the Earl of *Marche*, that he reſolved to be revenged of it, and did King *John* a great deal of Miſchief in the long War that not long after happened between him and the King of *France*.

Divorced from her, on pretence of Conſanguinity.

He marries *Iſabel* Daughter to the E. of *Engoleſme*, tho' ſhe was then betroathed to the E. of *March*.

[5] *Id.* p. 458. The E. of *St. Giles* does Homage to K. *John*.

[5] Much about this time, the Earl of *St. Giles* renewed his Homage to King *John*, for the Lands and Caſtles which King *Richard* had beſtowed on him in Marriage, with his Siſter the Queen-Dowager of *Sicily*, from whence the King went to *Angiers*, and there took 150 Hoſtages for their Fidelity to him, and put them under ſafe Cuſtody.

[1] *Id.* p. 461. (a)

[1] In the beginning of *October* following, King *John* having ſettled his Affairs in *Normandy*, and his other Territories beyond Sea, return'd into *England*, bringing with him *Iſabella* his Wife, and upon the Eighth of the ſame Month, they were both together Crowned at *Weſtminſter*, by *Hubert* Archbiſhop of *Canterbury*, at whoſe Coronation there was alſo held a Common Council of the Kingdom, as appears by a * Charter in the *Tower* (quoted by Mr. *Petyt* in his Preface to the *Rights of the Commons Aſſerted*) where it is recited, *That the Queen was Crowned by the Common Aſſent and Unanimous Agreement of the Archbiſhop, Biſhops, Barons, Clergy, and People of* England; which I have alſo given you at large, in the *Appendix*, N. 4.

* *Pat. Cart.* 5 *John.* n. 33.

And

And [2] about the ſame time the King [3] cauſed his Brother *Geoffrey*, Archbiſhop of *York*, to be diſſeiſed of all his Mannors and Eſtate belonging to his Archbiſhoprick, upon pretence that he had fail'd attending of him beyond Sea, when he made Peace with the King of *France*; but the true Reaſon was, that he had forbid the Sheriff of *Yorkeſhire* to collect the late unreaſonable Carvage or Tax in his Dioceſe, to the King's uſe, though it had been granted him all over *England*; then *James de Potern*, Sheriff of *Yorkſhire*, entred upon the Mannors of the Archbiſhop, and ſeized his Goods; whereupon he ſolemnly Excommunicated him, and all thoſe who were the Authors of this Violence; but ſome time after, the King upon better Advice, reſtored him to his Archbiſhoprick, and appointed him a Day to anſwer for the ſaid Miſdemeanours in his Court. *Anno Dom.* MCC.

[2] *Id. ib.*

[3] *Id.* p. 461. (a) The K. ſeizes on the Temporalities of his Brother *Geoffrey*, A.B. of *York*, and for what cauſe

[4] And not long after the Queen's Coronation, the King ſent *Philip* Biſhop of *Durham*, *Roger Bigot*, Earl of *Norfolk*, *Henry de Bohun*, Earl of *Hereford*, *David* Earl of *Huntingdon*, *Roger de Lacy* Conſtable of *Cheſter*, *William de Veſci*, *Roger de Roſs*, and *Robert Fitz-Roger*, Sheriff of *Northumberland*, to attend *William* King of *Scots*, with Letters of ſafe Conduct, and to wait upon him into *England*, he being to meet King *John* at *Lincoln* on the 21ſt of *November*, where they met accordingly; and the next Day they came to a Treaty or Interview upon a ſteep Hill without the City, where in the View of all the People, *William* King of *Scots* became King *John*'s Liege-man, or did him Homage, * as of Right, and ſwore Fealty to him upon the Croſs of *Hubert*, Archbiſhop of *Canterbury*, *to Preſerve the King's Life, Limbs, and Temporal Honour, againſt all Men, and keep Peace with him and his Kingdom, ſaving his own Right*: This Homage was ſolemnly perform'd in the Preſence of the Archbiſhops of *Canterbury* and *Dublin*, with moſt of the Earls and Barons of both Kingdoms, many of whoſe Names *R. Hoveden* hath particularly mentioned, which would be tedious here to ſet down; therefore I refer the Reader (who is Curious in ſuch Matters) to that Author.

[4] *Id. ib.* (b) Divers Noblemen ſent to attend the K. of *Scots* into *England*.

The two K's meet at *Lincoln*.

* *De Jure ſuo.*

The *Scotiſh* K. does Homage to K. *John*.

This Homage being thus perform'd, the King of *Scots* demanded of his Lord King *John*, the Counties of *Northumberland*, *Cumberland*, with their Appurtenances, as his Antient Right and Inheritance; and when they had long Treated concerning this Matter, but could not agree, the King of *England* deſired longer time to conſider of it, until *Whitſunday*; then Early on the Morrow, (being *November* the 23.) the King of *Scots* return'd toward his own Country, under the Conduct of the ſame Perſons that brought him into *England*, being much diſcontented at his Diſappointment.

The K of *Scots* renews his Demand of *Northumberland*, &c. but being put off, returns into his own Country.

But *Buchanan*, and the reſt of the *Scotiſh* Hiſtorians, tho' they grant this Homage to have been perform'd in the ſame Manner, as our Hiſtorians relate, yet will needs have it to have been only for the Territories, which the King then held in *England*, yet ſay nothing of his Demanding the Countries above-mentioned; only that he parted with King *John* in Diſcontent, becauſe he would have had his Aſſiſtance in an Expedition againſt the King of *France*, which he did not like to grant. This, tho' it be alſo related by *Polidore Virgil*, is certainly a groſs Miſtake; for as none of our Ancient Hiſtorians

The Error of *Buchanan* and other *Scotiſh* Hiſtorians, concerning this Homage.

Anno Dom. MCC.

ſtorians mention any ſuch thing; ſo King *John* could not deſire the *Scotiſh* King to aſſiſt him againſt the *French*; becauſe there was then a Peace newly made between them: And as for the Homage it ſelf, it muſt certainly be for ſome part of *Scotland*; for as to *Northumberland*, and the other County above-mentioned, 'tis plain, that the King of *Scots* had not then any Part of them; and as for the Earldom of *Huntingdon*, that King had long before beſtowed it upon his Brother *David*, who is alſo particularly mentioned by *Hoveden* under that Title, as one of the Witneſſes of the Homage. So that nothing can be more evident, then that it was not perform'd for any Territories the King of *Scots* then enjoy'd in *England*, as *Buchanan* vainly ſuppoſes, and conſequently muſt have been for *Lothian* and ſome Parts of *Scotland*.

(a)

But to return again to our Hiſtory, from which this Affair has made us digreſs; King *John* having diſpatched this difficult Buſineſs with the King of *Scots*, return'd into the Southern Parts, where having nothing elſe to do, being very much pleaſed with his good Succeſs, he ſpent the reſt of his time in Feaſting and Jollity.

I ſhall conclude this Year with a ſhort Account of Eccleſiaſtical Affairs, that happen'd during the King's Abſence in *Normandy*.

[5] *M. ib.* 497. The firſt Synod that was held by the Pope's Legate, notwithſtanding the Prohibition of the Juſticiary.

[5] *Hubert*, Archbiſhop of *Canterbury*, as Legate to the Pope, held a General Council or Synod, of all the Biſhops and Clergy of *England*, at *Weſtminſter*, notwithſtanding the Prohibition of *Geoffery Fitz-Peter* the King's Juſticiary; which is one of the firſt Examples of that Arbitrary and Independant Power, the Archbiſhop of *Canterbury*, and other extraordinary Legates from the Pope, ever after Uſurp'd till the Reformation, of holding Eccleſiaſtical Synods, and making Canons by their ſole Authority, without the King's Licenſe or Confirmation; Nay often contrary to his conſent, which had not been practiſed in former times; but as for the Canons of this Council, ſince they only relate to the Reformation of the Clergy, in ſeveral points of Diſcipline and Manners, or concerning the more due and regular Adminiſtration of the Sacraments, (many of which had been already ordain'd in former Synods,) I think it needleſs to ſet them down, and ſhall therefore refer the Reader to *R. Hoveden* for his further Satisfaction.

[1] *M.* p. 461. (b) 462. The Death of *Hugh* Bp. of *Lincoln*, the Kings of *England* and *Scotland* attend at his Funeral.

[1] Some days alſo before the late Interview at *Lincoln*, deceaſed that Pious Prelate *Hugh*, Biſhop of *Lincoln*, who was the great Example of that Age for Piety, Chaſtity, and all other Chriſtian Virtues; and was in ſuch Reputation, that his Body being brought to *Lincoln* to be Interr'd, whilſt King *John* came thither to meet the King of *Scots*, the King himſelf, and Three Archbiſhops with all the Biſhops and Barons that attended at that Solemnity, went out in ſolemn Proceſſion to meet the Corps; nor did that King with his Chief Nobility, think it beneath them to bear it on their Shoulders to the Door of the Church, where the Archbiſhop and Biſhops received it, and carried it into the Choir, depoſiting it there all Night, till it could be buried near the Altar of St. *John Baptiſt*; where his Tomb is ſhewn at this Day: But as for the Miracles which our Hiſtorians relate to have been performed there, ſuch as that of a Woman who had been Seven Years blind of one Eye, and received her Sight at his Funeral; and of a certain Cut-purſe, who as ſoon as

Divers Miracles related to be done at his Tomb.

he

he had got his Booty had his Hands so shrunk up that he could not fill them; so that he was not able to hold what he had taken. I leave them to be told and believed by those who have a greater Faith in such things than my self, nor should I mention them at all, were they not Related by Authors of so good Credit in other things.

Anno Dom. MCC.

I must here also take notice of what was done this Year in *France*; in Relation to that King, and his Queen *Isemburge* or *Botilda*, whom he had put away, and which had been the Cause of the Pope's Interdict upon *France*, which yet was some time before taken off, upon the Kings promise to receive his Queen again, or else to stand to the Decision of the Pope's Legate. Wherefore the Pope now sent *Octavian*, Bishop of *Ostia* to Hear and Determine the Cause; at what time the King of *France*, who refused to be Divorced from his Queen, alledged, that they were too near of Kin to be Married; which being denied by the Ambassadors of the King of *Denmark* (who appeared for her) and also because they looked upon this *Octavian* as the King's Relation, who consequently would be too favourable to him; they appealed from him, to the Pope himself. But Three Days after another Legate came thither, who was more indifferent, and upon hearing the matter over again, found no cause why a Divorce should be pronounced between them. But when he was going to give a definitive Sentence against the King, He being forewarned of it, carried her away along with him on the sudden, and tho' he pretended to take her to him as his Wife, yet he still kept her under a closer Confinement than before, which yet put an end to this troublesome Affair; and indeed the Queens and Princesses of that Age had a very hard time of it, for Dispensations from the Pope being not then in fashion, if a King or a Prince were weary of his Wife, and if he could make himself any way Related to her (tho' it were Three or Four Degrees removed, provided he could gain the Pope's Legate on his Side, it was sufficient to obtain a Divorce. Yet it seems in this Case the Pope thought them too far off Related to grant it; for King *Philip* and this Queen were only Cousins in the Fourth Degree, by which means tho' she kept the Title of Queen to her Death, and saw *Agnes* her Rival decease before her, yet did she thereby obtain no better Treatment from the King her Husband?

[1] *Id. lib. (b)*

The Pope sends a Legate into *Fr.* to hear and determine the matter concerning the Q's. Divorce.

Another Legate come into *France*, who will not pass Sentence for the K. Divorce, who thereupon takes away the Q. and puts her under a closer Confinement.

[2] *Anno Dom.* MCCI.

This [3] Year King *John* kept his Christmas at *Guilford*, with great Solemnity, and distributed many rich Cloaths or Liveries to his Knights, or Military Men; whilst the Archbishop did the like at *Canterbury*, as it were vying with him in Magnificence; which very much incensed the King (as very well it might) against that Prelate. Not long after Christmas, the King with his Queen, went on Progress as far as the Borders of *Scotland*, and in his Journey, he laid great Fines upon those, who had any ways Trespassed in his Forests; when he came to York, he was Reconciled there to *Geffrie*, the Archbishop; and by the Mediation of Four Bishops, and Four Barons, chosen by both Parties, all Differences were composed between them; and those also whom the Bishop had Excommunicated for performing the King's Commands, were Absolved; notwith-

[3] *Id. p. 464 (a)*

The K. keeps his Christmas at *Guilford*, whilst the A. Bp. does the like at *Canterbury*, and vies with the K. in magnificence.

The K. and Q. go on Progress as far as the Borders of *Scotland*, and by the way he is reconciled to his Brother *Geffrie* A. Bp. of *York*.

Anno Dom. MCCI. notwithstanding the Quarrels between the Archbishop and his Dean and Chapter were again Renewed; as also with the Archdeacon of *Richmond* concerning the Right of Presentation to certain Churches; who Appealing to Pope *Innocent*, he writ a very high and angry Letter to the Archbishop: Commanding him to do Right to the Archdeacon, and to Absolve those, whom he had unjustly Excommunicated, or else to Incurr the same Sentence himself.

The Pope threatens to Excommunicate that A. Bp. and upon what occasion.

I have taken notice of this, to let you see the absolute and arbitrary Power which the Pope then Executed over one of the Primates of *England*, who (tho' the King's base Brother) was threatned to be Excommunicated, without being heard; so great an advantage was it in those Days to complain First; he that Appealed being still most likely to carry the Cause.

[4] *Id.* p. 466. (*b*) The K. and Q. are again Crowned at *Canterbury*.

[4] But now (as if the First Coronation had not been sufficient) on *Easter Sunday* following the King and his new Queen, being at *Canterbury*, they were there again solemnly Crowned in the presence of *John* Archbishop of *Dublin* and other Bishops in the Cathedral Church, by *Hubert* the Archbishop; for such was the Superstition of those times, that Princes believed their Crowns could not sit fast enough upon their Heads, unless they were more than once Solemnly put on by the Archbishop of *Canterbury*. Immediately after this Solemnity, he Commanded the Earls and Barons of *England* to be Ready with their Arms at *Whitsuntide* following, to pass over with him beyond Sea, for the *Poictovins* had Rebelled against their Governors, and had besieged them in their Castles; but *Warren de Glapion*, Seneschal of *Normandy*, had by the King's Command besieged the Castle of *Driencourt*, which King *Richard* had before given to *Ralph de Issodun*, Earl of *Eu*, Brother of *Hugh de Brun*; but the King of *France* hearing of King *John*'s coming over, had marched into the Country to his Assistance, and raised the Siege for him, before He arrived in *Normandy*.

Earls and B's. summoned to be ready to pass over beyond Sea, and on what occasion.

[5] *Id. Ib.* The Noblemen of *England* refuse to attend the K. unless he would restore their ancient Rights.

[5] Before the Kings departure, the Earls and Barons of *England* assembled at *Leicester*, and there having a Treaty or Conference together, sent the King word, they would not go over with him, unless he would Restore to them their ancient Rights; that is the Liberties that were formerly granted them by his Predecessors; but tho' it might not be so Loyally done of them thus to press the King at such an Exigency, when his Affairs required hast, yet certainly he took much worse Advice, when instead of granting their Request; he presently demanded of them their Castles as Pledges of their Fidelity, and particularly he made *William d'Aubeny* to deliver up his Castle of *Berwoir*; yet it seems most of them were at last prevail'd with to go over with him; for our Author tells us, that the Barons of *England* being assembled at *Portsmouth* in *Whitson-week*, to pass over with the King, He took Money of most of them to be excused, and permitted them to go home: *Mat. Paris* tells us, it was Two Marks on each Knights Fee.

who instead of that seizes on several of their Castles; so that many of them go with him.

[1] *Ib.* The Earl of *Strigul*, and other Noblemen are sent before with Men to repel the Assaults of his Enemies.

in [1] the mean time the King sent *William* the Mareschal, Earl of *Strigil* before into *Normandy* with an Hundred Men at Arms, and *Roger de Lacy*, Constable of *Chester* with another Hundred, to repell the Attempts of his Enemies on the Borders of *Normandy*; he

he also delivered to *Hubert de Burgh* his Chamberlain, a Hundred Knights or Horsemen to defend the Borders of *England* and *Wales*, and that he might give no cause of Discontent to the Clergy, and yet might raise what Money he could. He fully pardoned his Brother *Geoffrie* Archbishop of York, and restored him to his Favour, as also to all his Mannors and Free-Tenents, and by his Charter Confirmed all the Liberties of that Church in as ample manner as *Roger* the late Archbishop had held them, for which confirmation the present Archbishop engaged to pay the King a Thousand Marks in a Year's time, and engaged his Barony to him for Security. *Anno Dom.* MCCI

He restores the Archbishop of *York* to his Lands.

[2] Then the King sent *Geoffrie* Bishop of *Chester*, *Richard Malosse*, and *Henry de Pudsie* to *William* King of *Scots*, to desire him, that the Term of returning an Answer to the Request he had lately made concerning *Northumberland*, and the other Counties already mentioned, which King *John* had promised to give at *Whitsuntide*, might be put off, till Michaelmas following; this was Politickly done, to prevent the King of *Scots* from laying hold of the King's failing to return an Answer at the time appointed, as a pretence to Invade *England* in his Absence. And thus the King having settled all things at home, as well as He could, and being gone on Shipboard together with his Queen; upon some sudden Business not mention'd, he put in at the Isle of *Wight*, whilst the Queen continued her Voyage into *Normandy*; however the King after some Days stay, took Shipping again at *Portsmouth*, and presently after his arrival on the other side the Water, there was an Interview between him and the King of *France*, near the Isle of *Andelie*, where they agreed very well, tho' none were present but themselves: Three Days after, King *John* at the Invitation of the King of *France*, went to *Paris*, and was there magnificently Entertain'd in the King's own Pallace, the *French* King himself, lying elsewhere: After some stay there, the King of *England* taking his leave, went to *Chinon*, where his Sister in Law *Berengara*, the Queen Dowager met him, whom he fully satisfied concerning her Dower, according to the Testimony of *Philip* Bishop of *Durham*, and others who were present at her Marriage; the King then also settled upon her the City of *Bayeux* (that is the Duties and Revenues thereof) and Two Castles in *Anjou*, with a 1000 Marks Sterling *per Annum*, Five Hundred of which were to be Received from the King's Exchequer at *London*, and the other Five Hundred at *Caen* in *Normandy*.

[2] *Id. ib.* p. 468 (d) The K. sends Ambassadors to the King of *Scots*, desiring longer time to give his Answer concerning *Northumberland*, &c. and the reason of it.

The K. follows the Q. into *Normandy* where there is an interview between him and the K. of *France*, where they agree very well, and he invites K. *John* to *Paris*. Q. *Berengara*, meets the K. at *Chinon*.

But notwithstanding all King *John*'s great preparations, I do not find any thing considerable He did against the Rebellious Barons of *Poitou*, [3] only, that resolving to accuse them of Treason against himself and the late King his Brother; he underhand procured some ordinary Gentlemen of his Subjects, very well skill'd in the Art of Duelling, who as his Champions, were (as soon as those Barons appeared at Court) to accuse them of Treason, and fight them: But they, who being forewarned of it, refused (tho' Summon'd) to come thither, sending him word, that they would Answer none upon that account, but their Peers, and so they became more implacable against him, than they were before, which is another Proof of this King's Pusillanimitie; who when he had a sufficient

[3] *Id. ib.* p. 468 (e) K. *John* does nothing considerable against the Rebellious B. of *Poitou*, only procures Champions to accuse them, and fight with them.

Anno Dom. MCCI.

ficient Force to reduce them to Obedience; would let ſo great an Inſolence go unpuniſhed, which was the cauſe of their taking up Arms againſt him the Year following. [4] The King of *France* ſeemed ſtill very willing to obſerve the Peace, and to make it more Firm, it was again renewed, and put into Writing, in which it was ſpecified, that whoſoever of the Two Kings firſt broke it, thoſe Barons which were his *Fidejuſſors* or Security, for the true Obſervation of it, ſhould be diſcharged from their Allegiance, and take part with the injured King againſt their own.

[4] *Id. Ib.* The Peace is again renewed between the two Kings one Covenant of which was that the Barons who were their Securities were to be diſcharged from their Allegiance to that P. who firſt broke the Peace.

[2] In the mean time all things remaining quiet, nothing happened in *England* worth mentioning; only *Hugh Bardolf* and other of the Kings Juſtices going to *Boſton* Fair, with an intent to ſeize to the Kings uſe all Woollen-Cloaths that were not two Ells within the Liſts, according to King *Richard's* late Aſſize, or Statute; the Merchants ſo prevailed with the Juſtices, that their Cloaths were not ſeized, nor the late Aſſize concerning the Breadth of Cloaths, nor the meaſure of Grain further obſerved; ſo that for the future they might make their Cloaths as broad or as narrow as they pleaſed; for which Licenſe (tho' to the Damage of many) the Juſtices procured a great Sum of Money to the King's uſe, this, tho' there was no expreſs Diſpenſation, but only a bare Connivance of the breach of the late Laws concerning Meaſures; yet, ſerves to let us ſee, how pernicious this Prerogative of diſpencing with wholeſome Law, has been to this Nation in all Ages.

[2] *Id. Ib. p.* 468 (*a*) The K. Juſtices goe to *Boſton* Fair, to ſeize all Cloaths that were not full meaſure; but upon payment of a great Sum of Money by the Merchants, their Cloaths are not ſeized.

Nor can I omit taking ſome notice of what was done in *Ireland* this Year, [5] where it ſeems the King's Authority was of ſmall account, the great Men of the Kingdom making War upon each other, when they pleaſed; for *Walter de Lacy*, a powerful Noble Man in *Ireland*, under the pretence of holding a Treaty with *John de Courcie* Earl of *Ulſter*, fell upon him on the ſudden, killed many of his Men, and routed the reſt, but *John* being in his flight purſued; *Hugh de Lacy* Brother to *Walter*, (being his Liegeman) invited him to take ſhelter in his Caſtle, till his Forces could be rallied; which he accepting, and going into the Caſtle, was there detained Priſoner by this *Hugh*, who deſigned to deliver him up to the King, againſt whom he had then taken Arms; but in the mean time the followers of, and adherents to Earl *John*, did not ceaſe to waſt the Lands of *Walter* and *Hugh de Lacy*, until ſuch time as they would ſet their Maſter Free; as they were ſoon after forced to do.

[5] *Id.* 468. (*a*) *John de Curcy* Earl of *Ulſter* being put to flight by *Walter de Lacy*, is ſeized by *Hugh de Lacy* in his Caſtle.

[1] But the *Iriſh* Annals further inform us, that on *Good-Friday* following, when the ſaid Earl *John* was going unarmed and barefoot on Pilgrimage in a Linnen Garment to a Church, (after the uſual manner of thoſe times) he was treacherouſly taken Priſoner by his own People, for a Sum of Mony, and ſo was again delivered to *Hugh de Lacy*, who brought him over Priſoner to King *John*: Whereupon he beſtowed on this *Hugh* the Earldom of *Ulſter*, and the Lordſhip of *Connaught* for this good Service, which before belonged to the ſaid *John de Curcy*.

In Camdens *Britannia ad finem.* *John de Curcy* treacherouſly taken Priſoner by his own Men.

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As for Eccleſiaſtical Affairs of this Year, [2] the *Holy Land* being now almoſt all loſt, the Pope wrote an earneſt Epiſtle to the Archbiſhops and Biſhops of *England* to contribute a Fortieth part of their Eccleſiaſtical Revenues to the Relief thereof; and to take care that the Clerks in every Dioceſs did the ſame; alſo the * Maſter of the *Hoſpital* of *Jeruſalem* wrote a lamentable Epiſtle to the Prior and his Brethren in *England*, moving them very earneſtly for Relief, and that they would induce the King and Great Men to aſſiſt them; [3] then the Pope reflecting ſeriouſly upon their ſad and dangerous Condition, ſent a Cardinal Legate to the Kings of *France* and *England*, requiring them to cauſe an Aid or Tax to be raiſed in their Dominions for the Relief of the *Holy-Land*. Upon which meſſage and requeſt the Two Kings conſented to give the Fortieth part of all their Revenues for one Year, and the King of *England* would have it levied on all his Revenues, and on the Ward-Lands and Eſcheats in his Hands; and farther Commanded, that all Laymen of his Dominions ſhould Contribute a Fortieth part of all their Rents as an Alms for the Relief of the *Holy Land*. [3] Whereupon *Geoffrie Fitz Peter*, then Chief Juſticiary of *England*, wrote to all the Sheriffs of *England*, to admoniſh and induce the Earls, Barons and others, in every of their Sheriffwicks, to give a Fortieth part as aforeſaid, and to Collect it from the Earls, Barons, Knights, and Freeholders, and cauſe their Names, with thoſe of the Cities and Towns, together with the Sums that each of them were to Pay, to be ſet down, and return'd by every Sheriff to the *Temple* at *London*; much after the ſame manner as our Briefs for Fire or other Charities are at this Day. Therefore you muſt obſerve that This was no Tax, but only a Voluntary Contribution.

[4] Alſo the ſame Year *Euſtace*, Abbot of *Flaye* in *Normandy*, came over into *England*, and here finding a great Prophanation of the Lords-Day in keeping of Markets, and doing other ſervile Works, He went from City to City, and from Town to Town, Preaching againſt it, pretending no leſs than an Epiſtle from *Jeſus Chriſt* himſelf, which was ſaid to be found upon the Altar of St. *Simeon* at *Jeruſalem*, ſharply reproving the Chriſtians of thoſe Countries, for working on the Lords-Day, and that all the Judgments that had fallen upon them, had been for the breach of this Commandement; which tho' it was but a pious Fraud, yet had then ſo good an effect, that by the Preaching of this Abbot, ſcarce any Man durſt for the future go to Markets, or do any ſervile Work on the Lord's-Day, which was to begin on *Saturday* at 3 a Clock in the afternoon, and to continue till Sun riſing on *Monday* morning; being much after the ſame manner as the *Jews* obſerve their Sabbath at this Day: *R. Hoveden* has not only given us a Copy of this pretended Epiſtle, but alſo divers ſtories of terrible Judgments which happened to thoſe who preſumed to Work at their Trades after the Hour abovementioned; the Truth of which Relations, tho' they happened in this Author's own time, I ſhall leave to the Reader's diſcretion to believe as he thinks good.

Anno. Dom. MCCI.

[2] *R. H. P.* 469. (a) The *Holy-Land* being like to be loſt, the Pope writes to the Biſhops of *England* to cauſe the Clergy to contribute a Fortieth part of their Revenues for its Relief.

* *I. e.* The Great Maſter of the Knights Hoſpitallers now called Knights of *Malta*.

[3] *Id. P.* 470 (a) A Legate is alſo ſent to *France* and *England* to require an Aid for the ſame purpoſe, which is granted by King *John* out of his own Revenues.

[3] *Id. ib. Geoffrie Fitz Peter* then C. Juſtitiary, writes to all the Sheriffs of *England* to induce the B. Knights, and Freeholders to contribute a 40th Part of their Rents for the ſame purpoſe.

[4] *Id. ib.* The Abbot of *Flaye* comes over into *England* to preach againſt the Prophanation of the Lord's Day.

Anno Dom. MCCII.

[5] King *John* remaining ſtill in *Normandy*, kept his *Chriſtmas* at *Argenton*, and in *Lent* following near the Caſtle of *Guleton*, there was alſo not long after an Interview between him and the King of *France*. But *Nicholas Trivet* places it between *Vernon* and the Iſle of *Andeli*, where the *French* King ſeeking freſh occaſions of Quarrel, to break the Peace, which he had ſo lately ſolemnly Ratified and Sworn to, is ſaid to have ſummoned the King of *England* to appear at *Paris* 15 Days after *Eaſter*, there to anſwer concerning the Dukedom of *Aquitain* and Earldom of *Poictou*: But *Matt. Paris* is more particular in this Affair, and relates, that the King of *France* retaining a mortal hatred againſt King *John*, did then Demand no leſs than a Reſtitution of all the Territories, which he at that time held on that ſide the Sea, to *Arthur* Duke of *Bretaign*; In which relation I doubt the Author is miſtaken as to *Normandy*, ſince he never had demanded that Dutchy in any of the former Treaties, and beſides the *French* King then held a great part of it by King *John's* late conceſſion.

[5] *M. P.* An Interview between the Kings of *France* and *England*, where the former again picks a Quarrel with the latter. The King of *France* makes unreaſonable demands from King *John*.

But I do not find any Engliſh Author to give ſo particular an account of the Reaſon of this ſudden Alteration of the King of *France*, as * *Ralph*, Abbot of *Coggeſhal* in his Manuſcript Chronicle, where under this Year, he Relates, that the Peace having been for ſome time well obſerved between the Kings of *France* and *England*, the former took occaſion to break it on this pretence; King *John* had lately made War upon *Hughle Brun* Earl of *March*, and his Brother the Earl of *Engoleſme*, becauſe they had begun with him, and defied him; but theſe Lords, being too weak to reſiſt the King, thereupon complained to King *Philip*, as their Sovereign, or Chief Lord; wherefore King *Philip* admoniſhed King *John* to forbear, and to make Peace with them, to which he not thinking fit to yield, King *Philip* ſummoned the Nobility of *France*, and among them King *John* himſelf, as Duke of *Aquitain*, and Earl of *Anjou*, to appear at *Paris* within 14 Days after *Eaſter*, and there undergo the Judgment of his Court, as that of his Supreme Lord, for the Injuries done to the Two Noblemen above mentioned; upon this the King of *England* anſwered, that he was alſo Duke of *Normandy*, and as ſuch, was not at all obliged to appear at *Paris*, but only on the Borders of his Dutchy, as had been antiently agreed upon between the Dukes of *Normandy* and King's of *France*; to which King *Philip* replied, that it was not Juſt, that he ſhould looſe his Right, as Supreme Lord of *Aquitain*, becauſe the ſame Man was alſo Duke of *Normandy*; wherefore the Quarrel between theſe Two Princes daily increaſing, upon this as well as other occaſions, the King of *France*'s Court being again aſſembled, adjudged the King of *England* to have forfeited all his Right to his Territories in *France*, becauſe he had for a long time refuſed to perform the Services due for them. But whither this Judgment of the Eſtates of *France* preceeded this Treatie, or followed it, I ſhall not Determine; but it ſeems moſt probable, (as *Mezaray* in his Abridgment of the *French* Hiſtory relates) that after the breaking up of the late Treaty at *Gaileon*, (as you have heard) King *Philip* having his Deſign already formed, Summoned King *John* to appear at his Court, there to Anſwer not only to the Complaints of

A more particular account of this Alteration in K. *Philip's* humour. In *Bib. Cotton.* as alſo in the Herald's Office. 10, 11. with the true Reaſons of this breach of the Peace.

of Earl *Hugh le Brun*, but alſo of his Nephew *Arthur*, for the Countries above-mentioned. [1] But when ever this Arreſt or Sentence of the Peers of *France* was given againſt King *John*, it is certain, that upon his refuſal to grant theſe Demands, the Treaty broke off, and they parted highly incens'd againſt each other, which the King of *France* ſufficiently expreſſed by Invading the King of *England*'s Territories the next Day, and razing to the Ground the ſtrong Caſtle of *Butevant*, and then marching further, took the Town of *Ougi* with the Caſtle of *Lymir*, and many other Places: He alſo beſieged the Caſtle of *Radford*, or *Ratpont*, (as *Matt. Paris* calls it) 8 Days, but hearing of King *John*'s approach, He marched off; and a few Days after turned all his Forces againſt *Gorney*, and breaking down the head of a large Pool which lay above the Town, a great part of the Walls were overthrown by the violence of the Water, ſo that the Garriſon retiring, the King took the Town without oppoſition. Then returning to *Paris*, he appointed certain Tutors or Governors for Duke *Arthur*, and aſſigned him 200 Knights or Horſemen, for his Guard, who were alſo to go with him into *Poictou*, and help him to ſubdue thoſe Territories; but as he was marching thither in a Grand Military Pomp, it was told them that Queen *Eleanor* was in *Mirabel*, which was but a weak Garriſon; therefore turning all their Forces thither, they beſieged the Caſtle, and it not being able to hold out, they ſoon compelled the outward Caſtle to ſurrender: But the Queen and ſome few of the principal Soldiers retiring into a ſtrong inward Tower, they could not ſo ſoon take that; but therefore laying cloſe Siege to it, almoſt all the Noblemen and Knights of *Poictou*, and principally *Hugh le Brun* Earl of *March*, (whoſe Spouſe King *John* had lately married,) and was therefore his declared Enemy came to Duke *Arthur*'s aſſiſtance, and all together made ſo great an Army, that they were very like to take the Place; but before they did take it, the Queen being put to a great ſtreight ſent Meſſengers to the King her Son, earneſtly deſiring him to come ſpeedily to her Relief; he thereupon marching Night and Day, arrived ſooner than could be expected, and the Iſſue of the matter was, that the *French* and *Poictovins* left the Siege to give him Battle. But the King put them to flight, and preſſed ſo cloſe upon them, that he entred the outward Caſtle with them, where there was a ſharp conflict; but it was ſoon ended by the Courage of the *Engliſh*. In this Fight 200 *French* Knights were taken Priſoners, with Duke *Arthur* himſelf, and moſt of the Nobles of *Poictou* and *Anjou*, who being put into Fetters, were ſent away in Carts, ſome of them into *Normandy*, and others into *England*, there to be kept cloſe Priſoners; but as for Duke *Arthur*, he was ſent to *Falaiſe*, and there kept under a ſtrict Guard. In the mean time the King of *France* had beſieged the Caſtle of *Archer*, and battered it Fifteen Days with his Engines; but hearing of Duke *Arthur*'s misfortune, he raiſed the Siege, and returning to *Paris*, did nothing more that Year.

Anno Dom. MCCII.

[1] *M. P.* p. 207.

The *French* K. invades K. *John*'s Territories, and takes divers Caſtles and Towns.

Id. ib.

He returns to *Paris*, and appoints Tutors and a Guard for D. *Arthur*, who thereupon marches into *Poictou*, and beſieges *Mirabel* Caſtle, wherein the Q. Dowager being in it.

The Caſtle being almoſt taken, King *John* marches to its Relief, and engaging with D. *Arthur*'s Forces, routs them, and takes him and many Noblemen Priſoners.

Arthur is ſent to *Falaiſe* to be there kept.

Anno Dom. MCCII.

[2] Sometime after, King *John* going to *Falaiſe*, cauſed his Nephew *Arthur* to be brought before him, and gave him many good words, promiſing him great Honours, if he would quit the King of *France*, and adhere to him, as his Lord and Uncle; but he anſwered him diſdainfully, and with Threats demanded the Kingdom of *England*, and all the Dominions King *Richard* died poſſeſſed of, as his Right by Inheritance, and ſwore he ſhould never enjoy Peace unleſs he reſtored them; King *John* very much incenſed at his high Demands, ſent him to *Rouen* to be kept cloſe Priſoner in the New Tower, under the Cuſtody of *Robert de Viepont*, where he ſuddenly vaniſhed, tho' by what means is unknown; *Matt. Paris* adds, That it were well, that it had not been as envious Fame reports; That is, That he were not made away by his Uncle's Orders, which tho' he will not ſpeak out, he plainly inſinuates.

[*] *M. P. ib.* The K. goes to *Falaiſe*, and tries by fair Words and Promiſes to bring over his Nephew *Arthur* to his Intereſt, but being repulſed, is ſo incenſ'd, that he ſent him Priſoner to *Rouen*. Where he ſuddenly vaniſhes, being ſuppoſed to be made away by the K's Orders

A farther Relation of King *John*'s cruel Intentions againſt this young Prince, before he was made away.

But I cannot here omit, what *Radulph de Coggeſhal* further relates concerning this Unfortunate young Prince; who whilſt he remain'd Priſoner at *Falaiſe*, the Nobles of *Bretaigne* and *Anjou* made great offers for his Liberty, but being refuſed, combin'd afreſh againſt King *John*; wherefore his Counſellors ſeeing the great Conſtancy of the *Britiſh* Nobility, who would never be at reſt ſo long as he was alive, or in a Capacity to Govern, they upon this adviſed the King to deprive him of his Eyes and Teſticles, thereby to render him uncapable of Government, or Procreation; wherefore being provoked as well by the Stubborneſs of his Nephew, as the Obſtinacy of his Adherents, he yielded at laſt, that this cruel Advice ſhould be put in Execution, which being committed to Three of the King's Truſty Servants to ſee it perform'd, Two of them abhorring ſuch Cruelty, ſlipt aſide out of the way; but the Third going to *Falaiſe*, and delivering his Meſſage to *Hubert de Burgh* the King's Chamberlain, and then Conſtable of that Caſtle, he was highly concerned, as was alſo the whole Garriſon, at this barbarous Sentence, whilſt the Poor Prince could only with Tears bewail his Misfortune; yet at laſt being tranſported with Rage, he with his own hands fell upon him who had brought this Cruel Meſſage, and as they were grappling together, *Hugh de Burgh* and the Guards ran in and parted them; and ſo putting the Man out of the Room, they not only abſolutely refuſed to execute his Orders, but Comforted, and appeaſed the young Prince, as well as they could.

[3] *Id. ib.* *Hugh de Burgh* gives out that D. *Arthur* is Dead, and the Reaſon of making that Report

Yet *Hugh* the Conſtable, to mitigate the King's Diſpleaſure, as alſo to take away the Hopes of the Noblemen his Adherents, cauſed it to be diſperſed throughout the Province, that Duke *Arthur* was dead, by the ſevere Execution of the King's Sentence; ſo that the Bells rung out for him in all Places; but this ſad News was ſo far from appeaſing the *Bretaigns*, that they were rather the more provoked, Swearing, That for the future, they would never deſiſt from making War upon the King of *England*, who had commanded ſo horrid a piece of Cruelty to be Executed upon his own Nephew; ſo that to appeaſe them, thoſe that kept Duke *Arthur*, were forced to tell them truly, that he was ſtill alive; but at laſt the King thinking he ſhould have no quiet ſo long as he lived, (for King *Philip* and the *Bretaigns*, ſtill preſs'd for his Delivery) reſolved to diſpatch him privately, ſo ſoon as he was removed to *Rouen*; ſo that

that no Man can certainly tell to this Day how he came by his Death. *Anno Dom.* MCCII.

But ſince ſome of the *French*, as well as of our own Writers, have taken upon them to give a more particular Account of the Death of this Unfortunate young Prince, I ſhall give you their Relation of it; without paſſing my word for its Certainty, ſince by the very Circumſtances of the Story, it appears, that very few were truſted with the Secret: But they ſay, that [4] King *John* ſollicited ſome of his Confidents, and in particular *William de Bray*, to Murther his Nephew; but none would undertake it, and this very Perſon plainly told the King, He was a Gentleman, and not an Hangman; wherefore the King conſidering the Importance of the Affair, and the great Miſchief and Reproach, that the Diſcovery of it might bring upon him, reſolved to truſt as few with the Knowledge of it as he could; wherefore coming one Night in a Boat to the Foot of the Tower of the Caſtle at *Rouen*, where Duke *Arthur* was kept Priſoner, he preſently ordered him to be brought down and put into the Boat; whereupon the Prince apprehending his approaching Fate by his Uncle's Silence, preſently abating his former Fierceneſs, flung himſelf at his Feet, in hopes to obtain Mercy; but the Cruel King without ſaying any thing farther to him, preſently drew his Sword and run him ſeveral times through the Body, till he had diſpatch'd him: Then carrying the Corps ſome Leagues down the Stream, they flung it into the River *Seine*; to give ſome colour to the Report, they had cauſed to be ſpread abroad, that this Prince thinking to eſcape out of a Window of a Tower, (which ſtood over the River) had fallen into it, and ſo was drown'd.

[4] *Wil. Brito, de Geſt. R. Philip.* P. 166, 167. The *French* Writers Relation of the Murther of D. *Arthur.*

But [5] the Annals of *Margan*, printed at *Oxford*, give us ſomewhat a different Account of the manner of King *John*'s making away with his Nephew, to this Effect; That ſome time after his Impriſonment, the King being much in Drink, came to the Caſtle of *Rouen*, and there murther'd him with his own hands, and then cauſing a great Stone to be tied about his Dead Corps, had it caſt into the River, out of which not long after it being drag'd by a Fiſherman's Net, it was known by ſome, and privately burried in the Abbey-Church of St. *Mary des Prez*.

[5] *Script. Ang.* Vol. 2. Another account of it, from the Annals of *Margan.*

All which not only differs from the *French* Relation, but ſeems alſo very improbable; for *Rouen* being within a few Years after in the hands of the *French*, they would certainly have very well rewarded that Man, who had found, and ſo charitably Buried that Prince's Body, whereas it was never known to this Day what became of it: But to return to our Hiſtory.

[1] King *John* not long after this horrid Action, went over into *England*, where, as ſoon as he arrived, he would needs be again ſolemnly Crown'd at *Canterbury*, on the 14th of *April*, by the hands of *Hubert*, Archbiſhop of that City, which I ſuppoſe was done to confirm his Title to the Crown, his Competitor being now taken out of the way; but it was to little purpoſe, for the King returning ſoon after into *Normandy*, it was quickly divulg'd throughout all *France*, that he had murther'd his Nephew; wherefore the Eſteem not only of Foreigners, but the Affections of many of his own People, on this Account, ever after turn'd againſt him, and that deſervedly, for

[1] *M. P.* p. 208. K. *John* paſſes over into *England*, and is again Crown'd. He returns into *Normandy*, and the News of his Nephew's murder is divulged through *France*, and that highly to the King's Prejudice.

Anno Dom. MCCII.

for tho' it was uncertain, how that Prince came by his Death, yet it is plain, it could never have been acted without his Order and Contrivance; and indeed, whoever conſiders this King's Actions after this, will find them ſo byaſs'd by Luxury, Falſhood, and Cruelty, as if God had wholly given him up to a Reprobate Mind. But it is high time to ſee what was the Conſequence of this Cruel Murther, in which the King was very much diſappointed of the Advantages he propoſed to reap by it. For as ſoon as the Report of Duke *Arthur*'s Death came to the Ears of the Dutcheſs of *Conſtance* his Mother, [2] ſhe immediately went to the King of *France*, and there made loud Complaints of the unheard of Violence and Cruelty committed by King *John* upon his Nephew, and her Son; whereupon King *Philip* aſſembling his Parliament, or Great Council, then conſiſting of all the Peers and Chief Noblemen of *France*, they ſummoned King *John*, as Duke of *Normandy*, to appear before them, and anſwer this Accuſation, at a Day appointed; Upon which, as [3] *Matt. Paris* relates, (for the *French* Hiſtorians omit this Circumſtance) the King ſent *Euſtace* Biſhop of *Ely*, and *Hubert de Burgh*, as his Ambaſſadors, to let that King know, *That he would willingly appear at his Court, provided he might have ſafe Conduct for his Going and Coming*; To which King *Philip* anſwered with a ſevere Look, *He may come in Peace*; But the Biſhop replied, *And may he return ſo too?* But all the King of *France* would ſay to this, was, *Yes, if the Sentence of his Peers permit him*; But the Ambaſſadors ſtill inſiſting to have a ſafe Conduct for their Maſter; it ſo incenſed King *Philip*, that he ſwore, *By all the Saints of* France, not otherwiſe then according to the *Judgment* of my Court: Then when the Biſhop laid open the great Dangers that might happen to King *John* by his coming; ſaying, 'That the Duke of *Normandy* 'could not attend his Court, but that the King of *England* muſt be 'there alſo, for one and the ſame Perſon was both King and Duke; 'and that the Baronage of *England* would not permit it, tho' the 'King himſelf ſhould be willing to come, ſince there appeared ſo 'imminent a Danger either of his Death or Impriſonment at leaſt; to which the King preſently reply'd, *And pray, My Lord Biſhop, what is that to me? It is very well known, that the Duke of* NORMANDY *is my Vaſſal, and if he would conquer* ENGLAND, *and thereby acquire a Higher Title, ought his Capital Lord to loſe any thing by that?* To which I find the Ambaſſadors did not make any Reply; whether becauſe they could not, or elſe would not urge the Matter any further, I will not determine: But to come to the Proceſs and Sentence of this Council, in this great Caſe.

[1] *Paulus Æmil. in vita Philip. Auguſti.* The Duke of *Conſtance*'s Mother to D. *Arthur* complains to the K. of *France*, who calls his great Council, and Summons K. *John* to appear and anſwer the Murther.

[3] P. 283. *Matt. Paris*'s Account of the Proceedings of the *French* K. againſt K. *John*; and what he ſaid to his Ambaſſadors.

All our [4] own, as alſo the *French* Hiſtorians agree, That upon King *John*'s Failure of appearing before the Great Court of Peers of *France*, above-mentioned, he was for his Contempt condemn'd of Treaſon and Murther; and [5] *Paulus Æmilius* has Recorded the Sentence it ſelf to this Effect, *That* John *Duke of* Normandy, *being Unmindful of his Oath to King* Philip *his Lord, had Murthered his Elder Brother's Son, being an Homager to that Crown, and that within the Seigniory of* France; *whereupon he is judged a Traytor, and, as an Enemy to the Crown of* France, *to forfeit all his Seigniories which he held by Homage, and that Re-entry be made by Force of Arms.* Thus by a Partial

[4] *M. P. W. Rigord. de Geſtis Philippi.*

[5] *De Vita Philippi.* The Sentence of the Court of the Peers of *France.*

tial and Undue Sentence, the King and Peers of *France*, being at that very time in open Hoſtility with King *John*, condemned him, tho Abſent, Unheard, and neither Confeſſing, nor Convicted of the Crime, nor had they indeed any Lawful Cognizance of it: But the *French* having then power ſufficient to put this Sentence in Execution, and *England* labouring many Years under the Government of this violent Prince, and his weaker Son *Henry* III. that was always Unſettled, it was no wonder that the Kings of *France* ſtill kept by Force, what they had by Force acquired: But it is time to purſue our Hiſtory, and to ſee how King *John* carried himſelf, after his return into *Normandy*, and that King *Philip* had declared open War againſt him.

Anno Dom. MCCII. The Injuſtice and Illegality of it.

[1] The King kept his *Chriſtmas* at *Caen* in *Normandy*, where laying aſide all thoughts of Warlike Enterprizes, he Feaſted magnificently with his Queen, and lay in Bed with her every day till Noon: After *Eaſter* the King of *France* raiſed an Army, wherewith he took many of his Caſtles; the Places of greateſt Strength he kept up; all the others he levell'd with the Ground. And when King *John* was told, what King *Philip* had done, he only reply'd, *Let him alone, whatever he now takes, I will quickly have again from him*; But when the *Engliſh* Earls, Barons, and Noblemen, heard this, and obſerved his Inſuperable Sloath, they degred leave to go home; and ſo left but very few Knights or Military Men to tarry with him in *Normandy*: As for his part, *Hugh de Gourney* ſurrender'd to the King of *France* the ſtrong Caſtle of *Montfort*, with the entire Honour belonging to it, whilſt King *John* continued all this time, as he thought, ſecure at *Rouen*; inſomuch that People ſaid, *ſure he was Bewitch'd*; for he was as Brisk and Merry, as if he had loſt nothing, nor any ill had happened to him.

Anno Dom. MCCIII. [1] *M. P.* 209. The K. lies uxoriouſly with his Qu. till Noon, whilſt the K. of *Fr.* invades *Normandy*, and takes many Caſtles and Places of Strength.

Then the King of *France* proceeded farther, and ſat down before the Town and Caſtle of *Ruil*, within the Territory of *Rouen* with a mighty Force; But *Robert Fitz-Walter*, and *Saher de Quincy*, in whoſe Cuſtody it was, baſely delivered up that ſtrong Fortreſs, as ſoon as ever he appeared before it; but King *Philip* abhoring their Cowardize, commanded them to be kept cloſe Priſoners at *Compeigne*, where they remain'd in Fetters till they could pay their Ranſoms: So true is that Maxim, *That Princes, though they love the Treaſon, yet hate the Traytors.*

Id. ib.

[2] *Normandy*, and the King's other Tranſmarine Dominions, being thus left Naked and without Defence, the King of *France* paſſed thro divers Provinces without any Oppoſition; and reduced ſeveral Caſtles to his Obedience; He alſo about that time beſieged that ſtrong Caſtle on the Rock of *Andeli* on *Seine*, which King *Richard* had built from the Ground, and call'd it *Caſtle Galliard*; but that being defended by the admirable Valour and Fidelity of *Roger de Lacy* (to whom the Cuſtody thereof was committed) King *Philip* prevail'd little againſt it, ſo that all he could do, was, to block up the Place, and hinder any Proviſions from being brought to it; in this Juncture ſome *Normans* revolted from the King of *England*, whilſt others, tho feignedly, adher'd to him.

[2] *Id. ib. Normandy* being left without any Defence; the *French* King marches where he pleaſes. Only Caſtle *Galliard* holds out.

The

Anno Dom. MCCIII.

[3] *Id. ib.* The K. returns into *England*, and picks Quarrels with his Nobility for Deserting him, and exacts a great Tax from the Clergy and Laity.

[3] The King at last seeing his own weakness, and that he was left without any Forces, took Shipping, and landed at *Portsmouth* on the 6th of *December*: where he was no sooner arrived, but he fell to picking of Quarrels with his Earls and Barons, pretending, that they had Deserted, and left him amongst his Enemies, beyond Sea; and that through their Neglect he had lost his Castles and Territories there; wherefore he took from them the Seventh part of their Moveables, without their Consents; neither did he in this Tax spare even the Conventual or Parochial Churches; for he had (says *Matt. Par.*) those who severely executed his Rapines, *viz. Hubert*, Archbishop of *Canterbury*, upon the Clergy; and upon the Laicks, *Geoffry Fitz-Peter*, Justiciary of *England*, who spared no body in this Imposition.

[4] *Id ib.* The K of *Fr.* during K. *John's* absence again invades his Dominions, and Summons several Cities and Towns, on pretence that they were deserted by their Prince.

They obtain one Years Truce to gain Relief, yet surrender before that time is expired.

[4] Then the King of *France* taking advantage of King *John's* absence came with a strong Force before several other Cities and Castles of his Dominions; declared to the Citizens and Castellans, that King *John* had Cowardly deserted them; and that he being chief Lord over those Countries, he was obliged in that Case to preserve the Fee, from Injury and Damage; and therefore friendly required them to receive him for their Lord, seeing they had no Other: But in case they would not submit to his fair Proposal, he swore, if they fought against him, and were subdued, he would either Hang or Flea them all alive. At length, after many Disputes, they unanimously consented to give Hostages for one Year's Truce; and if the King of *England* relieved them not within that time, they would recognize him for their Lord, and render their Cities and Castles to him. Yet as *Nicholas Trivet* better informs us, many of the chief Cities in *Normandy*, as *Falaise*, *Constance*, *Bayeux*, and others, being by Force, or Treachery, quickly reduced under the King of *France's* Power, King *John* had nothing left there, except the City of *Rouen*. Thus we may observe the Policy of the King of *France*, who urged King *John's* Desertion of that Province, (tho' forced to it by himself) as a sufficient Reason for their quitting their Prince, and transferring their Allegiance to himself, as their Sovereign.

Anno Dom. MCCIV.

[5] *M.P.* The K. calls a Council at *Oxford*, where was granted an Aid of two Marks and ½ on each Knight's Fee.

* *Colloquium.*

[5] The King continuing still in *England*, kept his *Christmas* at *Canterbury*, where *Hubert* the Archbishop entertain'd him all the time of that Solemnity: But when it was over, he removed to *Oxford*, and on the Second of *January*, He and all the Great Men of *England* met in a *Common Council, or Parliament, where was granted to the King a Military Aid of Two Marks and an Half of every Knight's Fee; nor did the Bishops, Abbots, or Ecclesiasticks depart without promising the same. From whence we may observe, that the King was now in somewhat a better temper, then when he first came over, and would not again venture to Tax the Nation without its Consent: But notwithstanding this great Aid now given him, I cannot find, that he did any thing worth speaking of with it, either for the Regaining of what he had lost beyond the Seas, or so much as keeping what was left, but spent his time Idly and Luxuriously at Home.

[1] Then

[1] Then after *Midlent*, he sent the Archbishop of *Canterbury*, and Bishop of *Norwich* and *Ely*, as also *William* Earl Mareschal, and the Earl of *Leicester*, as Ambassadors to the King of *France*, to sound his Inclinations to a Peace, and to propose some new Terms of Agreement, if he would receive them; but King *Philip* being puffed up, (because all things had succeeded according to his desires) would agree to nothing; for being then assured that Duke *Arthur* was Dead, he demanded *Eleanor* his Sister to be given in Marriage to his younger Son, with all the Territories in *France*: [2] But this being thought unreasonable, was denied; at which King *Philip* was so incensed that again entering *Normandy*, he took the City of *Rouen*, after a long Siege, by the Surrender of the Citizens, and that meerly for want of sending them timely assistance; for the Military Men and Burghers had been ever since the beginning of *June* under a Truce with the *French* King, and had entered into divers * Articles with him, and given Forty Hostages for the Performance of the same; to this Effect, That if the King of *England* did not make Peace with the King of *France*, according to his liking, or could not remove him from the Place where he was, (lying then before *Rouen*) within Thirty days, they would deliver the City. These Articles are long, and contain divers things to be performed on King *Philip*'s Part, the Chief of which were, That the City should enjoy all its antient Franchises and Privileges; but as *Mezeray* very well observes in his *French* History, *This Precaution proved as feeble against absolute Power, as Paper is against Iron*; for so soon as ever he had taken it, he demolished its Walls, and would not permit them to be built again; as for the rest, I refer the Curious Reader to the Articles at large; But how this City came to hold out till after *Christmas*, when it was obliged by the Agreement above-mentioned, to surrender (if not relieved) within 30 Days, I cannot tell, unless our Historians mistake, and make it to have been surrender'd after the time it really was.

[3] Then the Castle, on the Rock of *Andeli*, was, after almost a Year's Siege, taken, a great Part of the Walls falling down by the Foundations having been undermin'd; besides which, the Besieged wanted Victuals to the last Extremity; but before the Enemy could Enter, *Roger de Lacy*, Constable of *Chester*, then Governor, scorning to make Conditions for himself, and resolving either to break thro the Enemy's Guards, or die, he bravely, with Sword in hand, together with divers of his stout Companions, (when they had scarce Meat left for one Meal) mounting their Horses, sallied out, and killing many of the *French*, maintained an obstinate Fight, before they were taken: After the Surrender of the Castle, *Roger* was carried into *France*; yet for the great Courage and Bravery he shewed in the Defence of it, the King commanded he should be a Prisoner at large; this Prince having so much Generosity as to make a Distinction between a Gallant Man, and such Cowards as *Robert Fitz-Walter*, and *Saher de Quincy*, who surrendering the Castle of *Rhil* without striking a Stroke, were clapt in Irons for their Pains; and indeed this Unfortunate Gentleman was worthy to have served a better Master. Some time after this, the Castle of *Arches* and *Vernueil* being also render'd, all *Normandy* was reduced under the Power

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[1] R. C. The A. Bp. of *Canterbury* and others sent Ambassadors into *France*; who will hear of no reasonable Terms of Agreement.

[2] * *Chron. Norm.* Being now assured of the Death of D. *Arthur*, he is highly Incensed, and the City of *Rouen* is surrender'd to him upon Condition.

* *Vid.* These Articles at length in *Setipt. Norman.* Vol. 1. P. 1057

[3] *M. P.* p. 211. The Castle on the Rock of *Andeli* taken, and *Roger de Lacy* the Governor, fully relating our Story, made Prisoner at large.

With whom the K. of *Fr.* deals generously in regard to his Valour.

Anno Dom. MCCIV. of the *French* King, after it had been Governed by Twelve Dukes of the *Norman* Race, (of which King *John* was the last) for the ſpace of Three hundred and twenty Years.

[4] *R. C.* The War is carried on in *Poictou* and *Aquitain*, with variable ſucceſs, under the Command of *R. de Turnham* and *Savary de Malleon.*

[4] But as for the War in *Poictou* and *Aquitain*, *Ralph de Coggeſhal* tells us, that it was carried on with various ſucceſſes, ſince a part of thoſe Countries being under the Command of *Robert de Turnham* (who had the better of his Enemies in moſt Conflicts) ſtill obeyed the King of *England*, aſſiſted by *Savary de Malleon*, who being lately releaſed out of the King of *France*'s Cuſtody, faithfully ſerved King *John* againſt his Enemies; whilſt another greater and ſtronger party under *Hugh le Bruin* Earl of *March*, and *William de Roches*, who (as the *French* Hiſtorians relate) having quitted King *John*, and taken King *Philip*'s ſide, put him not long after in Poſſeſſion of the whole Countries of *Anjou*, *Main*, and *Tourain*, (except ſome few ſtrong Places) alſo *Henry Clement* Marechal of *France* Conquered all *Poitou* with the Cities of *Niort*, *Tonars*, and *Rochel*.

[5] *Matt. Paris* more conciſe in his Relation of the War in *France.*

[5] *Matt. Paris* is very ſhort in this Relation, and only ſays, that the *Caſtellans* and Citizens who were Subjects to the King of *England* beyond the Seas, being now reduced to great ſtreights, ſent over to let him know their Condition, that the time of the Truce was almoſt expired, and that they muſt either deliver up the Cities and Caſtles, or permit their Hoſtages to be deſtroyed; whereupon the King told their Meſſengers that they muſt expect no Help from him, and therefore left it to them to do what they thought fit; thus for want of Relief all *Normandy*, *Tourain*, *Anjou*, and *Poitou*, came under the Dominion of the King of *France*, except the Places abovementioned.

The K. for all this bad Succeſs ſpends his time voluptuouſly; yet *N. Trivet* excuſes him.

The King knew all this, yet ſpent his time with his Queen wholly in Pleaſures, as if in her he had enjoyed all the World; only *Nicholas Trivet* does in ſome part excuſe him, ſaying, that King *John* diſcouraged by ſo many diſaſters, could not raiſe an Army ſufficient either to defend thoſe Countries, or to recover what he had loſt; for his own Subjects being now generally diſcontented, refuſed to fight for him, and to be learnt by certain (tho' dear bought) Experience, that the true Power and Authority of Princes conſiſts in the Love and Obedience of their Subjects, and when that is gone, a King that does not wholly depend upon an Army of Mercenaries, may bid farewell to any good Succeſs.

The Duke of *Brabant* and E. of *Bologn* join in Confederacy to Invade *England.*

Nor can I omit what *Raul. de Coggeſhal* further relates, that the Duke of *Lovain* and Earl of *Boloign*, having agreed all their old Quarrels, now joined in Confederacy with the *French* King to invade *England*, and that King *Philip* alſo Swore to follow them with his Army, within a Month after their arrival there; by which Reports the whole Kingdom was very much diſturbed, fearing, leſt that King through the Aſſiſtance of ſo many Potent Princes ſhould Conquer it; yet for all thoſe Threats, this intended Invaſion was never put in Execution.

[1] *M. W.* The death of *Eleanor* the Q. Mother, and her Character.

Nothing more remarkable happened this Year, except [1] the death of the Queen Mother *Eleanor*, a ſtirring Princeſs, and of a high and intriguing Spirit, who had met with various Viciſſitudes of Fortune; for having been repudiated by *Lewis* King of *France*, ſhe then married the young Duke of *Anjou*, who by the Acceſſion of

of the Crown of *England* and Dutchy of *Normandy*, was the greater Prince; but she falling afterwards to ill Terms with him, was kept a Prisoner till his death; yet her Two Sons, King *Richard* and *John* succeeding, she had for Fifteen Years lived in great Honour and Respect, being a most indulgent Mother, but a partial Grandmother to Duke *Arthur*, out of Hatred and Emulation to his Mother, the Dutchess of *Bretaigne*, as hath been already observed.

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[2] And now, since neither *England* nor *France* affords us any thing else this Year worth noting, we will look as far as the utmost Parts of *Europe*, where the People of *Constantinople* having lately deposed their Emperour *Isaac*, and put him in Prison, the *French* and *Venetians* Sailed towards *Constantinople*, with no less than 40000 Men, and made themselves Masters first of the Haven, and then of the City, altho' there were more than 60000 Soldiers within it; then they delivered *Isaac* the late Emperor out of Prison, who being too old to Govern, they at his Request made his Son *Alexis* Emperor, the late Tyrant *Alexis* (of the same Name) with his Brother *Theodorus Lascaris* escaping over the Walls, retired to *Adrianople*; but whilst the *French* Army Wintered about *Constantinople*, and that the new Emperor endeavoured to satisfie them with the Pay he had promised them, the People upon whom he had imposed great Taxes for that end, first mutinied, and then Rebelled, being headed by one *Alexis Ducas*, Great Master of the Wardrobe, who seizing upon the new Emperor, strangled him with his own Hands, and then having caused himself to be Proclaimed Emperor, he mustered up what Forces he could, and marched with them out of the City against the *Franks*, who not only beat them back into the Town, but also besieged the City of *Constantinople*, which after Sixty Days was taken by storm; great part of it being also set on Fire, was burnt to the Ground, and the Slaughter was so great that the Streets ran down with Blood.

[2] *Vid. Murray's French* History under this and the former Years.

The Em. *Isaac* being depos'd by the People of *Constantinople*, the *Fr.* and *Venetians* Invade the City and take it, and makes his Son *Alexis* Emperor.

Against whom the People Rebelling, he is strangled. The *Franks*, thereupon again besiege the City and take it.

Then the conquering Army chose Twelve of their principal Commanders, to whom they committed the Power of Electing an Emperor, on this Condition, that if he were a *Frank*, the Patriarch should be a *Venetian*, and so *vice versa*; upon which, tho' *Boniface* of *Montferrat* seemed most worthy of that Dignity, yet because he was not grateful to the *Venetians*, they rejected him, and chose *Baldwin* Earl of *Flanders* Emperor, and *Thomas Maurofoli*, a Noble *Venetian*, Patriarch. This Empire was of small Extent, by reason that the Marquess of *Montferrat* had all *Thessaly* bestowed upon him, with the Title of King, and the *Venetians* made themselves Masters of *Candie*, as also divers *Greek* Princes possessed themselves of several Cities and Provinces in *Asia-minor*, under the Title of Emperors, as were that of *Trebisond*, upon the *Euxine* Sea, and that of *Nice* in *Bithynia*, besides some other Principalities of less Extent.

The *Franks* Commanders chose *Baldwin* E. of *Flanders* Emperor.

This Empire of the *Franks* at *Constantinople* continued for near Fifty Years, and then the *Greek* Emperor of *Trebisond* recovered it, together with all the Adjacent Countries, and thus it continued the Capital City of the *Greek* Empire, till it was taken by the *Turks*. I have been the more particular in this Relation, because it gives us an account of some of the greatest and most remark-

The short Continuance of this Empire of the *Franks* at *Constantinople*.

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able Revolutions that ever happened in so short a time, and shews us how much the *Greeks* were then degenerated from the Valour and Simplicity of their fore-fathers; but to return again to our History.

[3] *M. P.* King *John* keeps a short *Christmas* at *Tewksbury*, and the occasion of it.

[3] This Year King *John* kept his *Christmas* at *Tewksbury*, but the Festival was very short, lasting but one Day; I suppose because few, if any of his Noblemen (being then highly discontented with his Arbitrary Government) would attend him: But as *Ralph de Coggeshal* relates, it was upon the News of *Robert de Turnham's* (who had hitherto defended great part of *Poitou*) being taken Prisoner by the King of *France*'s Forces, as also of *Bernard d' Acies* being taken in the Castle of *Loches*, which he had hitherto valiantly defended: But at this King *John* was so provoked, that about *Whitsuntide* following, he raised a great Army in order to pass the Seas; tho' he was hindred from it by the Archbishop of *Canterbury*, and *William* the Earl Mareschal, with divers others of the Nobility, who (as the last mentioned Author tells us) dissuaded the King from this Expedition, setting forth the great Dangers and Inconveniencies that might happen from thence to himself and his Kingdom, being now to trust himself in the midst of his Enemies, without any Place of strength to repair to; and that besides all this, the King of *France* had a far greater Armie, as being now Master of the whole Country, and therefore it was by no means safe to trust the fickle *Poictovins*, who were upon every turn wont to conspire against their own Princes; and it was yet more hazardous, in respect that the Earl of *Boloigne* and his Adherents might in the mean time invade *England*. But the King was not at all moved with their Remonstrances, and seemed resolved upon this expedition, tho' they fell upon their knees before him, beseeching him not to go, adding further, that if he would not consent to their Request, they would detain him by force; At this the King being put into a great confusion, adjured the Archbishop to give him the best Advice he could, who told him, that the likeliest means he could think on to secure his own Safety as well as Reputation, was to send his Brother the Earl of *Salisbury*, over together with some others of the Prime Nobility with a powerful Army to join with those *Poictovins*, who it seems then expected his coming over; whereupon the King making as tho' he hearkned to it, dismist the greatest part of his Noblemen and Knights; many of whom having been put to vast Charges for this Expedition, in Expectance of their going over, cursed the Authors of this Advice; and more especially the Mariners, who brought their Ships from the utmost Parts of the Kingdom to carry them over.

The King being provoked at the *French* King's success raises another Army in order to go into *France*; but is dissuaded by Archbishop Hubert, and for what Reasons.

The Archbishop advises the K. to send over his Brother the E. of *Salisbury* into *France* with an Army.

[4] *Id. ib.* The K. seems at first well satisfied with the Advice, but soon after repents, and goes for *France* himself; but presently returning back, extorts a vast Sum from his Subjects.

[4] Then on a sudden the King seeming to have changed his Resolution, went back to *Wincheſter*; but at length repenting of what he had done, he returned again to *Portsmouth*, and having there hired a good many Ships, about the middle of *July* he went on Board, and with a small Retinue put out to Sea; but again changing his Mind (or perhaps never intending otherwise from the beginning) he came back, and landing at *Warham* in *Dorsetshire*, he immedi-

immediately after his Return extorted a vaſt Sum of Money from all his Subjects as well Eccleſiaſtics as Laics, upon pretence they had refuſed to follow him beyond Sea, that he might recover his loſt Dominions. *Anno. Dom.* MCCV.

This was the Second time he had thus ſqueezed Money from the Nation by his abſolute Power, without their Conſents; and was one of thoſe Grievances which afterwards caus'd the Barons to take up Arms againſt him; and was alſo one of thoſe particular Heads that are provided againſt by his great Charter, which he was afterwards forced to grant them: Nor does this Year afford any thing conſiderable in Foreign Parts, only as [5] our Author relates, the Earl of *Salisbury*, paſſed this Summer over into *France* with a ſtrong Body of Men, and tho' there was a great deal of Money beſtowed in this Expedition, yet little or nothing was done with it; for the ſtrong and almoſt Impregnable Caſtle of *Coinon* was taken about *Midſummer*, and in it *Hugh de Burgh* the King's Chamberlain, the valiant Governor was taken Priſoner, who had defended it for near a Year together, againſt the King of *France* his Forces, and was now dangerouſly wounded. [5] *Rad. de Coggeſhal.*

[1] But tho' this Year proves barren as to Civil Affairs, yet it affords us enough of Eccleſiaſtical; for now *Hubert* Archbiſhop of *Canterbury* deceaſed a few Days before the King's going laſt to Sea, he was a Prelate of a large and magnificent Spirit, tho' of no great learning, being more addicted to Civil and Military employment, than to the buſineſs of his Function; having been chief Juſticiary and Chancellor, as alſo the Pope's Legate, during great part of the late King *Richard*'s Reign, and was continued Chancellor under King *John*, until the time of his death; At which the King was not a little glad, having ever ſince his oppoſing his late intended Expedition, ſuſpected his holding private Intelligence with the King of *France*; but I rather believe, that it was without any juſt cauſe, and that this Archbiſhop as well as others of the Nobility oppoſed that Deſign, not out of any good will to the *French*, but either for the Reaſons they then gave him, or elſe becauſe they were ſatisfied, that the recovery of the King's Dominions beyond Sea, would be a matter of greater Charge and Trouble than any real Advantage to *England*. [1] *M. B. p. 212. Hubert* Archbiſhop of *Canterbury* dieth of an Ulcer, or Fiſtula, attended with a Feaver.

But the ſudden Deceaſe of this Archbiſhop mightily altered the State of Civil as well as Eccleſiaſtical Affairs; for tho' the News of his death was at firſt (as I ſaid) very grateful to the King, who had of late lookt upon him as his Enemy, yet had he very little reaſon to rejoyce, ſince the double Election of a new Archbiſhop by ſome of the Monks * which not long after followed, produced great Diſturbances to him and the Kingdom, concerning which the ſame Author gives us this account; that before this Archbiſhop was buried, ſome of the *Junior* Monks of *Canterbury* privately choſe one *Reginald*, then their Sub-Prior, Archbiſhop, without the King's Knowledge, and preſently ſent him away to *Rome*, to procure his Confirmation: But when he came there, and had ſhewed the Pope and Cardinals the Inſtruments of his Election, and Petitioned him to Confirm it; he told the Sub-prior, he would conſider of that till he had more certainty of the manner

* Monks of *Chriſt's Church at Canterbury.*

The *Junior* Monks of *Canterbury* privately choſe *Reginald* their Sub-prior, A-Bp. whom they ſend preſently to *Rome*, to obtain the *Pope's* Confirmation.

Of

Anno Dom. MCCV. of his Election; but that which quite imbroiled this Affair, was, that tho' the Monks had obliged their Sub-prior to Secrecy, yet ſo ſoon as this vain glorious Monk had got into *Flanders*, he divulged the Errand he went about, telling every body that he was going to *Rome* to get the Election Confirmed, ſhewing the Inſtrument of the Convent, under their Seal; of which they having notice, and that he had broke his Oath of ſecrecy, were ſo mightily inſenſed againſt him, that they ſent to the King, deſiring his Licenſe to chooſe a new Archbiſhop; whereupon he gave them free leave, without any Condition, but intimated to them, that if they would chooſe *John* Biſhop of *Norwich*, they would do him an acceptable piece of Service, ſo the Monks having unanimouſly choſen him in due Form, the King and he went with all ſpeed to *Canterbury*, where the next Day the Prior in their preſence, as alſo in that of the Convent, declared *John de Gray* Biſhop of *Norwich*, duly elected Archbiſhop; then the Monks placed him in the Archiepiſcopal *Throne*, and the King preſently put him in Poſſeſſion of the Temporalities that belonged to the Archbiſhoprick; and thus all things reſted till the end of this Year, without the Pope's interpoſing either one way or other.

The Monks being incens'd at the Imprudence of their Sub Prior, crave leave of the K. to chooſe another Archbiſhop, which is granted on condition they would chooſe the B. of *Norwich*.

[1]

Anno Dom. MCCVI.

And now, [2] to avoid making any Breach in this Relation, I ſhall, tho' contrary to my uſual method, begin this Year with Eccleſiaſtical Affairs. At this time fell out that which gave the Pope a fair Pretence to make both theſe Elections void: for [2] the King having kept his *Chriſtmas* at Oxford, not long after ſent ſome of the Monks of the Church of *Canterbury* to *Rome*, to obtain the Pope's Confirmation of the laſt Election of the new Archbiſhop he had recommended; when at the ſame time the *Suffragan* Biſhops of that Province, ſent alſo their Proctors to *Rome*, who made a grievous complaint to the Pope, that the Monks had preſumed to chooſe an Archbiſhop without them; when they of common Right and antient Cuſtom ought to have been preſent, and to have agreed with the Monks in their Election; for which they Alledged divers Decrees and Precedents, produced wittneſſes, and exhibited Teſtimonials, that the *Suffragans* together with the Monks had choſen three Archbiſhops; the Monks on the other Hand affirm'd, that by *antient* and *allowed* Cuſtom, and by ſpecial *Privilege* of divers Popes, they uſed to make Elections without them, which they offer'd to prove by ſufficient Witneſſes; thus this Proceſs continued till the Year following, in the mean time the Allegations on both ſides having been heard, and the Witneſſes examined, the Pope appointed the 21ſt of *December* for pronouncing Sentence, which proved at laſt in favour of the Monks, as you will find hereafter. But now to return to Civil Affairs.

[1] *Id. P. 21.*

The K. ſends ſome of the Monks to *Rome* to obtain the Confirmation of the laſt Election of an A. Bp. whither the Biſhops alſo ſend complaining againſt both Elections as Illegal.

Divers Allegations and Precedents produced in their behalf.

[3] *Id. Ib.* The K. paſſes over into *Fr.* where he is aſſiſted by the *Poictovins*, and takes the Caſtle of *Mont-Auban*.

[3] On the 25th of *June*, King *John* with a great Army took ſhipping at *Portſmouth*, and on the 9th of *July* landed at *Rochel*; the *Poictovins* were glad of his Arrival, and coming in cheerfully to him, promiſed their Aſſiſtance; then after he had ſubdued a conſiderable part of *Poicton*, he marched againſt the ſtrong Caſtle of *Mont-Auban*, which he laid Siege to, and after he had battered it 15 Days with his Engines, took it on the firſt of *Auguſt*, and then wrote to his Juſtices, Biſhops, and Nobility of *England*, how many

ny Great and Illuſtrious Priſoners, and what Horſe and Arms, and what innumerable Spoils he had taken; after this the Religious Perſons of thoſe parts mediating between the Two Kings, on the Feaſt of *All-Saints*, they procured a Two Years Truce; and then King *John* returned into *England*, and landed at *Portſmouth* on the 12th of *December*, and thereby loſt all the Advantages he had ſo lately gained. *Anno Dom.* MCCVI.

Rigord, (an antient *French Hiſtorian*) ſays, that King *Philip* hearing King *John* was landed at *Rochel*, rais'd a great Army, and marched into *Poictou*, and Fortified and Garriſoned *Mirabel*, *Loudun*, and other Caſtles, which he held in thoſe Parts, and ſo returned to *Paris*; and that the Viſcount of *Touars* being then entered to a Confederacy with King *John*, it cauſed King *Philip* to return again into *Poictou*, and deſtroy the Lands of that Viſcount; and then both Armies being ready to Engage, a Truce was made from the Feaſt of *All Saints* for Two Years; and after this the King return'd into *England*, and landed at *Portſmouth* a little before *Chriſtmas*. * *Hiſt. Franc.* Vol. 3. p. 206. The *French* Hiſtorian's Account of this Year's War.

[4] This Feſtival Soleminity he held at *Weſtminſter*, where moſt of the Great Men of the Kingdom were preſent; then about *Candlemas* following, he took a 13th Part of all Men's Moveables, and other Goods, as well of the Prelates, as other Eccleſiaſtics; which made them all to murmur, but none durſt at that time contradict it, only *Geoffry*, Archbiſhop of *York*, who would not give his conſent to, but openly oppoſed it, and ſo went away privately out of *England*, but at his departure he Excommunicated all Invaders of the Goods of the Church, and eſpecially thoſe who ſhould preſume to do it in the Province of *York*; yet the * Record in the *Tower* (which you will find in Dr. *B*'s Appendix) ſays expreſly, That this Tax was granted by the Common Advice and Aſſent of the King's Great Council held at *Oxford*, being given for the Defence of his Kingdom, and the Recovery of his Right beyond the Seas; where you may alſo ſee the manner of Aſſeſſing, Collecting, and Paying into the Exchequer. *Anno Dom.* MCCVII. [4] *M. P. W. C.* The K. has another great Tax from both Clergy and Laity. * *Par.* 8, 9. *Johan. M.* 3. *Dorſ.* N. 83. Which yet appears to have been granted by the Advice and Conſent of the Common Council of the Kingdom.

But the Annals of the Abby of *Waverly* will, under this Year, ſerve very well to Explain this Record, and plainly ſhews That this Tax ſaid to have been Taken, or Extorted by King *John*, and which Doctor *Brady* ſuppoſes to have been only granted by the King's Privy-Council, was really given by the general Conſent of the Kingdom, tho' they were not able to help it; I ſhall therefore give you the Relation of this Tranſaction word for word, as it is to be found in thoſe Annals, (*viz.*) *That King* John *after his Return from beyond Sea, having Summoned the* Biſhops, Abbots, Priors, Earls, Barons, *and* Great Men *of the Kingdom, Eight Days after* New-years-tide *to a Council at* London. *He there moved the Biſhops, and Abbots, that they would permit the Parſons and Beneficed Clercs of Churches to give him a certain Sum out of their Yearly Revenues; which when the Prelates would by no means agree to, it was further deferr'd to the next Common Council, which was to be held at* Oxford, *on the* Octaves *of the Purification of our Lady; where a great Multitude of the Prelates and Great Men of the Kingdom being aſſembled, the King again required of the Biſhops, and* This farther made out from the Annals of *Waverly*. This is alſo confirmed by the Clauſe Roll of this Year, M. 6. *Or.* wherein is mentioned a Summons to the *Magnates* or great Men of the Kingdom, to give their Advice concerning thoſe things propos'd from the K. of *France*.

Anno Dom. MCCVII. *and Abbots, what he had demanded of them before: But they all both of* Canterbury *and* York, *taking Council together, Unanimously answered, That the Church of* England *could no ways bear that Burthen, which had never been heard of in all former Ages; Then the King, taking better Advice, wholly released that Demand to them; Yet afterwards it was ordained by the* Whole Kingdom, *that generally all Men by whatsoever Tenure they held, should swear to the Value both of their Real and Personal Estates, and should pay a Thirteenth Part thereof to the King for the Recovery of his Inheritance in* Normandy, *and his other Dominions.*

From whence, (comparing this Historian with the Record before cited by Dr. *B.*) it plainly appears, That there was a Great Council held this Year at *Oxford*, which gave the King a Thirteenth Part of their moveable Goods and Revenues; so that what was levied upon the Laiety, being according to Law, all the Violence that was done, was not to them, but to the Bishops, Abbots, and inferior Clergy, who never consented to it; and how far such a Violence upon the Church could create a Prerogative in the King so to do, I leave to the Doctor to determine. I have been the more Particular in this Relation, to remove the Prejudices and Mistakes of those Modern Writers, who would make us believe that the Kings of *England*, in those times, could legally by the bare Advice of their *Privy-Council*, raise what Taxes they pleased upon their Subjects; whereas, if they had seriously considered the words *Commune Concilium* made use of in this Record, as cited by the Doctor, they would find, that it must relate to the Common Council of the Kingdom held at *Oxford*, (as it is here related by these Annals) and not to the Privy Council: And tho' it is true, that the King exacted this Tax also of the Clergy, yet all Authors agree, That this was an Abuse of his Prerogative, and therefore there can be no Precedent drawn from it.

The Error of those Writers who suppose that the King might in those Times, by the Advice of his Privy Council, raise what Taxes he pleased.

[1] R. C.

[1] I have no more to note concerning this Taxation; but that the *Cistertian* Monks were the only Order in *England*, that were exempted from the Payment of it, (which I suppose, was in consideration of the Wrong he had done them two years agone,) and that the King, upon the Departure of the Archbishop of *York* beyond the Seas without License, seized upon all his Estate.

As for other Ecclesiastical Affairs done in Foreign Parts, which yet had their Effect and Influence here, the only thing considerable that fell out this Year, was, that [2] at *Rome* the Pope took upon him to Nominate a New Archbishop of *Canterbury*, by his own Authority, which was never done by any of his Predecessors; the Occasion and Manner of which being very remarkable, I will here set down. The Monks of that Church, who had been some time before sent to *Rome*, at last came to a solemn Hearing before the Pope, concerning the late double Election at *Canterbury*; after which those that stood for *Reginald*, the Sub-Prior, presented him to the Pope, as being first and duly Elected, whilst the other Party who were for the Bishop of *Norwich*, would have proved the former Election of the Sub-Prior to be void, as being made by Night without the King's Consent, or that of the Greater or more Discreet Part of the Convent; so that after long Disputes between them, the Pope finding they could not agree, judged both of these Elections to be Uncanonical; wherefore by the Advice of his Cardinals

[2] *Id.* p. 222. The Pope takes upon him to Nominate a New Archbishop, and on what Pretence.

dinals he nulled them both; forbidding, by a definitive Sentence, both the late Elects any more to pretend to the Archiepiscopal Dignity: This being done, he then perſuaded the Monks to chuſe *Stephen Langton*, an *Engliſhman*, and Cardinal, for their Archbiſhop; to this at firſt they anſwered, That they could not make a Canonical Election without the Conſent both of the King and their Convent; But the Pope told them, they had in themſelves the full Power of the Church of *Canterbury*; and that in Elections made at the Apoſtolic See, the Conſent of Princes was not expected; and then commanded all thoſe preſent, being (as he ſaid) a ſufficient Number, in virtue of their Obedience, and under pain of a Curſe, to chuſe him Archbiſhop whom he had appointed for their Father and Paſtor. Upon this, the Monks being afraid of the Sentence of Excommunication, tho' very Unwillingly, and with much Reluctance, gave their Aſſent; only one Monk, *Elias de Branlefeild*, amongſt them all would not conſent to this Election; However, the Pope Conſecrated Cardinal *Langton*, Archbiſhop, at *Viterbo*, on the 17th of *June*. [3] But *Roger* of *Wendover*, (from whom *Matt. Paris* tranſcribed the greateſt Part of his Hiſtory) according to the Sentiments of the Monks of that Age, endeavours to Juſtifie this Election made at *Rome* as valid; becauſe (as he relates) King *John* had bound himſelf by a ſolemn Promiſe to own him for Archbiſhop, whom the Prior, and the Twelve Monks that went with him thither, ſhould agree upon; and that they having now choſen Cardinal *Langton*, by a general Conſent, only one of them refuſing, therefore the King was obliged to accept of him.

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The Pope after long Diſputes between the Monks, declares both their Elections void, and then commands them to chuſe Card. *Langton* Archbiſhop.

The Monks at laſt obey the Pope's command, tho' unwillingly, whereupon the Cardinal is Conſecrated A. Bp. by the Pope himſelf.

[3] *Id.* p. 222. *Roger of Wendover* juſtifies this Election, & upon what Grounds.

But I do very much doubt the Truth of this Relation; for in the firſt place it plainly appears, by what the Monks then alledged to the Pope, that they had no Power from their Convent to make a New Election; but only to procure the Pope's Confirmation of one of thoſe who had been already choſen: Nor is it at all likely, (nor indeed by any other Author mentioned) that the King ſhould have thus tied up himſelf to accept him for Archbiſhop whom thoſe Twelve Monks ſhould chuſe, ſince he never dreamt of any New Election at *Rome*, but only of the Pope's Vacating one of the former Elections, and Confirming the other; and therefore this New Election of Cardinal *Langton* was certainly more Uncanonical then any of the former; only it had the Pope's pretended Authority to back it, which was now arrived to that height, that it might do whatever it pleaſed, eſpecially in *England*, where the Biſhops and Clergy were wholly at his Devotion.

His Relation of this Affair is not very probable.

[4] The Pope being ſenſible that King *John* would deeply reſent this his Arbitrary Proceeding, ſent over his Nuntio with a Preſent of four Rings, ſet with precious Stones of four different Colours, and alſo a notable Inſinuating Letter, wherein he ſets forth the great wonderful Myſteries contain'd in the Roundneſs of the Rings, and their various Colours, which muſt needs (forſooth) ſignifie the Four Cardinal Virtues; and might, if his Holineſs had pleaſed, have repreſented any other four things whatever he was pleaſed to conclude, with an Exhortation to follow each of thoſe Virtues thus ſignified; yet would not the Pope only rely upon the King's good Pleaſure, whether his new Archbiſhop ſhould be received or not,

[4] *Id.* p. 223. The P. being ſenſible that K. *John* would reſent it, writes him an inſinuating Epiſtle, and ſends him four Rings to pacify him.

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but (to make ſure work of it) he alſo wrote other Letters, wherein he exhorts him to receive *Stephen Langton*, a Native of his own Kingdom, and Cardinal of *St. Chryſogonus*, and who was very well skill'd both in Secular and Spiritual Learning, to be Archbiſhop of *Canterbury*, ſince his Exemplary Life and Converſation would be a high Advantage both to his Body and Soul: But to make the ſurer work ſtill, he alſo ſent his Command to the Prior and Monks, to receive and obey him as their Archbiſhop, as well in Spirituals as Temporals.

[5] *Id. ib.* The K. is highly incens'd at the News, and Charges the Monks of *Canterbury* with Treaſon.

[5] When the King had received the Pope's Letters concerning the Vacating the Election of the Biſhop of *Norwich*, and the unexpected Advancement of Cardinal *Langton*, he charged the Monks of *Canterbury* with Treaſon; alledging, That in prejudice of his Prerogative, they had firſt choſen their Sub-Prior without Licenſe, and then to make him ſome feigned amends had Elected the Biſhop of *Norwich*; and that tho' they had received Money out of his *Exchequer* for the Expences of their Journey, to obtain the Pope's Confirmation of the laſt Election, yet they had, as an Aggravation of their firſt Offence, preſumed to chuſe *Stephen de Langton* his declared Enemy, and had cauſed him to be Conſecrated Archbiſhop; for which cauſe, the King being in great Fury and Indignation, ſent *Fulk de Cantelupe*, and *Henry de Cornebulle*, two Cruel and Ill-natur'd Knights, with armed Officers, to drive the Monks of *Canterbury* out of *England*, as being Guilty of Treaſon: Theſe Ruffians in purſuance of the King's Commands, went to *Canterbury*, and there entering the Monaſtery with drawn Swords, they commanded the Prior and his Monks in the King's Name, preſently to depart out of *England*; and if they refuſed to obey, they ſwore, That they would burn them and their Monaſtery together. The Monks being at this greatly terrified, and acting without good advice, all departed without any Oppoſition, much leſs Violence; and ſo paſſing into *Flanders* were kindly received in the Abby of *St. Bertin*, and in other Monaſteries adjoining thereunto; then by the King's Command, ſome of the Monks of *St. Auguſtin's* Abby, were put in their Places to perform Divine Service, yet under the Overſight of *Fulk de Cantelupe* above-mentioned, who Seized and Confiſcated all the Goods of the Monks.

And ſends armed Men to drive them out of their Convent.

And not only that, but Baniſhes them out of *England*, and puts ſome Monks of the adjoining Monaſtery in their Places.

[1] *Id.* p. 224. The K. thereupon writes to the Pope, ſetting forth the Injury he had lately received at his hands.

[1] When they were thus Expell'd their Monaſtery, the King ſent Meſſengers to the Pope, with Expoſtulary Letters, in which he ſets forth the Injury had been done him in Vacating the Election of the Biſhop of *Norwich*, and Conſecrating *Stephen Langton* Archbiſhop; a Perſon altogether unknown to him, and one Educated in *France*, and who had converſed with his open Enemies, and all this without his Conſent; to the Prejudice and Subverſion of the Rights and Prerogatives of his Crown; affirming, That he would no way recede from the Election and Promotion of the Biſhop of *Norwich*; and alſo threatning, That if he might not receive a favourable Hearing at *Rome* in this Matter, he would hinder all Perſons from going thither, by ſhutting up his Ports; leſt his Country being thereby impoveriſh'd, he ſhould not be able to defend it from their Enemies: For ſince he had Archbiſhops, Biſhops, and other Prelates within his own Territories, abounding in all kind of Learning, he would (if

(if he were forced to it) neither seek for Justice, or Judgment, from Strangers out of his own Dominions.

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[2] Some time after that the Pope had received these Letters, he returned him a very Politick Answer, to this Effect: First he blames the King, for giving so rough an Answer to his humble and kind Letters; He then proceeds to justifie the Election of Cardinal *Stephen*, as one who had studied long in the University of *Paris*, and who merited to be made a Doctor not only in the Liberal Arts, but also in Theology; farther telling him, That tho' at Elections made at the Apostolic See, the consent of Princes was not requisite, yet nevertheless Two Monks had been specially deputed to gain his Assent; but they being detain'd at *Dover*, were not able to perform what was enjoined them; then justifying the last Election, as agreeable to the Canons of the antient Fathers, he concludes, with advising him to submit to his good Pleasure, which would be much for his Honour, and not resist God and the Church in this Cause, for which that blessed Martyr and Glorious Archbishop *Thomas* (they are the Historian's words) had shed his Blood, especially since his Father and Brother had abjured that evil Custom; by which I suppose he means, that of our King's Nominating Bishops and Abbots: so this Affair rested for a time.

[2] *Id. ib.* The Pope returns the K. a very Politick Answer, wherein he justifies the late Election, and highly commends Cardinal *Langton*.

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[3] This Year the King kept his *Christmas* at *Windsor*, where he bestowed many Festival Liveries upon his Knights, who attended him at that Solemnity; but immediately after, the Pope finding the King was not to be prevail'd upon neither by Persuasions or Threatnings, to receive *Stephen Langton* for Archbishop, he therefore expressing great Grief for his Contumacy, commanded *William* Bishop of *London*, *Eustace* Bishop of *Ely*, and *Mauger* Bishop of *Worcester*, to go to the King, and discourse him concerning this great Affair of the Church of *Canterbury*; and if they found him Contumacious, (as hitherto he had been) they were then to declare to him, that his Kingdom should be *Interdicted*; and if that would not do, but he still persisted in his Obstinacy, the Pope would lay a heavier Hand upon him; he also wrote to the Suffragans of the See of *Canterbury*, and to the Other Prelates of that Province, to receive and obey Cardinal *Stephen* as their Archbishop; whereupon the Bishops above-mentioned, in performance of the Trust committed to them by the Pope, immediately repairing to the King, entreated him with Tears, That as he had God before his Eyes, he would recall the Archbishop and Monks to their Church, and Honour and Love them with perfect Charity, that so he might avoid the Scandal of the *Interdict*; but when the Bishops would have proceeded in their Speech, he fell into a great Passion, and spoke many hard words against the Pope and his Cardinals, Swearing by *God's Teeth* (his usual Oath) that whoever should presume to *Interdict* his Territories, he would forthwith send all the Prelates and Clergy of *England* to the Pope, and also Confiscate their Goods; further adding, That if he found any *Romans* within his Dominions, he would first put out their Eyes and cut off their Noses, and then send them to *Rome*, that so they might be distinguished from those of other Nations; he also commanded the Bishops forthwith to depart his Presence, as they valued

[3] *Id.* The Pope finding the K. not to be prevail'd upon, commands some of the Bishops to admonish him to be obedient, under pain of an *Interdict*.

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[4] *Brady's Hiſt.* p. 477. & *Append.* n. 85.

* *Vid.* His *Appendix*, n. 85. Dr. *Brady's* miſtake of the Privy-Council, for the Common Council of the Kingdom.

Tho' I cannot deny the Authority of the Record which the * Dr. cites, becauſe it is among the Patent Rolls in the *Tower*; yet this does not prove what he endeavours to make out: for it is evident by the Record it ſelf, directed to the Biſhops of *London*, *Ely*, and *Worceſter*, (the very ſame Biſhops who had been with him before about this Matter) that it was not at the time of their laſt Meeting, but ſome days after, when (upon cooler Thoughts, and by the Advice of thoſe Earls and Barons who were Witneſſes to it) he promiſed that he would obey the Pope's Command in the Buſineſs of the Church of *Canterbury*; and that by the Advice of his Council, not his Privy Council, (as the Doctor here inſinuates) but that of the Eſtates of the Kingdom when they ſhould meet, as appears by the Words of the Record it ſelf, that is to ſay, *Cum Concilio Fidelium Noſtrorum*; *i. e.* By the Advice of our Faithful Subjects; by which Expreſſion, the Great Council of the Kingdom is often underſtood.

But let this Promiſe of the King above-mentioned be made when it would, it is certain, he was then upon ſuch ill Terms with his People, that he durſt never after call a Great Council but when he was forced to it; and therefore it is no wonder if he found no better Succeſs in it, for not taking the Advice and Conſents of his Clergy, Nobility, and People, that they would ſtand by him in this Quarrel with the Pope, it put him upon thoſe ſevere and deſperate Courſes which loſt him the Love and Confidence of his Subjects, and which ended at laſt in a ſhameful Submiſſion to the Pope's Will and Pleaſure, as you will find hereafter. I hope the Reader will pardon this Digreſſion, it being ſo neceſſary for the Illuſtration of the Hiſtory of theſe Times. But to return to where I left off.

[5] *M. P.* P. 226. The Bps. forſake the K. and pronounce the Sentence of the *Interdict*.

[5] After theſe threats, the Biſhops above-mentioned, finding no further hopes of Repentance from the King, they forſook him, and in Lent following, on the Two and Twentieth of *March*, they *Interdicted* the whole Kingdom of *England* and Dominion of *Wales* in Obedience to the Pope's Commands; Whereupon there was immediately a Ceſſation of all Eccleſiaſtical * Rites, except *Confeſſion*, *Baptiſm*, of *Infants* and Adminiſtration of the *Euchariſt* to

* *Sacramenta.*

Dying

Dying Persons; so that the Bodies of the dead were carried out of the Cities and Towns, and buried in the High-ways and Ditches, without any Service, or the Ministery of Priests. Whereupon the Day following, the King sent to those Bishops who had pronounced the *Interdict* his Letter or Writ (which Dr. *Brady* has also given us at large,) wherein he Commanded them to deliver to his Justitiary *Geoffrey Fitz-Peter* the Letters Patents he had lately given them, concerning what he had promised in the business of the Church of *Canterbury*, still saving his Right and Dignity: What was his Intention by this, I am not able to Determine; but it is certain it came too late, for (as I have already said) he never called any Great Council for that purpose, as he ought to have done, if he designed to have this Affair concluded to the general Satisfaction of the Kingdom; but the Three Bishops above-mentioned, who had published the *Interdict*, as also *Joscelin* Bishop of *Bath*, and *Giles* Bishop of *Hereford*, fearing some Violence from the King's Displeasure, privately stole away, beyond Sea.

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Vid. his Appendix. n. 86.

The Three Bp's. who had Published the *Interdict* leave the Kingdom.

I cannot omit one other passage, that [1] Dr. *Brady* has given us from a Writ or Letter, directed to the *Kentish* Men, wherein he lets them know, that *Simon de Langton* had lately come to him at *Winchester* about *Mid-Lent* last past, and had there before divers Bishops desired him to receive *Stephen* his Brother as Archbishop of *Canterbury*; but that when the King spoke to him of preserving the Royal Dignity in this Affair, he replied, that he could do nothing on his Majesty's behalf, unless he would wholly put himself upon his Brother's mercy, with which sawcy answer, the King acquainted them, that so they might know the prejudice he had done him; Commanding them also, to believe those things which *Reginald de Cornhul* should further tell them on his behalf. From which we may observe the intolerable Pride and Insolence of the Archbishop's Relations, which so exasperated the King, that it was no wonder it rendered him more harsh and obstinate than otherwise he would have been.

[1] P. 471. *vid. Appendix.* n. 88. An account of the K's Letter to the *Kentish-men*, setting forth the saucy behaviour of *Simon Langton*, Brother to the new A. Bishop.

[2] The King much afraid of this Sentence of *Interdict*, sent his Sheriffs and other Ministers into all parts of *England*, Commanding with terrible threats, all Prelates and their inferior Clergy, that they should forthwith depart the Kingdom, and repair to the Pope, requiring him to do the King Justice for this Injury: Then he also put all Bishopricks, Abbies and Priories under the Custody of Laymen, Commanding all the Churche's Rents to be Confiscated. But in this Affair the Prelates (that is) the Abbots as well as Bishops were so cautious, that they would not leave their Houses and Monasteries, unless they were expelled by Force; which the King's Officers perceiving, durst not offer them any violence, having had no Command from the King so to do: However they converted their Goods to the King's use, providing for them Food and Raiment, tho' very sparingly out of their own Estates; the Barns of Clergymen were every where locked up by the King's Command, and the Corn seized for his Service.

[2] *M. P. Id. Ib.* The K. being much afraid of the Clergy banishes them the Kingdom, and seizes their Estates.

But they refuse to leave it, unless expelled by Force.

[3] But that which Plagued them most, was, that the † Concubines of the Priests and Clerks throughout *England* were imprisoned by the King's Officers, and they forced to pay great Compositions

[3] *Id. Ib. Pocaria.* The Concubines of Priests imprisoned, and they themselves abused upon the Road.

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tions for their Liberty: The Monks and all Men in Orders, who were found Travelling upon the Road, were thrown off their Horſes and robbed and abuſed by the King's Souldiers, nor was there any one durſt Right them: Alſo the Kindred and Relations of the Archbiſhop and thoſe Biſhops who pronounced the Sentence of *Interdict*, were by the King's Command deſpoiled of their Goods, and caſt into Priſon; yet notwithſtanding all theſe Evils (ſaith *Mat. Paris*) the aforeſaid Biſhops remained beyond Sea, living in all manner of Delights, *not oppoſing themſelves as a Wall of defence for the Houſe of the Lord; but when they ſaw the Wolf coming, they left their Sheep and fled.*

[4] *Id. ib.* The Goods of ſuch of the Clergy, who would not obey the *Interdict* are reſtored by the King's Writs.

[4] However, for all this Seiſure of the Goods and Temporalties of the Biſhops and Clergy, the King ſometime after reſtored them to ſuch as ſubmitted to him; and to thoſe that Celebrated Divine Service, Adminiſtred the Sacraments, and refuſed to Obey the *Interdict*; he reſtored their Lands and Goods, and only kept thoſe which belonged to ſuch Abbots, Priors, Clerks and other Religious Perſons as had ſubmitted to the *Interdict*; nor indeed did he retain the Eſtates of any Religious or Clergymen, but ſuch as had refuſed to Celebrate Divine Service after this Publication, as appears by divers Writs [5] Dr. *Brady* has given us in the Appendix to his Hiſtory; ſome of which were Iſſued out on the behalf of the Biſhops of *Wincheſter* and *Norwich*, directed to the Sheriffs and other Officers of thoſe Counties where their Lands lay, and who had then the Cuſtody of them from the King.

[5] *Appendix.* n. 89, 90, 91, 92.

[1] *Id. Ib.* n. 93. The K. iſſues out another Precept againſt abuſing Clergy upon pain of death.

And for the further ſecurity of all Religious Men, *i. e.* Monks and Clerks; he Iſſued out his Precept, that no Man againſt his Peace ſhould abuſe either Clerks or Religious Perſons in Word or Deed; and if they did, and could be taken, they ſhould be hanged upon the next Tree; likewiſe as by [2] another Writ for their Grain he permitted all Biſhops Priors, Religious Perſons and Clerks (tho' their Barns had been before ſhut up) to ſell it until the Feaſt of St. *Catherine*, that is, the 25th of *November*; from which Records we may obſerve the Partiality of the Monkiſh writers of thoſe times, who often repreſent this King more rigorous to the Clergy than indeed he was.

[2] *Ib.* n. 94. As alſo another giving them leave to ſell their Grain.

[3] *Id. ib.* The K. finding himſelf ſlighted, and hated by his Subjects, demands Pledges of his Nobility whom he ſuſpected. But the ſame being demanded of the Wife of *William de Brauſe*, refuſes to deliver her Sons, and her ſharp anſwer, for which ſhe is reproved by her Husband.

[3] Yet for all this King *John* now finding himſelf not only diſregarded, but hated by his Subjects for his Exorbitant and Tyrannical proceedings, and fearing leſt as a further addition to theſe Evils, the Pope might alſo abſolve them from their Allegiance to him, required all the great Men or Nobility of his Kingdom whom he ſuſpected, to deliver him Pledges or Hoſtages for their future Fidelity; hereupon ſeveral complied with his Injunctions; Some delivered their Sons, others their Nephews, or neareſt Relations to the Meſſengers ſent for that purpoſe, ſome of whom coming to *William de Brauſe* a Baron of Note, his Wife, a Lady of more Wit than Diſcretion, taking the words out of her Husbands mouth, thus raſhly anſwered them; *I ſhall never deliver my Sons to the King to be kept, who killed his own Nephew* Arthur *whilſt he was in his Cuſtody*; which when her Husband heard, he reproved her for ſo rude a Reflection, and modeſtly replied, that if he had offended the King in any thing, he was ready without a-

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any Pledges to make him Satisfaction according to the Judgment of his Court, and of the Barons his Peers, at any time and Place aſſigned him; but when the Meſſengers returned to the King, and they had told him what they had heard, he was in ſo great a tranſport of Paſſion, that he ſent ſome of his Officers and Soldiers privately to ſeize upon this *William* and all his Family, and bring them before him, but this Baron being forewarned by his Friends, immediately fled with his Wife, Children and Relations into *Ireland*, where you will find this bold Truth coſt this poor Lady and her Children their Lives.

Anno Dom. MCCVIII.

The K. being incenſed at this Reply, ſends to ſeize the ſaid *William* and his Wife, but they eſcape into *Ireland*.

About this Time, the King grew ſo Jealous of the Queen, that (if *Mat. Weſtminſter* may be credited) he accuſed her of Adultery, and commanded her to be kept a cloſe Priſoner; and cauſed ſeveral whom he ſuſpected to have had to do with her, to be Executed; tho' our Author does not give us their Names, nor can I find this Paſſage mentioned in any other Writer of that Time; but it ſeems the Queen did not remain very long under this Diſgrace, for the Year following ſhe was brought to Bed of another Son, as you will find anon.

The K. grows jealous of his Wife, and puts ſeveral Perſons to death whom he ſuſpected to have had to do with her.

Alſo the ſame Author takes notice of a great Eclipſe of the Sun, that happened this Year in the Beginning of *March*, but does not name the Day.

As for what happened this Year in Foreign parts, I find no more than that *Philip* Duke of *Swevia* and Emperor of *Germany*, who had been for ſeveral Years Competitor with *Otto* Duke of *Saxony*, for that Imperial Throne, was murthered in his Bed-chamber by *Otto*, Count Palatine of *Wittolsbach*, whereupon the ſaid Duke was Elected Emperor in his ſtead, tho' he did not long enjoy it.

[4] *Vid. H. Mutij* Chron. *ſub hoc anno.*

King *John* this Year kept his *Chriſtmas* at *Briſtol*, where he Iſſued out a Precept or Proclamation, forbidding the taking of all ſorts of feathered Game, throughout *England*, which being the firſt Edict of this kind Iſſued by any King before, I thought fit to take notice of it, as an Act of this King's Arbitrary Power.

Anno Dom. MCCIX.

[5] *Id. P.* 228. The K. iſſues out a Proclamation forbidding the taking of all ſorts of Game

Not long after there aroſe ſo great Difference between King *John* and the King of *Scots*, about his receiving ſome Out-laws who had fled out of *England*, and alſo for marrying his Daughter to the Earl of *Boloigne* without his Conſent, that King *John* raiſed a great Army, and marched toward *Scotland*; but when he came to *Norham* Caſtle in *Northumberland*, the King of *Scots* being afraid of the Conſequence, met him, and deſired Peace. Upon this King *John* reproved him for receiving and favouring his Fugitives and Enemies; but by the mediation of Friends to both Nations, they made up this Breach upon theſe Terms, that the King of *Scots* ſhould pay unto King *John* Eleven thouſand Marks of Silver, and that his two Daughters ſhould be delivered as Pledges for the better ſecuring of the Peace between them.

Ib. King *John* marches againſt the K. of *Scots*, who being afraid, makes Peace with the K. upon his own Terms.

The King in his return from this Expedition did another Act which ſavoured too much of arbitrary Power; for he Ordained, that the Hedges ſhould be Burnt, and the Ditches filled up throughout all the Foreſts of *England*, and the Corn and Graſs to be every where left to the Deer; upon his coming home, he received

Another Act of arbitrary Power committed by the King.

Homage

Anno Dom. MCCIX. Homage of all his *Free-Tenants* (even Boys of Twelve Years of Age) through the whole Kingdom, whom, after they had done their Fealty, he received kindly, and diſmiſſed them with the uſual Ceremony when Homage is paid, the kiſs of Peace; tho' this was very burdenſome as well to the Rich as Poor; alſo the *Welſhmen* then came to the King at *Woodſtock*, and performed their Homage to him, and ſo were ſent home with good Words.

He makes all his Tenants to renew their Homage and Fealty to him.

[1] *M.* 228. A great diſturbance in the Univerſity of *Oxford*.

[1] This Year happened an unlucky Accident, which for ſome time was a great prejudice to the Univerſity of *Oxford*. A certain Clerk, who there followed his Studies, having by chance killed a Woman, made his eſcape, whereupon the Mayor of the City and ſeveral others attending him to the Place, found the Woman ſlain; but not the Murtherer; in whoſe Lodgings they ſeized Three other Clerks that lived in the ſame Houſe, which they had hired together; Theſe being taken and put into Priſon, were a few days after by the King's Order carried out of Town, and hanged, in contempt of Eccleſiaſtical Liberty; upon which near 3000 Scholars, as well Maſters as Pupils, left that Univerſity, ſome going to *Cambridge*, and others to *Reading*, ſo that there was ſcarce a Scholar remained in the Town: I mention this to let you ſee, how much *Oxford* flouriſhed in thoſe times.

[2] *Id. ib.*

[2] The *Interdict* had now continued Two Years, when Pope *Innocent* finding no hopes of King *John*'s amendment, and making ſatisfaction for the violence he had done to all ſorts of Perſons, as well Laicks as Eccleſiaſtics, and reſolving not to ſuffer his Obſtinacy (which our Author calls Rebellion) to go any longer unpuniſhed; wherefore by the Advice of his Cardinals he Commanded the Biſhops of *London*, *Ely*, and *Worceſter*, to pronounce him *Excommunicate*; that ſo by publiſhing the Sentence every *Sunday*, and *Holiday*, in all Conventual Churches throughout *England*, they might cauſe him to be ſtrictly avoided by all Men; but when thoſe Biſhops would have committed the Publication of the Sentence to their Brother Biſhops and other Prelates that remained in *England*, they all became like dumb Dogs, either through favour, or fear of the King, and durſt not Bark; but tho' they made a ſhew as if they would Execute what was enjoined them, yet they did not proceed in performing the Pope's Command according to the due Form: However the Sentence was ſo well known every where, that it became the Subject of all Men's Diſcourſe; amongſt the reſt *Geoffrie* Archdeacon of *Norwich*, as he ſate in the Exchequer upon the King's buſineſs, conferred with his Aſſociates about the late Sentence pronounced againſt the King, ſaying, it was not ſafe for Beneficed Men to remain any longer in the Service of an Excommunicated King, and ſo he went away without leave; the King having notice of it, ſent *William Talbot* a Knight after him with a Band of Soldiers, who being taken, and put in Irons into a cloſe Priſon, after a few Days he had by the King's Command a Leaden Cope put upon him, with the preſſure, of which, and for want of Victuals, he died.

The Pope commands certain Bp's. to declare the K. Excommunicated, but they neglect to do it.

Geoffery Archdeacon of *Norwich* upon the hearing of this Sentence, ſpeaks certain words againſt the K. which he hearing of, orders him to be tormented and ſtarved to death.

[3] *Id. Ib. p.* 229.

[3] Nor muſt I here omit a Matter, tho' in it ſelf of no great moment, yet, is not amiſs to be inſerted, to ſhew us the Temper of ſome Eccleſiaſtic's of thoſe times, who taking the contrary Extreme,

treme flattered the King as much as the others disobeyed him; amongst whom was was one Monſ. *Alexander*, Sirnamed the *Maſon*, who had been a famous Reader of Divinity in *Paris*; yet our Author calls him a falſe or counterfeit Theologue, becauſe by his flattering Sermons the King was not a little moved to Cruelty; for he Preached that this general Plague upon *England*, did not proceed from any fault of the King's, but from the Sins of the People, affirming, *that the King was only the Scourge of God's Anger, and Ordained to Rule his People with a Rod of Iron, and to break them in pieces like a Potter's Veſſel; to bind their Princes in Chains, and their Nobles with links of Iron:* And he alſo proved by divers probable Arguments, that it did not belong to the Pope to concern himſelf with the Secular Power of Princes, or the Government of their Subjects, ſince there was no ſuch Power conferred by *Jeſus Chriſt* on St. *Peter*, but that which was meerly Spiritual, over the Church and Eccleſiaſtical matters: By which fulſome Sermons, he ſo inſinuated himſelf into the King's favour, that he thereby obtained the Benefices of which others were deprived; but when the Pope heard of it, he after his Reconciliation with the King, turned this Man out of all his Livings, and he was at laſt reduced to ſuch neceſſity, as that in a wretched Habit he begged his Bread from Door to Door.

Anno. Dom. MCCIX.

Gemeticenſis. A Relation of the flattering Sermons of *Alexander*, Sirnamed the *Maſon*.

This ſhews us how Princes commonly leave ſuch Flatterers to ſhift for themſelves, when once they have ſerved a preſent Turn.

[4] About this time *William* Biſhop of *Lincoln* being dead, ſome Years before, *Hugh de Wells* the King's Chancellor was choſen Biſhop, who thereupon obtained leave of the King to go into *France*, under a pretence that he might receive his Conſecration from the Archbiſhop of *Rouen*, and preſently return home: But he ſerved the King a ſlippery Trick, for as ſoon as he arrived in *Normandy*, he immediately went to the new Archbiſhop of *Canterbury*, then Reſiding at the Abby of *Pontignie*, and was there Conſecrated by him, and performed Canonical Obedience to him; which the King no ſooner heard of, but he found out a way to be even with him: for preſently he ſeized, and confiſcated the Profits of the Biſhoprick, and delivering the Seal to *Walter de Gray*, made him his Chancellor.

[4] *Id.* p. 229. *Hugh de Wells* the K's Chancellor is choſen B. of *Lincoln*, who pretending he would go to the Archbiſhop of *Rouen* for Conſecration, goes to him of *Canterbury*; whereupon the K. ſeizes his Temporalities.

I muſt now mention a remarkable Tranſaction that happened this Year in Eccleſiaſtical matters, which I think I ought not to Omit, tho' I find it mentioned in no other Author, except the Annals of *Waverlie*, the Compiler of which Part lived in thoſe times; and he relates, that upon the King's going into *Scotland*, he ſent certain Biſhops, Earls and other Barons, Commiſſioners, to *Canterbury*, there to meet the Biſhops of *London*, *Ely*, and *Worceſter*, who were ſent for by the King out of *France* to Treat on the Pope's behalf, concerning a Reconciliation between him and the Archbiſhop, with the reſt of the Clergy; who all meeting at the time and place appointed, in a few Days they ſo far adjuſted all matters, that the Articles being drawn into writing, were Sealed by the Commiſſioners of both Sides; and ſo Returning to the King, he yielded that a Reſtitution ſhould be made to the Archbiſhop, and the Four Biſhops who were laſt mentioned, as alſo to the Biſhop

[5] *Sub hoc Anno.* The K. ſends certain Commiſſioners to meet the Bp's of *Lon. Ely, &c.* who treat about his Reconciliation with the A. Bp. and the reſt of the Clergy.

Anno Dom. MCCIX.

of *Hereford*, with an Hundred Pounds, besides to each of them an Earnest of an entire Restitution of what had been taken from them; but when the Bishops insisted on this Article on the behalf of all the rest, it much displeased the King; yet these Bishops would not agree to change either that, or any other Article, but wrote him a short Letter, the Contents whereof were, 'That if He and his Ministers would without any delay entirely restore what had been 'taken from all other Churches and Ecclesiastical Persons, they 'would then bring the Archbishop to his See, and not otherwise; but it seems the King not consenting to it, the Bishops went back again, and yet delayed publishing the Sentence of Excommunication against the King's Person, till Eight days after *Michaelmas*.

The K. not agreeing to an entire Restitution of what had been taken away from the Bps and Clergy, The Treaty breaks off, and the Bps send him a short Letter.

[1] *Id. ib.* The K. sends for the A.Bp. to *Dover*, who comes over upon the K's Safe Conduct, together with the Bps last mentioned.

[1] Upon this the King sent for the Archbishop to *Dover*, with Letters of Safe-Conduct, under the Hands of divers of his Great Men, for he would not trust the King alone; and upon that security, the Archbishop came to *Dover* with the Bishops of *London* and *Ely*, about the beginning of *October*; and notice being given to the King of it, he came with several of his Nobles, as far as *Chilham*, and from thence sent *Geoffry Fitz-Peter*, his Justiciary, together with the Bishop of *Winchester*, and some other Great Men, as his Commissioners to treat with him, and by them he required of the Archbishop and Bishops, certain Articles, which they would by no means agree to; but resolved to adhere unalterably to the Form of Reconciliation above-mentioned, and so the Treaty broke off, and the Bishops returned to the Place from whence they came.

Where the Treaty is again renewed, but upon the Bps refusal to agree to certain Articles, this Treaty also breaks off, as before.

What these Articles were, which the King required, our Author does not tell us; but it is most likely, that they imported his being excused from making an Entire Restitution, of what he had taken away from them; and if so, then indeed it was only the King's forbid Covetousness that hinder'd this Agreement; for as for owning *Stephen Langton* for Archbishop, it is certain he had already consented to that; yet after this, the King would have again renewed the Treaty, and offered the Archbishop four thousand Marks, in lieu of what had been taken from him; but neither he nor the rest of the Bishops would come over, which I still suppose was, because the King refused to make an Entire Restitution of the Goods of the Clergy.

[2] The Q is delivered of another Son, named *Richard*

[2] Nothing else happened considerable in *England*, but that the Queen was on the Vigil of the *Epiphany* delivered of a Second Son, called *Richard*, who was afterwards Earl of *Cornwall*, and King of the *Romans*.

Anno Dom. MCCX.

[3] *M.P.* p. 229. The K. keeps his *Christmas* at *Windsor*, where all the great Men and Commons of *England* attend him.

[3] King *John* this Year kept his *Christmas* at *Windsor*, where all the Great Men of *England* attended him, and freely conversed with him, notwithstanding the late Sentence of Excommunication; yet that it was more out of Fear than Love appears by our Author, who says, That the King only watched for an Advantage over those who withdrew or absented themselves from his Presence; yet it seems they did not agree to the King's Demands, for the Annals of *Waverly* further tell us, That not long after, the King, under pretence of recovering *Normandy*, and his other Territories beyond Sea from the King of *France*, took an unaccountable Sum of Money from his Subjects,

The K. again extorts a great Sum of Money both from the Clergy & Laity, without their Consents.

Subjects, ſparing neither Clergy nor Laiety, except the Black Monks, whoſe Revenues he had received the Year before; alſo the *Knights-Hoſpitallers* and *Templars* were forced about *Eaſter* to pay a great Fine to the King. [4] Then the *Jews* of both Sexes were by the King's Command ſeized all over *England*, and cruelly Treated, till they would ranſom themſelves, according to the King's Pleaſure; ſome of whom were ſo grievouſly tormented, that they gave up all they had, and promiſed more, that ſo they might eſcape ſuch Cruel, and various kinds of Torments.

Anno Dom. MCCX.

[4] *M. P. Ib.*

Here our Author gives us a Relation of a Jew at *Briſtol*, who being cruelly Tormented, yet was ſo hard-hearted, that he would not ranſom himſelf with any Money; the King hearing of it, ordered, That his Tormentors ſhould every day pull out one of his Cheek Teeth, till he would pay down Ten thouſand Marks; ſo they pulled out Seven of them in as many Days, but on the Eighth day, when they were about to go on with their work, he relented; and ſo with the loſs of ſeven Teeth, parted with Ten thouſand Marks to ſave the reſt; yet am I not ſatisfied that the King extorted all this Money from the Subjects contrary to the Law, ſince it appears from the Patent Roll of this Year, that the Archbiſhops and Great Men gave the King an Aid, for the Defence of the Kingdom and Recovery of his Territories from the King of *France*.

A Jew of *Briſtol* tho' cruelly tormented, yet would part with no Money till 7 of his Teeth were pull'd out.

[5] But inſtead of this, the King having raiſed a powerful Army, paſſed over with it into *Ireland*, in the beginning of *June*; and when he was come to the City of *Dublin*, there met him more than Twenty Petty Kings and Princes of that Country, who being all ſtruck with a Pannick Fear, did him Homage and Fealty; and there were very few remain'd at Home, except thoſe who inhabited the inacceſſible Parts of the Kingdom.

Magnates Regni. [5] *M.* p. 230.

The K. raiſes an Army and paſſes into *Ireland*, where all the Kings and Princes did him Homage, except ſome few.

Then the King cauſed the *Engliſh* Laws and Cuſtoms to be there Eſtabliſhed, placing Sheriffs and other Officers who were to govern the People of that Kingdom, according to the Laws of *England*; He alſo made *John de Grey*, Biſhop of *Norwich*, his Chief Juſticiary, who cauſed Money to be there Coin'd of the ſame Weight and Fineneſs with that of *England*; ſo that the like Money might be common in both Kingdoms. When theſe things were diſpatch'd, the King marching with a powerful Army, took a great many of his Enemy's ſtrong holds, and ſubdued the Province of *Connaught*, and took *Cathol*, King thereof, Priſoner; He alſo ſeized the Lands and Caſtles of *Walter de Lacy* (a Nobleman then in Rebellion) who with many others flying before him, dreaded nothing more than to fall into his Hands; then coming into the Province of *Meath*, he there took *Maud* the Wife of *William de Bruſe*, and her Son *William* together with his Wife, in a certain Caſtle; who being all brought before the King, laden with heavy Fetters, he ſent them over into *England*, to be kept cloſe Priſoners in the Caſtle of *Windſor*, where not long after they all, by the King's Order, periſhed with Hunger; only *William de Bruſe* the Husband, eſcaping out of *Ireland* in Diſguiſe into *France*, died not long after, near *Paris*.

The K. cauſes the *Engliſh* Laws to be Eſtabliſhed, and makes the Bp of *Norwich* Juſticiary, who coined Money there, of the ſame Value with that of *England*

The K. marches into the Country, and ſubdues *Connaught*, and ſeizes the Lands and Caſtles of ſeveral Noblemen in Rebellion.

He takes the Wife and Son of *Will. de Bruſe*, Priſoners, who are ſtarved to Death in *Windſor-Caſtle*.

[1] King *John* having thus reduced the greateſt Part of *Ireland* to his Obedience, made haſt to return into *England*, becauſe he heard that the *Welſh*, who were Confederates of *Hugh Lacy* and *William de Bruſe*,

[1] *Id. ib.*

The K. haſtes to return into *England*; and why.

Anno Dom. MCCX. *Brauſe*, were about to Invade *England*; wherefore the King embarking, landed in *Wales* on the 30th of *Auguſt*, and making great haſt to *London*, cauſed all the Prelates and Clergy, and Religious Orders of *England*, to appear before him; upon which General Summons there came all the Abbots, Priors, Abeſſes, *Knights-Templars* and *Hoſpitallers*, with the Guardians of the *Citercian Order*, and other Tranſmarine Aliens of what Order ſoever; who were all forced to make ſuch great Fines, that it was reported, the Sum amounted to an Hundred Thouſand Pounds *Sterling*; for the White Monks alone were forced to pay to the King 40000 *l.* of Silver, beſides what he took from other Orders. The Annals of *Waverly*, (notwithſtanding their Exemptions) alſo tell us, That he exacted from the *Ciſtercian Order* alone, the Sum of above Three and Thirty thouſand Marks; by which Exaction, they were ſo much impoveriſhed, that they were diſperſed through the Monaſteries of all the other Monks in *England*; and the King was ſo great an Enemy to this Order, that he forbad any of them to paſs over beyond Sea, or to come over hither.

As ſoon as the K. arrives he Summons all the Clergy & Religious Orders before him, whom he makes to pay vaſt Fines.

The *Ciſtercian* Order are ſo impoveriſh'd, that they were forced to quarter upon other Orders.

But *Walter* of *Coventry* gives us the Reaſon, why the King was more ſevere to the Monks of this Order, than to any other, becauſe that they relying upon their great Privileges, would by no means conſent to contribute to the Taxes, which all others of the Clergy then paid; ſo that to be revenged of them, he Confiſcated their Goods, nor would permit them to hold any General Chapter of their Order, till at laſt they were forced to part with a great Sum of Money, to pacify the King's Diſpleaſure againſt them. Theſe things (ſaith my Author) were the more eaſily done, becauſe many of the Biſhops, whoſe Duty it was to ſtand up for the Liberties of the Church, were now abſent beyond Sea, and thoſe that ſtayed here, loved rather to enjoy their Eſtate in Quiet, than to oppoſe the King; but as for the Biſhop of *Wincheſter*, he was ſo far from oppoſing it, that he was the Chief Inſtrument the King made uſe of in all his Exorbitant Actions. And here, were I only to follow *Mat. Paris*, I need ſay nothing farther concerning the New Archbiſhop of *Canterbury*; but the Annals of *Waverly* have given us an Account of another Tranſaction between the King and him, which I can find no where elſe, *viz.* That King *John* now ſent him Letters of Safe-Conduct, under the Seals of divers of his Nobility, as he had done the laſt Year, inviting him to come over, and meet the King at *Dover*; for which end he came thither in Perſon; but the Archbiſhop hearing that none of thoſe Nobles whoſe Lettres he had received, were come thither with him, would not venture over; and ſo the King return'd Home, much more enraged againſt him than before.

The Reaſon of the K's great Severity to this Order.

The K. invites the A Bp to meet him at Dover, but he refuſes to come, and for what Reaſon.

As for Foreign Affairs, I find nothing worth remarking, but that the [2] Emperor *Otto* having been the Year before ſolemnly Crown'd at *Rome* by *Innocent*, then Pope; he now notwithſtanding quarrelled with him, becauſe the Emperor had poſſeſſed himſelf of *Sicily*, and had taken divers Caſtles, and other Territories belonging to the Empire, which had been Uſurped by the Pope and *Frethericke*, late King of *Sicily*, during the laſt Vacancy of the Imperial Throne; the Emperor alledging, that he was bound by his Coronation-Oath to recover them, and the Pope aſſenting that they did not belong to him

[2] *M.P.* 229.

The Emperor *Otto* and the Pope falling out, he Excommunicates him, and diſcharges his Subjects from their Allegiance.

him, and thereupon *Excommunicated* him, and Abſolved all his Subjects from their Oaths of Allegiance to him.

Ann. Dom. MCCXI.

King *John* kept his *Chriſtmas* at *York*, his Earls and Barons attending him there; [3] after which he went to *Whit-Church* in *Shropſhire*, and being there met by a very great Army, he marched into the furthermoſt Parts of *Wales*, as far as *Snowdun*; ſo that the Petty Princes and Nobles ſubmitted without any Oppoſition; and then to ſecure their future Subjection, he took of them 28 Hoſtages, and ſo return'd with Honour and good Succeſs to *Whit-Church* the 15th of *Auguſt*; and going from thence to *Northampton*, there met him *Pandolf*, who (tho but a Sub-Deacon, yet) being much in favour with the Pope, was come over hither as his Legate, accompanied with one *Durand* a *Knight-Templar* as an Aſſiſtant, they being ſent on purpoſe into *England* to make Peace between the King and the Eccleſiaſticks; then at their Requeſt and Mediation the King freely granted, that the Archbiſhop of *Canterbury*, and the Monks, and all the Proſcribed Biſhops might return in Peace and Security to their own Palaces; but becauſe the King would not make Satisfaction for the Goods of the Archbiſhop and Biſhops, which were Confiſcated, and for the Damages he had done them, the Treaty came to nothing, and the *Nuntio* and his Aſſiſtant returned into *France*.

[3] *Id. Alba Monaſterium.*

The K. keeps his *Chriſtmas* at *York*, and then raiſing a great Army marches againſt the *Welſh*, whoſe Princes ſubmit, and give Hoſtages.

Pandolf the Pope's Legate meets the K. at *Northampton*, where the K. agrees to receive the A. Bp, and the reſt of the Bps, but breaks off upon the old Article of Reſtitution.

But the Annals of the Monaſteries of *Burton* and *Waverly*, (the former under this, and the latter under the Enſuing Year) have given us an Account of a long Dialogue between the King and the Legate; and becauſe it may ſerve to ſhew you the Obſtinate Humour of this King, as alſo the Inſolent Pretenſions of the Pope over the Kings and Princes of that Age, I ſhall here give you an Abſtract of it, being to this Effect:

An Account from the Annals of *Burton* and *Waverly*, of what paſſed between the K. and the Legate at this Meeting.

'The Pope's *Nuntio* being admitted into the King's Preſence, were aſked by him the Cauſe of their Coming? They told him, 'That it was to Reconcile him to the Church, and prevail upon 'him to Swear to reſtore whatſoever he had taken from it, and alſo 'to receive the Archbiſhop of *Canterbury*, and his fellow Biſhops in 'Peace; to all which the King freely anſwered, 'I will reveal to 'you the Secrets of my Heart, you may make me Swear what you 'pleaſe, yet I will never give him ſuch a Safe Conduct, but that I 'may cauſe him to be Hanged whenever he enters my Kingdom. 'Hereupon, they told him, It was very well they knew his Mind, 'and then asking him if he would ſay any thing further, he anſwered, he had ſpoken what he had to ſay; whereupon they replied, that they hoped he would have ſaid ſomething to prove 'the Juſtice of his Cauſe, or elſe to give the Pope ſome Satisfaction, 'whereas all they had hitherto heard him ſay, tended rather, to 'make them confirm the *Interdict*, than releaſe it.

'The King being moved at this, replied, That he granted the 'Pope to be his Spiritual Father, and, as St. *Peter*'s Succeſſor, he 'ought to obey him in Spiritual things, but not in Secular, which 'concerned his Crown; and then he proceeded to ſhew the great 'Breach of Truſt committed by thoſe 14 Monks of *Canterbury*, who 'at his own Expence had been ſent to *Rome*, by whom indeed he had 'written to the Pope, that whomſoever they ſhould Elect for Arch-

'biſhop

Anno Dom. MCCXI.

'biſhop (provided he were an *Engliſhman*) he would own him; 'but that thoſe Monks had ſurprized him in Vacating the Election 'of the Biſhop of *Norwich*, and Chuſing Cardinal *Stephen*; then he 'ſet forth the antient Rights of his Anceſtors, who had always No-'minated the Archbiſhops of *Canterbury*, and that St. *Wulſtan* had re-'ceived his Croſier at the Hands of *Edward* the *Confeſſor*; yet that 'the Pope would now deprive him of all thoſe Liberties which his 'Predeceſſors had enjoy'd.

'To which Maſter *Pandolf* replied, That whereas he alledged, the 'Pope had only power in Spiritual Things and not in Temporal, he 'would have him to know, That he ought to obey the Pope in 'Temporal, as well as in Spiritual Things; (and then preſſed him 'with his *Coronation-Oath*, as if by Swearing he would protect the 'Rights of the Church, there was included a tacite Obedience to the 'Pope in all things whatſoever; Then they proceeded to give a long 'Account to Juſtifie the laſt Election made by the Monks at *Rome*, 'urging againſt him his own Letter to the Pope, by which he had 'authorized them to chuſe any *Engliſhman* Archbiſhop, which could 'not well conſiſt with the Election of the Biſhop of *Norwich*; then 'as to what he urged concerning the Rights of his Predeceſſors in 'conferring the Archbiſhoprick; they replied, That he was not Heir 'to *Edward* the *Confeſſor*, but to King *William* the *Baſtard*, who (as 'likewiſe himſelf and all his Progenitors) always endeavoured to 'deſtroy the Church; and that he rather now preferred the Wick-'ed Laws of *William* the *Baſtard*, than the Good and Juſt Laws of '*Edward* the *Confeſſor*; but as for what he alledged concerning the 'King his Father's Nominating *Thomas Becket* to be Archbiſhop, 'that after the Archbiſhop's Martyrdom, King *Henry* had by his 'Charter granted to the Monks of *Canterbury*, a full Power for the 'future to Elect an Archbiſhop without the Conſent of the Biſhops; 'and that thereupon the ſaid Monks then Elected *Richard*, Prior 'of *Dover*, Archbiſhop; to which (tho' Falſe in matter of fact) the 'King replied nothing; but that his Father could not do it, to the 'Prejudice of his Succeſſors; Then *Pandolf* anſwered, but You your 'ſelf have agreed to it, and ſworn to obſerve what they have grun-'ted, and have thereby confirmed it, wherefore then ſhould you 'not obſerve it? Then after ſome Silence the King offer'd, That out of 'reſpect to the Pope, he would conſent, that if he would deprive 'this New Archbiſhop, and Nominate any other Perſon, he would 'receive him; to which the Legate returned, That the *Holy Church* 'could not degrade an Archbiſhop without manifeſt Cauſe, but 'would rather humble Kings and Princes than proved Rebels to her; 'Then the King repl'd, *You only threaten; You ſuppoſe ſo to ſubject me to You as you have done the Emperor* OTTO, *my Nephew*; which 'the Legate granted to be true, and ſaid, That his Lord, the Pope, 'very well knew, that as he had made him Emperor, ſo he had al-'ſo depoſed him; ſo could he alſo Humble the King as well as any 'other Prince; who thereupon replied, That they could ſpeak more 'ill, than they were able to perform; the Legate to this replied, 'That as the King had diſcovered to them the Secrets of his Heart, 'ſo they would do the like to him, and therefore they would let 'him know, That the Pope had already *Excommunicated* him,

'altho'

'altho' the Execution of the Sentence was ſuſpended till their coming into *England*; that therefore ſince he continued Contumacious, he was further to know, That he now ſtood *Excommunicated*; Then the King asking him, what they could do more? The Legate to this return'd, That he was further to take Notice, That whoever for the future kept him Company, ſtood likewiſe involved in the ſame Sentence; and upon the King's repeating the ſame Queſtion, he added, That they now (that very Day) Abſolved all Earls, Barons, Knights, and all Clergy-men, and Free Lay-men from their Fealties and Homages in which they ſtood obliged to him, and would leave the Biſhops of *Wincheſter* and *Norwich* to ſee it perform'd; and that they would Abſolve all thoſe who would take up Arms againſt Him. Nor was this any hard Matter, becauſe divers Princes, Dukes, Earls, and Barons, had two years ſince offer'd the Pope to Invade the Kingdom, and ſubdue it for whom he ſhould pleaſe to beſtow it; pretending alſo, that whenever the Pope ſent his Army into *England*, all the People ſhould reſort to his General, or elſe ſhould be reduced to perpetual Servitude; but when the King asked again, what they could do more? The Legate plainly told him, That neither He nor any Heir of his, ſhould from that day forward wear the Crown; at which the King replied with ſome concern, that tho' they had pretended to come over to Promote his Cauſe, yet he now plainly ſaw, that it was only to Depoſe him. Then he ſwore *By him who rules all Things, That if they again entred his Kingdom, he would make them and theirs Ride for a Year.* What the King meant by this I know not, but the Legate took it in that Senſe, as if he would order them both to be Hang'd; yet told him, That they had hitherto promoted his Cauſe, and had come over at his Command, hoping, that he would obey God and the Pope, and make Satisfaction to the Church; but he had deceived their Expectations, and in return for the love they bore him, was now about to do all the Miſchief he could to himſelf and his Kingdom, which they had forewarn'd him to avoid; but they called God to Witneſs, that they had come hither upon no other Errand, than to ſuffer Death if there were occaſion, for the Cauſe of the Church; neither did they expect any other Reward at the King's Hands. *Anno Dom.* MCCXI.

This is the Sum of the Diſcourſe, which theſe *Annaliſts* relate to have paſſed between the King and the Pope's Legate. How far this was real, I will not determine; but it ſeems not to agree with *Matt. Paris*'s Relation, who places the definitive Sentence of King *John*'s Depoſition in the Year following; but theſe Monks further relate, That then the King, to terrifie the Legate, Commanded his Sheriffs and Foreſters, to bring before him ſuch as were in Priſon, (I ſuppoſe for Offences done in his Foreſts) ſome of whom he commanded to be Hang'd, ſome to have their Eyes put out, and others to be Diſmember'd; among theſe there was a certain Clerk, who was a †Notorious Forger of Writings, whom the King commanded to be Hanged; which when the Legate heard, he threatned to *Excommunicate* all thoſe, who ſhould preſume to do it, and called for a *Taper for that purpoſe; which the King perceiving, he ordered the

† *Falſarius.*

* Note, That no Sentence of *Excommunication* could be then pronounced, unleſs a Taper or Candle were firſt lighted.

Anno Dom. MCCXI. the Clerk to be delivered to the Legate to be punished as he thought fit; then as soon as the Legate was departed the Kingdom, the King took of those military Men who failed to attend him in the late *Welsh* Expedition, for every Knight's Fee, Two Marks of Silver.

[4] *M. P.* p. 230 Prince *Llewelyn* makes new Incursions into *England*, but is repuls'd with Loss.

[4] For it seems *Llewelyn* Prince of *Wales* had some time before made fresh Incursions into *England*, but was Repulsed with Loss, and made to submit to the King's Pleasure; tho' the *Welsh* Chronicles give us a quite different Account; and perhaps this was the very same Submission which they place under the preceding Year.

[5] *Id. Ib.* *Reginald* Earl of *Boloign* is expelled his Earldom by the K. of *France*.

[5] As for what happened in forreign Parts, *Reginald* Earl of *Boloign* was this Year Expelled his Earldom, and deprived of all his Estate by the King of *France*, who gave it to his own Son *Philip*, in perpetual Right, with the Daughter and Heir of that Earl, who now came into *England*, and was honourably received by King *John*, from whose Bounty he received 300 *l.* a Year in Land, and did Homage and Fealty to him.

[1] *P.* 231. The Pope Solemnly absolves the Subjects of *England* from their Allegiance to the King.

As for Ecclesiastical Affairs, [1] *Matt. Paris* defers the Pope's Solemn absolving the King's Subjects from their Allegiance till the latter end of this Year; when he tells us, that being further incensed at his Obstinacy in refusing the Admonitions of his *Nuncio*, *he now Absolved all his Subjects, High and Low, from their Fidelity and Subjection to him; strictly injoyning all manner of Persons under the Pain of* Excommunication, *to avoid him in private and in Publick, both at his Table, and in Council, and even in common Conversation*; for the King had at the time of this *Interdict* divers Counsellors about him, whom our Author does not scruple to Name; such as were *William* Earl of *Salisbury*, the King's half Brother, *Aubery de Vere*, Earl of *Oxford*, *Geoffery Fitz-Peter*, Justitiary of *England*, *Hugh de Nevil*, Chief Warden of his Forests, *William de Brotham*, Warden of the Cinque Ports, and divers other Noblemen, all whose Names it would be too tedious to Relate; besides Three Court Bishops, *viz. Durham*, *Wincheſter*, and *Norwich*, with *Richrd de Marisco*, the King's Chancellor; who all striving to please him in all things, were supposed not to give him Council according to Law or Reason, but his own Humour.

The Names of such as were then look'd upon as his Evil Counsellors.

Anno Dom. MCCXII. [2] King *John* now kept his *Christmas* at *Windsor*, and in *Lent* following held a great Feast at *Clarken-well*, where he Knighted Prince *Alexander*, only Son and Heir to the King of *Scots*, who then returned home with the Applause and Congratulations of both Kingdoms; so that it seems the King was not, for all the Pope's *Excommunication*, so far abhorred by Neighbouring Princes, as to make them avoid his Conversation. But *Walter* of *Coventry* gives us the true Reason of this more than ordinary Confidence of the King of *Scots* in King *John*, *viz.* because being now pretty well in Years, and finding the further Parts of his Kingdom much disturbed with Intestine Seditions, he implored the Assistance of the King of *England*, and had sent to him his only Son, and committed him to his Care entirely; but he then Returned him back again with Honour and large Promises of his future Kindnesses and Protection.

[2] *M. P. G. M.* The King Knights *Alexander*, only Son to the K. of *Scots*.

The reason of the *Scotish* K's confidence in K *John* at this time.

Not

Not long after this the *Welſh* made ſeveral Hoſtile Incurſions, and taking ſeveral Caſtles in *England*, put thoſe that defended them to the Sword, burnt many Towns, and returned with great Spoils into their own Country: The King being much provoked at this Action, levied a great Army of Tenents by Knights Service, beſides ordinary Horſe and Foot, reſolving to harraſs all *Wales*, and Root out the Inhabitants; and in Revenge, hanged up the Twenty eight Hoſtages which had been delivered to him the Year before: But when he was ready for this Expedition, he received Letters from the King of *Scots*, and his Natural Daughter, Wife to Prince *Llewelin*, of a Trayterous Conſpiracy formed againſt him, which at firſt he ſlighted, and ſo marched forward to *Cheſter*, but there he again received other Letters to the ſame effect, that if he went on, he ſhould either be ſlain by his *Noblemen*, or delivered up to his Enemies: At theſe repeated Advices he ſeemed much concerned, but when he underſtood that the Great Men of *England* were abſolved from their Obedience and Fealty to him, he gave more Credit to the Letters; and then changing his Deſign, Disbanded his Army, Returned to *London*, and ſent his Commiſſioners to all the Great Men he ſuſpected, to ſend him Pledges, that thereby he might know who were ready, and who refuſed to obey him: Then upon this they who durſt not oppoſe the King's Commands, ſent their Sons, Nephews and neareſt Relations, that ſo they might in ſome meaſure appeaſe his Indignation; but *Euſtace de Veſcie*, and *Robert Fitz-Walter*, being accuſed of Treaſon, fled out of *England*; *Euſtace* into *Scotland*, and *Robert* into *France*.

Anno Dom. MCCXII.

The *Welſh* make freſh Incurſions, take ſeveral Caſtles; upon which, the K reſolves to make War upon that People.

But upon notice from the K. of *Scots*, and the Wife of *Llewelyn*, of a Treaſonable Conſpiracy againſt him, he Returns home.

Dr. *Powel's* Chronicle juſtifies this Inſurrection of Prince *Llewelyn*, as that not being able to endure the injuries his Subjects ſuffered from the King's Gariſons in *North-Wales*, he called to his Aſſiſtance *Gwenwyn-wyn*, Lord of *Powis-Land*, *Maelgon ap Rees* from *South-Wales*, *Madoc ap Gryffyth* from *Brome-Field*, *Meredyth ap Robert* from *Cydewen*, and to theſe, who were then the Chief Lords and Princes of *Wales*, he declared their miſerable Condition; *how they, who were wont to have a King of their own Nation, were now by their own private Diſcords brought into Subjection by Strangers, to which he added in few Words, that if they would but agree among themſelves, they might yet defend their antient Rights:* Which when they had all promiſed to do, and had Sworn Fealty to Prince *Llewelyn*, they forthwith gathered an Army, and won all the Caſtles in *North-Wales* and *Powis*, except *Ruthland* and *Diganwy*; and then marching further into *Powis*, they laid Siege to the Caſtle of *Mathreval*, which *Robert de Vipont* had lately built; but when the King heard this, he levied an Army, and marched thither to raiſe the Siege, which he quickly did, and cauſed the Caſtle to be Demoliſhed (as not worth keeping;) but then having greater Affairs in Hand, he returned Home. Yet, being a little afterwards at *Nottingham*, and hearing that the Prince of *Wales* ſtill deſtroyed the Marches, he Commanded the Hoſtages to be Executed, as has been already ſaid; who were moſt of them hopeful Youths, being the Sons of the Chief Men of *Wales*: To which this Author alſo adds, that the ſaid *Robert de Vipount* cauſed Rees the Son of *Maelgon* to be hanged at *Shrewsbury* by the King's Order, being a Child of not Seven

The *Welſh* Chronicle Juſtifies this Inſurrection, and gives a larger Account of it.

Upon a ſpeech of P. *Llewelin* t'he *Welſh* L's. Confederate and take many ſtrong Caſtles in *Wales*; whereupon the K. raiſes an Army, marches into *Wales*, but does little. And at his Return cauſes the Noblemen's Sons who were given for Hoſtages to be executed at *Shrewsbury*.

Anno Dom. MCCXII.

Seven Years old; ſo much did King *John* exceed his Father in Cruelty; who was ſatisfied with only putting out the Eyes of his *Welſh* Hoſtages. And indeed it was a deplorable Object to ſee theſe Innocents ſo cruelly put to death for the offences of their Relations; tho' it muſt be owned, that their Levity and Treachery can no ways be excuſed, who gave the King ſo great a provocation thus to exert his Cruelty upon their Children and Relations.

[3] *M. P. p. 232.* *Peter* a Hermite foretels that K. *John* ſhould not be K. by *Aſcenſion-day* following. For which the *Hermite* is ſeized, and brought before the K. where he juſtifies what he had ſaid, and is thereupon committed to Cuſtody.

[3] Sometime after this, *Peter* a Hermite of *Wakefield* in *Yorkſhire*, who had often taken upon him to foretell things to come; he Prophecied that by *Aſcenſion-day* following, King *John* ſhould not be King; but on that Day the Crown ſhould be transferred to another; which when he heard, he cauſed the Hermite to be ſeized and brought before him, and then asked him, whether he was that day to die, or elſe by what other means he ſhould be deprived of his Crown; but all the King could get from the Hermite was, to bid him aſſure himſelf that on that day he ſhould not be King, and if he were convicted of a Lye, he might then deal with him as he pleaſed; to whom the King replied, it ſhould be according to his own offer, and ſo committed him to the Cuſtody of *William de Harecourt* to be kept cloſe Priſoner, till it was ſeen what would be the Iſſue of his Prediction: In the mean while this was firmly believed by the People, as if it had been a voice from Heaven; ſo eaſie and credulous have the *Engliſh* vulgar always been obſerved in the belief of Prophecies.

[4] *Id.* p. 232. The K. had now highly incenſed the Nobility againſt him, and for what cauſe.

[4] Here our Author farther adds, that the King being a Prince of Inſatiable Luſt and Cruelty, had now highly provoked divers of the Noblemen of the Kingdom by debauching of their Wives and Daughters, or by Baniſhing their Relations, or elſe by Reduceing them to Poverty through his illegal Exactions, ſo that he had thereby made himſelf almoſt as many Enemies as there were Noblemen in the Kingdom; and our Monk further tells us, that when they knew themſelves to be abſolved from their Fidelity by the Pope, they exceedingly rejoyced: For if common Fame might be credited, they had every one of them Sign'd and Seal'd a certain Charter which they ſent to the King of *France*, aſſuring him, he might ſafely come into *England*, obtain the Kingdom, and be Crowned with Honour. From whence the Reader may obſerve, that it is no new thing for the Nobility of *England*, when their Kings have broken the Conditions of Government expreſs'd in their Coronation Oath, to ſeek the Protection of a Foreign Prince, in Hopes of finding better Uſage from him; but of this you will hear more a few Years hence.

Many of them hearing they were abſolved from their Allegiance, Seal a Charter to the K. of *France*.

The ſad effects of the K's. jealouſie of his Subjects.

Walter of *Coventry* is more exact in ſetting forth the ſad effects of this King's fear and ſuſpicion of his Subjects; for he ſays, that after he had baniſhed a great many Noblemen, he had the reſt in ſuch ſuſpicion, that he never went abroad but well Armed, and ſurrounded with a Guard; and moreover he often clapt up ſome of thoſe, that before ſeemed very intimate with him, and ſuddenly taking the ſtrong Places of divers of the Earls and Barons into his own hands, the whole Kingdom was thereupon in a general Commotion. Wherefore many of the great Men, being either conſcious of ſome Crime, or elſe fearing the King's Diſpleaſure, ſtole away

Many of the Nobility quit the Realm.

way into *Scotland* or *France*, as particularly *Euſtace de Veſcie*, and *Robert Fitz-Walter*, whoſe Lands and Goods the King had ſeized, and alſo demoliſhed a Caſtle in *London*, belonging to this Lord *Robert*, called *Baynard's Caſtle*, as likewiſe ſeveral other Places of ſtrength. *Anno. Dom.* MCCXII. *Baynard's Caſtle.*

[5] But when the King was rid of theſe Great Men, he began to carry himſelf more mildly towards the reſt of his Subjects, and amongſt his many ſevere Actions, did this one good one, that finding the Nation much oppreſt by the cruel Exactions of his *Foreſters*, and having compaſſion upon the ſufferings of the People, he Remitted the *Fines* they had unjuſtly Exacted; and farther made all Officers of *Foreſts* to take an Oath, that for the future they would not demand any thing from the People, but what had been wont to be paid in his Father's Reign. At the ſame time alſo he Remitted ſeveral Exactions which had been lately laid upon the Sea-ports, on pretence of guarding them from Foreign Enemies, and alſo in divers other matters, ſeemed very kind and favourable to the Petitions of poor Widdows and others that were any ways oppreſs'd; but all this was Interpreted as done meerly out of Fear, and to obtain the Favour of the Common People. [5] *Id. ib.* After their departure, the K. grows more merciful to the common People.

About this time, [1] *Stephen* Archbiſhop of *Canterbury*, *William* Biſhop of *London*, and *Euſtace* Biſhop of *Ely*, went to *Rome*, and informed the Pope of the many Enormities King *John* had committed ſince the *Interdict*; lifting up (as they termed it) the Hand of Oppreſſion and Cruelty againſt God and *Holy Church*; and therefore humbly beſought him in this Extremity to Commiſerate and Aſſiſt the *Engliſh* Church. [1] *M. P.* p. 232 The A. Bp. with ſome Bps go to *Rome* to excite the P. againſt King *John*; whereupon a Sentence of *Depoſition* is Iſſued out againſt him.

The Pope ſeem'd very much Concerned, when he had heard their Complaints, and by the Advice of his Cardinals, Biſhops and other Great Men, pronounced the Sentence of *Depoſition* or *Deprivation* againſt King *John*, and farther reſolved that a more worthy Perſon ſhould ſucceed him: And therefore to this end the Pope wrote to *Philip* King of *France* to put this Sentence in Execution; and to render him the more willing to undertake it, he granted to him Remiſſion of all his Sins, together with the Kingdom of *England* to himſelf and his Succeſſors in perpetual Right, when once he had Dethroned and Expelled the preſent Poſſeſſor. The Pope writes to the K. of *France*, to put this Sentence in Execution, and grants him great Indulgences for ſo doing.

He alſo wrote to the Great Men, Knights and other Warriors of divers Nations, that they ſhould undertake this War, Signing themſelves with the *Croſs* (as if it were for that of the *Holy-Land*) for the Dethroning of King *John*; and that they ſhould follow the King of *France* as their General in this Expedition, and labour to vindicate the Injury done to the *Catholick* Church; and farther Decreed, that whoſoever ſhould contribute either Money, or other Aſſiſtance towards the ſubduing of this Contumacious King, ſhould be ſecure not only in their Goods and Perſons, but alſo as to their Souls, through the Prayers of the Church: And that they ſhould enjoy the ſame Priviledges with thoſe who Viſit the Sepulchre of our Lord.

[2] With this large Commiſſion, the Pope ſent *Pandulph* his Nuntio with the *Engliſh* Biſhops for *England*; firſt giving him Inſtructions, that every thing ſhould be punctually put in Execution, according [2] The Pope's private Inſtructions to his Legate.

Anno Dom. MCCXII. according to his Order. Then the Legate, when the Company were all withdrawn, privately asked the Pope, what he ſhould do, if the King of *England* ſhould Repent, and make Satisfaction to God and the *Roman* Church, and all others concerned in this Buſineſs? Whereupon the Pope preſcribed certain Conditions of Peace, to which if the King would Aſſent, he might yet obtain the Favour of the *Apoſtolick* See.

[3] *Ib.* 233. R. C. A great Fire in *Southwark*, by which St. *Mary Overy's* Church is burnt, with *London Bridge*, and great part of the City.

Nothing elſe happened remarkable this Year, [3] but that a great Fire beginning in *Southwark*; the Church of St. *Mary Overy's* was burnt, and the Fire going on to *London* Bridge, not only a great part of that, but alſo of the City it ſelf was conſumed to Aſhes; and which was worſe ſtill, a great number of People periſhed by this means; for whilſt they ran over the Bridge, ſome to behold, others to help to quench the Flames, the Houſes on the *North* End thereof took Fire, and preſently after the other End of it alſo; ſo that the Multitude being thus Encloſed both behind and before, many of them were forced to leap into the River, whilſt others, crowding into the Boats that came to their Relief, were the cauſe of their own Deſtruction, the Boats and People ſinking together; ſo that what with the Fire, and what with the Water, near 3000 Perſons were ſuppoſed to have periſh'd by this unfortunate Accident, which happened on the 10th of *July*.

Near 3000 Souls periſhed either by Fire or Water.

Anno Dom. MCCXIII. [4] This Year King *John* kept his *Chriſtmas* at *Weſtminſter*, being very ſlenderly attended by his Nobility; and about the latter End of *January*, the Archbiſhop of *Canterbury*, with the Biſhops of *London* and *Ely*, Returned from *Rome* into *France*, where they held a Council, and made known to King *Philip* and the Biſhops and Clergy of that Kingdom, the Sentence that had been Solemnly pronounced at *Rome* againſt King *John* for his Contumacy; and beſought them, as well for the ſake of the Pope, as for the Remiſſion of their own Sins, unanimouſly to Invade *England*, and *Depoſe* King *John*, by the Authority of the *Apoſtolick* See, and to ſet up another more Worthy Perſon in his Room.

[4] *M. P. Ib.* The Bp's of *England* Return from *Rome* into *France*, where they held a Council, and acquaint that K. and his Bps with the Pp's Sentence againſt K. *John*. And excite K. *Philip* to depoſe him. Who thereupon raiſes a great Army.

Upon this the King of *France*, now ſeeing what he had ſo long deſired, was cometo paſs, preſently prepared himſelf for the Expedition, and Commanded all his Subjects, Dukes, Earls, Barons, and Knights with their * Eſquires, to be ready at *Rouen* with their Horſes and Arms, on pain of *Culvertage*, and of incurring the Crime of Treaſon, (which was then termed *Felony*.) He likewiſe cauſed all his own Ships, with as many as he could muſter together, to be very well ſtored with all ſorts of Proviſions and Ammunition.

* *Servientes.* *Culvertage*, *Du Freſne* in his Gloſs, interprets, Confiſcation of Goods and Eſtate.

† But notwithſtanding this great preparation, *Pandulph* the Pope's Legate, being now arrived in *France*, would not permit that King to Invade *England*, till ſuch time as he had once more gone over, and tried whither King *John*, being allarmed with theſe preparations, could not be brought to Repentance, and ſo make Satisfaction for the Injuries he had done to the Archbiſhop of *Canterbury* and the Clergy.

† *Rad. Niger*, Ms. in *Bib. Cotton.*

[4] In

[5] In the mean time, King *John* being certified by his Spies, what was doing beyond Sea, conſidered with himſelf how he ſhould prevent theſe Deſigns; and therefore in the Month of *March*, He iſſued out a Writ directed to all Bayliffs of Sea-Ports, *&c.* thereby Commanding that all Ships of whatſoever Ports through *England*, which could carry Six Horſes or more, to be liſted, and the Maſters and Mariners to be ready at *Portſmouth* by *Mid-Lent* following, and the Bayliffs were to Return up to the King a Liſt of the ſaid Ships; and having now made this Proviſion for his Defence by Sea, he likewiſe took the ſame Care at Land, by directing other Writs or Commiſſions much of the ſame Nature to all Sheriffs of the Kingdom, ſtreightly Commanding them that they ſhould Summon all the Earls, Barons, Knights, Freemen and Eſquires, (whoever they were, and of whomſoever they held) that ought, or could have Arms, and who had done Homage and Fealty to him, to be ready with their Horſes and Arms at the cloſe of *Eaſter*; and that none ſhould remain at Home who could bear Arms under the like Penalty of *Culvertage*, which it ſeems was then a like Term for this Fault as well in *England* as in *France*; and thoſe who had no Land, and yet could bear Arms, were likewiſe to appear at *Dover*, and enter into the King's Pay: and the Sheriffs were alſo to Return a Liſt to the King of thoſe that freely left their ſeveral Bailywicks, as well as of thoſe who refuſed to ſtir: They were alſo to Command all Markets adjoining to follow the King's Camp, and not to be held elſewhere.

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[4] *M.* p. 233. The K. to prevent theſe deſigns, ſends out Writs to Preſs all the Ships he could.

Vid. the Writ at large in *Matt. Paris* And likewiſe iſſues other Writs to the Sheriffs to Summon all the Military Tenants of the Kingdom, And that none ſhould remain at home upon pain of *Culvertage*.

I have been the more particular in giving an account of this Writ or Commiſſion of Array, becauſe the Reader may draw divers uſeful Obſervations from thence, concerning the *Militia* in thoſe times; as firſt that the *Sheriff* was then the only Chief Officer, as well Civil as Military of each County: As alſo that the ordinary *Militia* of *England*, (conſiſting of the Tenants by Knights Services) were then the only Forces for the Defence of the Kingdom; no conſtant ſtanding Armies being at that time in faſhion, either in *England* or *France*.

[1] But to return to our Hiſtory; upon theſe Writs, in divers Places upon the Sea-Coaſts, eſpecially about *Dover*, *Feverſham*, and *Ipſwich*, (where it was moſt ſuſpected the Enemy might Land) vaſt Multitudes of all ſorts and conditions of Men preſently Liſted themſelves, who feared nothing more, than the Reproach of *Culvertage*; which ſeems to have been then not only a Penalty, but alſo a Term of reproach for Cowardize: But their Numbers being ſo great, that they began to want Victuals, the Commanders ſent home Thouſands of the unarmed Rabble, and retained the Knights, Eſquires, Freemen, Croſs-bow-men and Archers.

[1] *Id. ib.* Upon theſe Writs great Multitudes liſt themſelves on the Sea-Coaſts of *England*. Which growing too numerous, many of the meaner ſort are ſent home.

[2] The Biſhop of *Norwich* alſo about this time Landed out of *Ireland* with 500 Foot Soldiers, and many Horſe to attend the King, and was kindly Received by him: Inſomuch that the whole Force that was then Muſtered upon *Barham-Down*, conſiſted of Sixty Thouſand Stout and well appointed Men; upon which our Author very juſtly obſerves, that if they had been then all of one mind,

[2] *Id. ib.* The Bp. of *Norwich* comes over out of *Ireland* with 500 Foot, beſides Horſe; which made up an Army of 60000 Men.

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mind, there had not been any Prince in the World could have withſtood the King of *England*: But indeed the Miſchief of it was, that all the Clergy, who at that time had a large ſhare in the Government of Men's Conſciences, were highly incenſed againſt the King; nor can I ſay the Laiety were leſs diſcontented, by reaſon of the vaſt arbitrary Taxes they had paid, and all to ſo little purpoſe.

[3] *Id. ib.* The K. finding himſelf ſtrongeſt at Sea, reſolves to fight the *French* with his Fleet.

[3] However, the King finding himſelf ſtronger at Sea than the *French*, (tho' they were then near 1700 Sail, conſiſting chiefly of ſmall Veſſels) reſolved to meet and Fight them on that Element; from whence our Author obſerves, that *the greateſt hopes King* John *had of ſubduing his Enemies, lay in the advantage he had over them by his Fleet*: So that it appears, whilſt a King of *England* is Maſter at Sea, he need not fear any Foreign Enemies.

Of all the great Feudataries to *France*, none refuſed to aſſiſt that K. but the Earl of *Flanders*; So that King makes War upon him, and takes divers of his Towns.

But now let us ſee how the Nobility of *France* behaved themſelves; in the mean time *Rigord* the old *French* Hiſtorian, as alſo our own *Walſingham* Relates, that of all the Princes and Great Men, who were Feudataries to the King of *France*, none refuſed to Aſſiſt him in this Expedition, except *Ferrand* Earl of *Flanders*: Wherefore the King reſolved, before ever he Engaged with *England*, to put him out of a Condition to do him any Hurt; and ſo Invading his Territories, he ſubdued the Towns of *Ipre*, *Caſſel*, and all the Country to *Bruges*, with the Port of *Dam*; and then laid Siege to *Gaunt*.

[4] *Id. ib.* The *Engliſh* Fleet puts to Sea under the Command of the Earls of *Boloigne*, and *Salisbury*. who Block up the *French* in the Harbour of *Dam*. The *French* K. orders his Ships to be burnt, with the Town of *Dam*.

[4] In the mean while the *Engliſh* Fleet put to Sea, under the Command of the Earl of *Boloigne*, (whoſe Dominions the King of *France* had lately ſeized) and *William Longeſpee* Earl of *Salisbury*, the King's baſe Brother, who had taken or burnt all thoſe which lay upon the Coaſt, and kept the Harbour of *Dam* ſo ſtreightly blockt up, that the *French* could not get out. Thereupon the King of *France* raiſed the Siege of *Gaunt*, and marching to the Sea-Side, beat back the *Engliſh* to their Ships, and killed Two thouſand of them; nevertheleſs, they being ſtill Maſters of the Sea, and the *French* Ships being ſmall, and of little Force, durſt not ſtir out; therefore the King of *France*, after he had cauſed their Tackle and Lading to be taken out, ordered all the Ships to be burnt, and then he fired the Town of *Dam*, for fear the Enemy ſhould make themſelves Maſters of it; and ſo he returned to *Paris*.

[5] *Id. Ib.* Notwithſtanding this good Succeſs, the K. is diſmay'd, and accepts a Treaty with the Legate.

[5] Notwithſtanding this good Succeſs, yet whilſt King *John* lay upon the Coaſt of *Kent*, near *Dover*, with his Army, watching the *French* King's motions, *Pandulf* the Pope's Legate, ſent over Two *Knights-Templers* to let King *John* know, he deſired to Treat with him, and Offer him Terms of Peace and Reconciliation, tho' he were already *Depoſed* by the Pope's Sentence. The King thereupon accepting the Meſſage, ſent him Word by the ſame Perſons, that he might if he pleaſed paſs over with ſafety; upon which the Legate immediately came into *England*, met the King at *Dover*, and there repreſented to him the great Danger he was in from that vaſt Fleet and Army the King of *France* had at the Mouth of the River *Seyn*, ready Equipt to come over for the Conqueſt of the Kingdom; wherein likewiſe would come all the Biſhops, Clergymen, and Laymen, who had been unjuſtly Baniſhed the Realm;

who thereupon comes over into *England*, and frights the K. into a ſubmiſſion to the Pope.

Realm; but (which was above all) the *French* King boaſted alſo, that he had received Charters or Aſſurances from moſt of the Great Men of *England*, of their Fidelity and Obedience to him; and therefore adviſed him to ſubmit himſelf, and make his Peace with the *Apoſtolick See*, before it was too late. We may from hence obſerve, That had not this Unfortunate Prince been now upon very ill terms with his own Subjects, he needed not to have been afraid of what either the Pope, or King of *France*, could have acted againſt him. *Anno Dom.* MCCXIII.

But to proceed with our Hiſtory; King *John* being highly terrified with this News, did upon thoſe and ſome other Conſiderations, [1] which our Author has given us, (tho' needleſs here to be inſerted) at laſt by the Perſuaſion of the Legate, agree (but yet with great Reluctance) to that very Form, or Article of Peace which had been propoſed and drawn up at *Rome*; and in Confirmation of which the King ſwore upon the *Holy Goſpels*, that he would obey the Judgment of the Church; and at the ſame time alſo Sixteen of the Chief Earls and Barons of the whole Kingdom, ſwore on his behalf, That if he ſhould happen to depart from what he had agreed to, they would to the utmoſt of their Power compel him to make his Holineſs Satisfaction.

[1] *Id. ib.* The K. at laſt agrees to the ſame Form of Peace, which had been drawn up at *Rome*, and he with 16 of the Chief Noblemen ſwear to the Obſervance of it.

[2] Then on the 13th of *May* following, (being the *Monday* before *Aſcention* Day) the King, and *Pandulph* the Legate, together with the Earls, Barons, and a very great Company met at *Dover*, where they unanimouſly agreed to a Peace, which was drawn up at large in the Form of a *Charter, under his Seal, in which having firſt recited the Names of four great Barons, *(Viz.) William* Earl of *Salisbury*; *Reginald*, Earl of *Boloigne*; *William*, Earl of *Warren*; and *William* Earl of *Ferrers*; they all ſwore on his behalf, that he ſhould truly obſerve the following Articles.

[2] *Id. ib.* The K. with his Earls and Barons meet the Legate again at *Dover*, where he Seals the Charter of Agreement.

*See the Charter at large in *Matt. Paris.*

The Articles of Agreement between the Pope and the King.

Firſt, *They Swore to ſtand to the Commands of the Pope, to be imparted by his Legate, or Nuncio, concerning all Matters for which the King ſtood Excommunicated.*

Secondly, *That he would grant true Peace and Safety to* Stephen *Archbiſhop of* Canterbury, *as alſo to the Biſhops of* London, Ely, Hereford, Bath, *and* Lincoln, *together with the Prior and Monks of* Canterbury, *and to* Robert Fitz-Walter, *and* Euſtace de Veſcie, *and to all other Clerks and Laicks concern'd in this Affair; Swearing further, That he would do them no hurt, either in their Perſons or Eſtates, but remitting all Anger and Ill Will towards them, would fully receive them into his Favour.*

Thirdly, *That he would iſſue out Letters Patents, by which he would confirm all theſe Things, and cauſe as many Biſhops and Barons, as the Archbiſhop and Biſhops ſhould chuſe, to ſwear and give their Charters for the Security of the Peace.*

Fourthly, *That if He or any Others by his Order ſhould violate this Agreement, then thoſe Biſhops and Barons, on behalf of the Church, ſhould adhere to the Pope's Commands, againſt him, and that in ſuch Caſe he would for Ever loſe the Cuſtody of Vacant Churches.*

Fifthly, *He obliged himſelf to ſend Letters of Safe Conduct and Security for the Performance of theſe Things, to the Archbiſhop and Biſhops, before their return into* England; *who were alſo (if the King pleaſed)*

to

Anno Dom. MCCXIII. *to take an Oath, that they would not either by Themſelves, or any Other, attempt any thing againſt his Perſon, or Crown.*

Sixthly, *He alſo promiſed Reſtitution, and ſufficient Satisfaction for what they (whether Clerks or Laicks) had been endamaged, either in their Goods, or Liberties.*

Seventhly, *That he would cauſe all Clerks and Laicks who had been kept in Priſon upon the Account of this Quarrel, to be releaſed; and that preſently after the Legate's arrival (who could Abſolve the King) he would pay him, in part of Reſtitution, what had been taken away from the Archbiſhop, Biſhops, and Monks, the Sum of Eight thouſand Pounds* Sterling, *which was to be divided between them, according to the ſeveral Rates and Proportions therein expreſs'd.*

Laſtly, *He was forced to renounce and recall for the future the* Out-Lawry *of all Clergy-men, as not at all belonging to his Juriſdiction; as alſo the* Out-Lawry *of Lay-men, as far as related to this Matter.*

Upon the true Performance of all which Particulars, the Sentence of the *Interdict* was to be releaſed; and if there remain'd any Doubt or Diſpute concerning theſe Articles, they were to be Judged and Determined by the Pope's Legate: This Charter bears Date at *Dover*, the 13th Day of *May*, being the Fourteenth Year of this King's Reign.

[3] *Id. ib.* The Legate is not ſatisfied with theſe Conditions, unleſs the K. reſign his Crown into his hands for the Pope's uſe, which the K. alſo agrees to.

[3] Nevertheleſs, the Legate was not content with theſe Conditions, but pretended that his Crime was ſo heinous, that nothing could obtain the Pope's Abſolution, but the King's abſolute Reſignation of his Crown: wherefore two days after, (being the 15th of *May*) the King with the Great Men of the Kingdom, met again at the Houſe of the *Knights-Templars* near *Dover*, where humbling Himſelf before the Legate, He (according to what had been before reſolved at *Rome*) Reſign'd his Crown to the Pope, in the Preſence of *Pandulf* his Legate; which Reſignation being reduced into due Form, he thereby confirm'd to the Pope and his Succeſſors, the Grant of the ſaid Kingdoms by his *Charter; wherein having firſt acknowledged himſelf to have highly offended God and Holy-Mother the Church, therefore in full ſatisfaction, (not being conſtrain'd by Fear, but of his own Free Will, and by the Common *Advice, or Conſent of his Barons) he granted to God, and to St. *Peter* and *Paul*, and to Pope *Innocent* and his Succeſſors, the whole Kingdom of *England* and *Ireland*, for the Remiſſion of his own Sins, and that of his Family, to be held by him for the future as a Feudatary of the Church of *Rome*. And it likewiſe recites, that he ſwore Homage and Fealty to the Pope and his Succeſſors, before the ſaid *Pandulf*, obliging his Heirs and Succeſſors to do the like for the time being; and for a further Proof of this his perpetual Obligation, he promiſed to pay a *Thouſand Marks* by the Year Rent, for all other Services, that is, Seven Hundred Marks for *England*, and Three Hundred Marks for *Ireland*, by equal Portions, ſaving to Him and his Heirs the Power of Executing all Juſtice, and creating Juſtices, with all Liberties and Royalties.

The Reſignation is reduced into Writings, and the Contents of it. *See the Charter at large in *Matt. Paris.* * *Conſilio.*

There is alſo at the end of the Charter, a Remarkable Clauſe, whereby he obliged Himſelf and his Succeſſors, not to revoke it, which is expreſſed in theſe Terms, *That if He or any of them ſhould preſume*

*presume any ways to contradict it, whosoever he were, unless upon admonition, he repented of it, he should immediately *forfeit his Right to the Kingdom*; This Charter is Witnessed by the King himself, in the Presence of *Henry*, Archbishop of *Dublin*, *John* Bishop of *Norwich*, and divers Earls and Noblemen of the Kingdom; whose Names you may find in my Author at the end thereof. *Anno Dom.* MCCXIII. * *Cad. à Jure Regni.*

[4] This Charter being Seal'd, the King delivered it to *Pandulf* to be carried to Pope *Innocent*, and then in the Presence of them all did Homage to the Pope, as his Supreme Lord, represented by *Pandulf*, in the most submissive and abject Manner, according to the Forms and Customs of those Times; promising also to keep and defend the Kingdoms of *England* and *Ireland* as the Patrimony of St. *Peter*; and then it was that *Pandulf* proudly trode under his Feet the Money which the King had offer'd as a Mark or Earnest of his Subjection; which did not a little trouble the Archbishop of *Dublin*, who at the same time blam'd his haughty Carriage: These things were done on the Vigil of our Lord's *Ascension*, the above-named Bishops, Earls, and Barons being present. [4] *Id. ib.* The K. thereupon does Homage to the Pope for the Kingdoms of *England* and *Ireland*.

[5] Nor can I here omit taking notice of one great piece of Severity (if not Cruelty) of this King, immediately after his Resignation of the Crown to the Legate: You have already heard of *Peter* the Hermit's Prophecy, That the King should cease to be so, upon *Ascension-Day*; This, tho' it was in some measure fulfill'd, by the above-mention'd Resignation of the Crown, and his taking it back again upon those Conditions, whereby the King's Independent and Absolute Dominion was totally given up, yet he would understand none of these Niceties; but *Ascension-Day* being now past, and he still continuing in the Possession of his Throne, he was resolved to be revenged of this supposed False Prophet; wherefore the King commanded him to be drawn at Horses Tails from *Corf-Castle* (where he was Prisoner) to the Town of *Warham*, and there to be Hang'd upon a Gibbet, together with his Son, whose Crime I do not find mentioned; tho' if he were not himself a Partaker of his Father's Crime, it was certainly a great Instance of this King's Cruelly. But how severe soever this Proceeding might be, it stands as a good warning in History to deter pretenders to *Divine Revelation* from taking upon them to Predict the Fates of Princes. [5] *Id. ib.* The K. after *Ascension-Day* orders *Peter* the Hermite to be Executed, notwithstanding that his Propheſie seemed in some sort fulfilled.

[1] These things being thus dispatched, and the King's Charters above-mentioned delivered to *Pandulf*, he returned into *France* with part of the Restitution-Money of the Archbishops and Bishops, for what had been taken from them. [1] *Id. ib.* The Legate having obtain'd the Charters, he desired Passes over into *Fr.*

[2] The Legate, as soon as he arrived, presently applied himself to the King of *France*, who then lay ready with an Army to Invade *England*, and did all he could to persuade him to desist from his Design, for that now he could not prosecute it without offending the Pope, seeing King *John* was ready to make Satisfaction to Holy-Church, and to Obey the Pope's Orders. The King who was not well pleased with what he said, reply'd, He had expended more 'than Sixty Thousand Pounds in Arms, Victuals, and fitting out 'of Ships, and had undertaken the Enterprize at the Pope's Com- 'mands, [2] *Id. ib.* The Legate persuades the K. of *Fr.* to desist from his Enterprize against *England*. But he does not agree to it, and the Reason why.

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'mands, and for the Remiſſion of his own Sins, all which now 'ſignify'd nothing.

From whence we may obſerve, what Tools Princes were in that Age to the Pope, who could make them Cudgel one another into Obedience to himſelf, and when he had once effected it, he valued them no further.

The difference between *M. Paris* and the *French* Hiſtorians, concerning the Time of the *Fr.* King's Expedition againſt *Flanders*.

Next to this in time, *Matt. Paris* places the King of *France*'s Expedition againſt the Earl of *Flanders*, whoſe not joining with him in his intended Invaſion, he makes to have been the greateſt Obſtacle, why that King durſt not undertake it; whereas the *French* Hiſtorians affirm with greater Probability, that the Expedition againſt the Earl of *Flanders*, was undertaken during the time of *Pandulf*'s being in *England*.

[3] *M.P.* P. 238. K. *John* is in hopes, by the Aſſiſtance of the Emp. and E. of *Flanders*, to recover his Loſſes in *Fr.* and to that end muſters a great Army, but the Barons refuſe to attend him; and for what Reaſon.

But however, it is certain, that King *John* being now puffed up with his late ſeeming Succeſs, was in hopes [3] by the Aſſiſtance of the Emperor and the Earl of *Flanders*, to regain what he had loſt in *France*; to this end he muſter'd up a great Army at *Portſmouth*, which being join'd, the Great Men and Barons refuſed to follow him, unleſs he were firſt abſolved from his *Excommunication*, which hitherto had been deferr'd, under pretence, that the Archbiſhop of *Canterbury* was to come over to perform it in Perſon on the Pope's behalf. Wherefore the King was forced to ſend for him, and the reſt of the baniſhed Biſhops, and for their greater Honour, there went to conduct them over, *Henry* Archbiſhop of *Dublin*, *John* Biſhop of *Norwich*, *William* Earl of *Arundel*, with two other Perſons of leſs Note, as appears by the King's * Writ or Letter to the ſaid Archbiſhop and Biſhops, ſtill remaining among the Records in the *Tower*, by which he deſires them to make what haſte they could over, becauſe he had long expected their coming.

The K. ſends in all haſte for the exil'd Bps.

*Rot. Claus. 15 Johan. parte prim. M. 8. Dorſ. Vid. D. Brad.'s Append. N. 101

[4] *Id.* p. 239. The K. ſends the Biſhops a Charter for their greater Security.

[4] *Matt. Paris* further adds, That for their greater Security the King was alſo oblig'd to ſend them the Charts or Aſſurances of Twenty four Earls and Barons, that they might return with ſafety into *England*, and receive Satisfaction according to the late Articles of Peace. Whereupon, *Stephen* Archbiſhop of *Canterbury*, *William* Biſhop of *London*, *Euſtace* Biſhop of *Ely*, *Hubert* Biſhop of *Lincoln*, and *Giles* Biſhop of *Hereford*, together with the other Clerks and Laicks then in Exile by reaſon of the *Interdict*, through the Mediation of *Pandulf* the Legate, arrived at *Dover* on the 16th of *July*, (being St. *Margaret*'s Day) and went to wait on the King at *Wincheſter*; who when he knew they were coming, went forth to meet them, and throwing himſelf at the Feet of the Biſhops, beſeeched them with Tears to have Mercy on him, and the Kingdom of *England*; Upon this, they ſeeing his great Humility, lifted him up from the Ground, not without Tears likewiſe, and led him to the Chapter-Houſe at *Wincheſter*, where, before he was Abſolved, he took his Oath, 'That he would Love, Defend, and Maintain *Holy* 'Church and the Clergy, againſt all their Adverſaries, to the utmoſt 'of his Power; that he would Re-eſtabliſh the good Laws of 'his Anceſtors, and eſpecially thoſe of King *Edward*, and deſtroy 'the Wicked ones; That he would Judge all his Subjects according 'to the juſt Judgment of his Court, and would reſtore to every Man 'his Right: He alſo ſwore, That he would make full Satisfaction

They came over, and the K. flings himſelf at their Feet.

to

'to all concern'd in the Buſineſs of the *Interdict*, for what had been 'taken from them, before *Eaſter* next; if not, the Sentence of *Ex-communication* was to be renewed againſt him; Moreover, He 'ſwore Fealty and Obedience to Pope *Innocent*, and his Catholick 'Succeſſors, as it was contained in his late Charter: Then the Archbiſhop carried him into the Church, and there ſung Maſs; from whence they went, and Dined at the ſame Table with the King, to the great Joy and Satisfaction of them all. *Anno Dom.* MCCXIII.

[4] On the Morrow after his Abſolution, the King ſent his Precepts to all the Sheriffs of *England*; that they ſhould cauſe to meet at *St. Albans*, on the Fourth of *Auguſt*, Four Lawful Men, with the Reeve, or Bailiff of every Town, they kept in their own Hands; that ſo by thoſe and their other Officers, he might enquire and be informed, what Damage every Biſhop had ſuſtained, what had been taken from, and what was ſtill due to him. [4] *Id. ib.* He ſends to all the Sheriffs of *England*, to enquire what Damages the Biſhops had ſuſtained.

[5] Then the King made haſte to *Portſmouth* in order to paſs into *Poictou*, committing the Government of the Kingdom to *Geoffry Fitz-Peter*, and the Biſhop of *Wincheſter*, with direction that they ſhould order all the Affairs of the Nation by the Advice of the Archbiſhop of *Canterbury*: But when the King came to *Portſmouth*, his *Great Men, Knights, and ſuch as held by Military Tenure, complained, they had been there ſo long in expectation of this Expedition, that all their Money was ſpent; and unleſs he would furniſh them with more out of his Treaſury, they could not go with him; which the King refuſing to do, took Shipping himſelf with his Private Family, and after three Days arrived at *Jerſey*, while his Lords and Great Men returned Home; at length when he ſaw himſelf thus Deſerted, he came back into *England*; ſo that nothing was further done in this Deſign. *Ralph de Coggeſhal* lays the Miſcarriage of this Voyage, chiefly upon the Barons of the *North*, whom he had ſummoned to go over with him; but they with one conſent denied it, affirming, That they were not obliged to it according to the Tenure of their Eſtates; and further added, That they were already ſo impoveriſhed by the late Expeditions at home, that they neither could, nor would do any more; but who were moſt in fault, whether the King for thus urging their Service, or they for denying it, is hard to Judge at this diſtance of time. [5] *Id.* p. 239. The K. prepares to go beyond Sea. * *Magnates.* His great Men excuſe themſelves from going over with him. *Ral. de Coggeſhal* lays this Miſcarriage on the Barons of the *North*.

[1] Whilſt the King was abſent, and taken up in this unſucceſsful Affair, his Juſticiaries held a Council at *St. Albans*, with the Archbiſhops, Biſhops, and Great Men of the Kingdom, where the King's Peace was proclaimed to all Men; and it was firmly enjoin'd on his behalf, That the Laws of King *Henry* his Grandfather ſhould be obſerved by all Perſons, and that all unjuſt Laws ſhould be abrogated: And there likewiſe it was further order'd, That no Sheriffs, Foreſters, or other the King's Officers, as they valued either their Lives or Limbs, ſhould extort any thing violently from any Man, or preſume to wrong any one; nor that they ſhould make *Scotalls* in any Part of the Kingdom, as they uſed to do. [1] *Id. ib.* A Council held by his Juſticiaries at *St. Albans*, where the K's Peace is proclaimed. **Scotalla*; Exactions made by Foreſt-Officers who ſold Ale.

[2] And now the King immediately after his Return, ſuppoſing himſelf deſerted by ſome of the Great Men of the North, rais'd a Powerful Army, that ſo he might force thoſe whom he looked upon as Rebels to the Performance of their wonted Duty and Service; [2] *Id. ib.* The K. ſeeing himſelf deſerted by his Barons, raiſes an Army againſt them, but is admoniſhed by the A. Bp to forbear making War without the Judgment of his Court.

Anno Dom. MCCXIII. But when he would have marched forward to reduce them, the Archbiſhop came to him to *Northampton*, and told him, He violated the Oath he had taken at his Abſolution, if he made War upon any one without the Judgment of his Court; Hereupon, the King with a loud Voice anſwered, He would not lay aſide the Buſineſs of the Kingdom for him, who had nothing to do with Lay-matters.

So next Morning early, the King marched towards *Nottingham*; the Archbiſhop followed him, and threatned, that unleſs he quickly deſiſted, he would *Anathematize* all thoſe, beſides himſelf, that ſhould take up Arms againſt any Man before the Relaxation of the *Interdict*; by which means, he cauſed the King to give over proſecuting the Barons by Force, and left them not, untill he had obtained a competent Day for them, to anſwer in his Court, and to be tryed there: Yet we do not find that ever they appeared there at all, for the Pope's Legate and Archbiſhop made their Peace for 'em, as you will find hereafter.

[3] *Id.* p. 240. A Synod of the Clergy at *London*, and on what Occaſion.

[3] Then upon the 25th of *Auguſt*, a Council or Synod met at *London*, to compoſe all Differences between the King and the Barons; at which time the Biſhops, Abbots, Deans, and ſeveral Barons, being all aſſembled in St. *Paul*'s Church, with the Archbiſhop of *Canterbury*, he, before they fell to any Buſineſs, ſo far Indulged all Churches, both Conventual and Parochial, That tho' the *Interdict* was not yet taken off, yet however, they might there Chant over their Canonical Hours, or Prayers, with a low Voice, which was ſome favour, it being not permitted them to celebrate Divine Service any other manner.

The A.Bp gives leave to the Monks & Prieſts to celebrate Divine Service with a low Voice.

After this was over, in the ſame Aſſembly, the Archbiſhop reſolving to keep the King to that Oath he had lately taken at *Wincheſter*, drew ſome of the Great Men of the Kingdom aſide, and put them in Mind, that when he Abſolved the King there, he had made him to ſwear, That he would aboliſh all unjuſt Laws, and cauſe the good Ones, (that is to ſay, the Laws of King *Edward*) to be obſerved by all Men in the Kingdom. He farther alſo told them, He had found a certain Charter of King *Henry* the *Firſt*, by which, if they would themſelves, they might aſſert the Antient Liberties they had ſo long loſt. Then producing the Charter it ſelf, he cauſed it to be read publickly before them, which was received by them with great Joy and Satisfaction; and being the ſame with that already recited in the beginning of King *Henry* the *Firſt*'s Reign, I need not repeat here. Only I muſt needs confeſs it ſeems very ſtrange, that this Charter, which is ſaid by this very Author to have been preſerved in all the Counties, and moſt of the Monaſteries in *England*, ſhould now be grown ſo Obſolete and Forgotten, that none of the Biſhops or Nobility in the ſpace of 100 years ſhould remember any thing of it. Which ſhews, that either the Biſhops and Noblemen were very ignorant of their own Privileges, or elſe, that the Liberties granted by that Charter, had been ſo ill obſerved ſince that time, that they were now grown out of date: But whatever might be the Cauſe, it is certain, they were now ſo well ſatisfied with this Diſcovery, that they all ſwore in the Preſence of the Archbiſhop, That upon a fit Opportunity they would contend even to Death it ſelf for thoſe Liberties; and the Arch-

In this Aſſembly the A.Bp tells the Noblemen, that he has Abſolved the K. and upon what Terms.

And tells them, that he had found the Charter of *Henry* I. and reads it before them.

The Nobility ſwear to fight to Death it ſelf, in maintenance of their Liberties.

Archbiſhop promiſed them his faithful Aſſiſtance to the utmoſt of his Power; and ſo the Confederacy being firmly concluded, the Conference or Parliament was diſſolved. *Anno. Dom.* MCCXIII.

This is the firſt League or Confederacy which was ever made by the Barons of *England* of the *Norman* Extraction againſt the King, in defence of their Antient Rights and Liberties; and this will not appear ſtrange to the Reader, if he pleaſes to conſider, that tho' in the Reign of King *William* the *Firſt*, and his Sons, it might ſeem very advantageous to the Great Men of the *Norman* Race to join with the King in oppreſſing the *Engliſh* Nobility; yet in the ſpace of above an Hundred Years, when thoſe very *Normans* were now become perfect *Engliſhmen*, and found themſelves Governed after the ſame Arbitrary manner as the *Engliſh* had been before; I ſay, 'tis no wonder if they deſired ſome eaſe from thoſe Burthens, and now began to contend for the Reſtitution of the antient Laws of King *Edward* the *Confeſſor*, and for thoſe Liberties and Priviledges, which had been granted to their Anceſtors by King *Henry* the *Firſt*.

But had not the Biſhops and Clergy (being now highly Diſcontented at the King's Oppreſſions) joined with the Lay-Nobility in oppoſing them, the Eccleſiaſticks had then ſo great a Power, that the Laiety alone could never have done any good againſt the King: And hitherto they had been ſo far from concerning themſelves what Burthens the King laid upon the People, that they rather joined with him in it, ſo long as they themſelves felt nothing of them; but ſo ſoon as the King came to Tyrannize over them all alike, the Caſe was altered, eſpecially when the Archbiſhop was become the King's ſecret Enemy, and he and the reſt of the Biſhops now depended wholly upon the Pope.

But to return to our Hiſtory from which this Reflection has made us digreſs, [4] Not long after the breaking up of the above-mentioned Aſſembly, that is to ſay, upon the Second of *October*, died *Geoffry Fitz-Peter*, Juſticiary of *England*, to the great Loſs of the Nation, as being the Chief Stay and Support of the Kingdom; a Man learned in the Laws, and of great Authority, as well by reaſon of his ample Eſtate, as by his Noble Relations. But whither he entered into the late Confederacy againſt the King, our Author does not mention, tho' it is moſt likely he did, ſince he had at the Council at *St. Albans* joined with the Biſhops and Great Men in Commanding the Laws of King *Edward* to be obſerved, which was the ſame in Effect with King *Henry*'s Charter above-mentioned: And certainly it could not be for nothing, that our Author tells us, the King ſhould ſo hate and fear him, that he never thought himſelf abſolutely King, till he was dead; inſomuch that when he firſt heard the News of it, he Swore by the Feet of God (his uſual Oath), that now at length he was King of *England*; and with great rejoicing ſaid to ſome Lords about him; *now when this Man comes into* Hell, *let him Salute the Archbiſhop* Hubert, *whom certainly he ſhall find there*; and ſo from that time forward he took upon him a more abſolute Power of contradicting his own Oaths and Contracts, and of ſetting himſelf looſe from the Bonds of that Agreement he had ſo lately made.

[4] *Id. P.* 243. The death of *Geoffery Fitz-Peter*, Juſticiary of *England*.

[4] Here

Anno Dom. MCCXIII.

[5] *M. P. Id. Ib. Matt. Paris his Hiſtory of K. John's Ambaſſy to the K. of Morocco.*

[5] Here our Author proceeds to give us a long Relation of a ſecret Ambaſſy which King *John* ſent about this time to the *Mooriſh* King of *Spain*, and *Morocco*, whom he calls *Admuralius Murmelius*, but his true Name was *Mahomet Enaſar*, and gives us alſo the Ambaſſador's Names, (that is to ſay) *Thomas Hardington*, and *Ralph Fitz-Nicholas*, Knights, with *Robert* of *London* a Prieſt or Clerk; Theſe it ſeems were to let this Black King underſtand, that if he would give him a powerful Aſſiſtance, their Maſter was willing to ſurrender up his Kingdom into his Power, to be held of him, under an *Annual* Tribute; and that he would willingly quit the *Chriſtian* Law, and Embrace that of *Mahomet*: Then our Author further proceeds to give us a long Account of the manner of the Audience, and of the Converſation that paſſed between that King and the Ambaſſadors; the Summ of which is, to ſet forth how much the *Mooriſh* King deſpiſed their Maſter, not only for his inconſtancy in Religion, but his meanneſs of Spirit; and how he diſmiſſed them with great Contempt, ſcarce taking notice of any of them, except *Robert* of *London*, to whom, finding him to be a very ſharp and ingenuous Perſon, tho' but of an ill Aſpect, he gave large preſents, becauſe he had told him the Truth concerning the Manners and Humour of the King his Maſter.

The truth of this Relation juſtified from thoſe that cry it down.

I confeſs this Relation being found in no other Author, ſeems improbable to ſome of our late Hiſtorians, that King *John* (whatſoever he thought of the *Chriſtian* Religion) ſhould dare offer to abjure it, ſince he might be ſure that not only the Pope, but alſo moſt of the Princes of *Chriſtendom*, together with his own Subjects, would have combined to Dethrone him; tho' on the other Side it ſeems ſtrange that *Matt. Paris*, who lived and wrote his Hiſtory in this King's Son's Reign, and by his particular Encouragement, ſhould dare to relate it, if there had been no ground for it; beſides that the naming of the Perſons that were ſent then to that Monarch, would have been too notorious a falſhood to be publiſh'd ſo ſoon after the thing done.

But tho' the Subject of their Ambaſſy as this Author relates it, may be doubted, yet can we not agree with Dr. *Brady's* Opinion, "who will needs have it paſs for a meer Tale or Legend, and a "malicious Calumny raiſed againſt that King, to alienate the affections of his People from him, becauſe he had granted his "Kingdom to the Pope, and received it again as a Feudatary to "him; as alſo becauſe *Matt. Paris* makes this *Robert* of *London*, the "King's own Clerk, and one of his Envoy's to that Emperor; and "in his Diſcourſe with him, to have made the moſt horrid In-"vective againſt his own Prince and Maſter, that perhaps was e-"ver heard. The Firſt of theſe Reaſons might have been omitted, had the Dr. pleaſed to take notice of what our Author expreſly tells us, that it was that very Agreement or Form of Peace the King had lately made with the Pope and Biſhops, that he then repented of, and from which he could find no way to ſet himſelf free, but by imploring the aſſiſtance of that *Mahometan* Prince. As for the Dr's. Second Reaſon, I think it leſs ſatisfactory than the former, ſince it is not at all improbable that the Envoy he mentions, when left alone with that Prince, might frankly tell him his thoughts

thoughts concerning the King his Maſter, ſince there was no body by who would or could tell Tales; and our * Author ſays expreſly, that he related all this to ſome of his Confidents in his preſence, which was not till ſome Years after King *John*'s death: However, I ſhall leave it to every one to judge or believe as he pleaſes concerning this matter. *Anno Dom.* MCCXIII † *Matt. Paris.*

[1] The ſame Year, *Nicholas* Biſhop of *Tuſculum* (now *Fraſcati*) being newly made the Pope's Legate in the Room of *Pandulf*, came about *Michaelmas* into *England*, to compoſe by his Authority the Diſſentions between the *Secular* and the *Eccleſiaſtick* States; the Archbiſhop of *Canterbury* with the Biſhops and Great Men of the Kingdom, met him at *London*: And tho' the Kingdom was ſtill under an *Interdict*, yet was he received by the Clergy with a Solemn Proceſſion and Singing; and there it was, that in the preſence of the King and this Cardinal, there was a Treaty for Three Days between the King and Clergy concerning the Damages the Biſhops and Abbots had ſuſtained, and what had been taken from them; at which time the King offered an Hundred thouſand Marks to be forthwith paid, as a full Reſtitution to the ſaid Biſhops; yet with this *Proviſo*, that if it ſhould afterwards appear by *Inquiſition*, that the *Guardians* the King had placed in Churches, or his other Officers had taken away more, then that he would before the next *Eaſter*, according to the Judgment of the Legate and the Biſhops make further ſatisfaction for what had been taken away; and to this he likewiſe Swore with certain *Fidejuſſors* or Sureties.

[1] *Id.* p. 246. The Pope's Legate comes into *England*, and for what purpoſe.

A Treaty held between the K. and the Clergy concerning their Damages, and the K's offer of Reſtitution.

Whereupon the Legate conſented to this Propoſition, and would have had it preſently put in execution, and took it ill that the Biſhops, did not accept of it, which made him a little ſuſpected of ſhewing the King too much favour; and therefore the Biſhops gave a dilatory Anſwer to this propoſal, and only agreed, there ſhould firſt be an *Inquiſition* made of all the Damages, and of what had been taken from them, and then the Value or Sum total thereof to be preſented to the King, who conſented to this Agreement; and ſo there was no more done that Day.

The Legate aſſents to the K's propoſal, and is therefore ſuſpected of partiality.

[2] On the morrow, they all met again in the Cathedral Church of St. *Paul*'s, where after many various Diſcourſes about the Relaxation of the *Interdict*, the King before the great Altar, in the ſight of the Clergy and Laiety, renewed his * *infamous* Subjection of the Crown and Kingdom of *England*, with the Lordſhip or Dominion of *Ireland* to the Pope, and the King's Charter which was formerly Sealed with Wax, and delivered to *Pandulph*, was now * Sealed with Gold, and delivered to the Legate to the uſe of the Pope, and the *Roman* Church.

[2] *Ib.* p. 247. The K. before the *Interdict* could be taken off, publickly renews his Subjection to the Pope.

* *Famoſa.*

* *Bullata.*

[3] But as to the Reſtitution of what had been taken from the Clergy, the Third of *November* was appointed to Treat of it at *Reading*; but when they were met there on that Day, the King being abſent, they were appointed to meet again at *Wallingford* Three Days after, upon the Sixth of that Month, where the King (as he had done before) voluntarily offered to ſatisfie the Biſhops and all others whomſoever; but this ſeemed a ſmall matter to ſuch as had their Caſtles Demoliſhed, their Houſes pulled down, and their Orchards and Woods ſtubbed up; wherefore the King and Biſhops agreed

[3] *Id. Ib.*

The K. again offers to make good his firſt propoſal, but is not accepted by the Clergy.

to

Anno Dom. MCCXIII. to refer the matter to the Arbitration of Four Barons, ſo that the King ſhould make ſatisfaction according to their Judgment.

The matter is referred to the Arbitration of Four Barons. *Id. Ib.*

After this the King and Legate with the Archbiſhop, Biſhops, and all the Religious Perſons concerned in the buſineſs, met again at *Reading* on the Sixth of *December*, where every one produced a Schedule or Inventory of what had been taken from him, with the Value of the Damage he had ſuſtained thereby: But the Legate favouring the King, they were put off, and payment delayed except to the Archbiſhop of *Canterbury* and ſuch Biſhops who went out of *England* to him, who received there 15000 Marks of Silver.

N. 103. and 104. It does not appear what was done on this Inquiſition, only that Commiſſioners were again appointed to enquire into the Damages.

I cannot find who theſe Barons abovementioned were, or what they did in this Arbitration, only Dr. *Brady* has given us in his Appendix Two ſeveral Writs extant upon the Patent Rolls of this Year, directed to certain Commiſſioners in the Counties of *Dorſet* and *Norwich*, in purſuance of the aforeſaid Agreement with the Biſhops; to make Inquiſition in every Dioceſſe, before certain Clerks of the Archbiſhop, what had been taken from the Biſhops, Clerks Eccleſiaſtical Perſons and Laicks, and to return it to the King, as and other appears * upon Record in the Tower; where is alſo inſerted the Names of the Commiſſioners for each Dioceſs, tho' the Inquiſitions themſelves are not to be found; which in all probability were the Inventories or Schedules alſo above-mentioned.

* *Rot. pat* 15. *Johan. P.* 2. *M.* 8. *Dors. Ibid. M.* 7. *Dorſ.*

The Barons of the *North* are reconciled to the King.

About this time alſo (as *Rad. de Coggeshal* relates) the Barons of the *North* were reconciled to the King, by the mediation of the Legate and the Archbiſhop of *Canterbury*, with the Biſhops and Barons of *England*, on this Condition, that they ſhould ſtill enjoy their antient Liberties; which ſeems to refer to the Quarrel, that this Author tells us the King had with them not long before, upon the account of their refuſing to follow him into *Poictou*.

[4] *Id. Ib.* The Pope writes to the Legate to fill up the vacant Biſhopricks and Abbeys.

About this time [4] the Pope Wrote to his Legate *Nicholas* to fill all vacant Abbacies and Biſhopricks with fit Perſons, and wrote to all Convents and Chapters, Commanding them to comply with his Judgment and Determination; and if there were any Rebels, or ſuch as Contradicted him, that he ſhould compel them to Obedience by Eccleſiaſtick Cenſures without any benefit of Appeal.

* *Id. Ib.*

* The Legate armed with this Power, deſpiſed the Archbiſhop and Biſhops of the Kingdom, and went to the vacant Churches with the King's Clerks and Officers, and placed in them unfit Perſons; all ſuch as Appealed to the Church of *Rome* he ſuſpended, and ſuffered them not to have one Penny of what was their own to bear their Charges thither. In many Places he gave the vacant Parochial Churches to his own Clerks, without the conſent of the Patrons; ſuch was the effect of the Pope's late uſurped Power in this Kingdom. Nevertheleſs *Walter* of *Coventry*, tho' he agrees with *Matt. Paris* in the reſt of this Relation, yet ſays, that the vacant Biſhopricks of *York*, *Durham*, *Litchfield*, and others, were not now filled up, becauſe the King refuſed to beſtow them but according to the antient Cuſtom of the Kingdom, that is, he would ſtill recommend thoſe whom he would have elected; which the Biſhops oppoſing, thoſe Sees yet remained vacant, till it ſhould be agreed at *Rome*, between the Pope and the King's Envoys, how far that antient Cuſtom ſhould be obſerved.

The great abuſes committed by the Legate.

Several Vacancies not filled up, and why.

But

But *England* affording us litle more worth noting this Year, we must see what was done in foreign Parts; and here both our own as well as the *French* [5] Historians relate, that *Peter*, King of *Arragon* having taken into his Confederacy and Protection the Counts of *Toulouse*, *Foix*, and *Commenge*, with the Viscount of *Beziers*, and others, whose Territories *Simon*, Count *Montfort*, had not long before Seized for their Protecting the *Albigenses*, who, being then declared Hereticks by the Church of *Rome*, undertook an unfortunate War in their Defence: But *Montfort* having put a strong Garison into a Town called *Muret*, the King of *Arragon* laid Siege to it in the Month of *September*, his Army consisting of near a Hundred thousand Men: *Montfort* being then at Castle *Naudarie*, tho' he could scarce muster up Twelve hundred, yet immediately he cast himself into the Place, from whence he made a furious Sally upon that King; who contemning the smallness of his Numbers, sate himself down to dinner, at the beginning of the Fight. But however before his Troops could be drawn up in any Order to resist the Enemy, they were all cut to pieces, and the King himself then marching out when it was too late, was thrown off his Horse, and killed by the Common Soldiers, that refused to give him Quarter, because they looked upon him as an *Apostate*; the Victors also carried off his *Standard-Royal*, which was sent in Triumph to *Rome*: So that the whole Field being covered with dead Bodies, there was never known a more entire Defeat; the Earl of *Toulouse*, (commonly called by our Writers the Earl of St. *Giles*) fled out of this Battle.

Anno Dom. MCCXIII.

[5] *Gu. B. Rigord. Olphonse*, K. of *Arragon* undertaking the Protections of the Counts of *Thoulouse*, *Foix*, &c. is routed by Count *Montfort*.

And slain, and his Troops cut all to pieces.

[1] Upon which Blow the City of *Thoulouse* offered to Submit to what Conditions the Pope's Legate should please to impose; but matters being gone too far to admit of any Reconciliation, it was resolved to strip that Earl of his Estate, and the Citizens of theirs; so that the poor Prince not knowing whither else to flie for Refuge, was forced to come over into *England*, to his Uncle King *John*, and not long after was deprived of all his Dominions by the Pope's Authority.

[1] *Id. ib.* The Earl of *Toulouse* looses his Earldom, and the Citizens their Liberties.

I have been the more particular in the Relation of this Affair, as being the last Effort which the Princes who favoured the *Albigenses* ever made in *France*; from whence being expelled upon the taking this City of *Toulouse*, they fled to the Mountains of *Savoy* and *Pyemont* to those of their own Opinions, who were settled there long before.

[2] King *John* kept his *Christmas* this Year at *Windsor*, where being upon somewhat better Terms with his Nobility than before: He bestowed a great Number of Rich Festival Liveries among them; then after the Octaves of *Epiphany*, the Archbishop of *Canterbury* with his Suffragans met at *Dunstable*, to Treat of the Affairs of the *English* Church; for it much troubled them that the Legate without their Advice, and in favour to the King's Inclinations, should place insufficient Prelates in vacant Churches, rather by Intrusion than Canonical Election: At length, when the matter had been long and deliberately debated, the Archbishop sent Two Clerks to the Legate then at *Burton* upon *Trent*, who, by Appealing to the Pope in the Archbishop's Name, prohibited him to presume

Anno Dom. MCCXIV.

[2] *M. P.* The Archbishop and Bp's meet at *Dunstable*, to consult how to hinder the Legate from filling up the vacant Churches, and agree to Appeal to the Pope.

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The Legate diſpatches *Pandulf* to oppoſe their Appeal, ſo that it is not received by the Pope, who approves of what the K. and the Legate had done.

ſume to inſtitute Prelates in his Province, to whom of Right it belonged to do it. But the Legate not valuing the Appeal, diſpatches *Pandulph* (now but a private Perſon) with the King's aſſent to the Court of *Rome*, that ſo he might defeat the purpoſe of the Archbiſhop and Biſhops; and when he came there, he did not a little blaſt the Credit of the Archbiſhop with the Pope, and ſo much extolled the King that he affirmed, *he never heard of a more humble and modeſt Prince*, So that he obtained great favour with the Pope: And tho' Maſter *Simon de Langton* the Archbiſhop's Brother was ſent by the Biſhops to oppoſe *Pandulph*, yet ſince he now brought over the King's Charters, containing the Subjection and Tribute of the Kingdom of *England* and Ireland, *Simon* could not be heard in what he offered againſt him. The ſame *Pandulph* alſo affirmed, that the Archbiſhop and Biſhops were too Rigid and Covetous in the exacting Reſtitution of what had been taken away in the time of the *Interdict*; and that they had beyond all Equity depreſſed the King himſelf, and the Liberties of the Kingdom; and thus for ſome time the deſigns of the Archbiſhop and Biſhops were put off.

[3] *Id.* p. 248. The K. ſends Money to his Commanders in *Flanders*, who thereupon take ſeveral Towns and Caſtles in thoſe Parts.

[3] In the mean time the King had ſent a great Sum of Money to the Chief Commanders of the Forces in *Flanders*, that thereby they might be enabled to Invade and waſt *France* on that Side; which they did, and took ſeveral Towns and Caſtles, and much harraſſed the Country, waſting the Territories of *Lewis* the *French* King's Son in thoſe Parts.

[4] *Id. Ib.* The K. and Q. go over to *Rochel* with a great Army, where many of the Barons of *Poictou* ſwear Fealty to him. The K. by Letters gives his Juſtices in *England* notice of his good ſucceſſes, and of the taking many Places in thoſe Parts. And that the Earl of *Marche* and other Noblemen had done Homage and ſwore Fealty to him.

[4] And now the King having ſent Envoy's to *Rome* about taking off the *Interdict*, He with his Queen took Shipping at *Portſmouth* upon *Candlemas-day*, and within few Days after arrived with a great Army at *Rochel*, whither divers Barons of *Poictou* came, and ſwore Fealty to him: And preſently after his Landing, there were Surrendred to him many Caſtles then in poſſeſſion of his Enemies, of which he gave his Juſtices in *England* a large account by his Letters, and for them I refer the Reader to our Author; but the Deſign of them was, to let them know, that the Term of Truce which he had formerly granted to the Earls of *Marche* and *d' Augi* being expired, and not finding them diſpoſed to a perfect Peace, he had thereupon Invaded the Territories of *Geoffery de Lirenan*, (a great Lord of their Party) and taken his Caſtle of *Merevent*, and that after that, he had alſo beſieged another Caſtle of the ſaid *Geoffry*, called *Novent*, which having been battered for a while, both the Nobleman himſelf, and his Sons were forced to ſurrender it to the King's Mercy; and that being at *Parthenay* on *Trinity-Sunday*, there came to him the Earl of *Marche* and the Count *d' Augi* with *Geoffry de Lirenan*, who all did Homage, and ſwore Fealty to him; upon which he had alſo agreed to a Marriage between his Daughter *Joan* and the Son of the Earl of *Marche*. This Letter bears Date at *Parthenay* in the Sixteenth Year of his Reign: But his good Succeſs in theſe Parts was but ſhort, as you will find anon.

Another Letter of the K's. to *William* E. Mareſchal to the ſame effect.

In the mean time, I cannot here omit, that whilſt the King lay at *Rochel*, he alſo wrote another Letter to *William* Earl-Mareſchal, wherein he gave him a farther Account of his Succeſs in thoſe Parts, and that preſently after his Landing there were ſurrender'd and quitted

quitted to him Twenty ſix Caſtles and Fortreſſes; and whilſt he was beſieging *Milleſen-Caſtle*, there came to him one Friar *William* of *St. Owen*, with the Form of releaſing the *Interdict*, which he ſent to *Peter* Biſhop of *Winton*, his Juſticiary of *England*, with Inſtruction to the ſaid Earl-Mareſchal, and the reſt of the Earls, Barons, and Great Men of *England*, (who had alſo the like Letters ſent them) that they ſhould obſerve the Directions of the ſaid Juſticiary concerning this Affair of the Releaſe of the *Interdict*: This Letter bears date at *Rochel* the 8th of *March*, and was formerly only to be found among the Records in the *Tower*, but it is now publiſhed by Dr. *Brady* in his * *Appendix*. *Anno. Dom.* MCCXIV. *Rot. Claus.* 15 *Johan. parte prima m.* 1. *Dorſ.* N. 106.

[4] About this time, the Pope wrote Letters to Cardinal *Nicholas* his Legate in *England*, concerning the aforeſaid Affair, in which he gave him an Account, that the King's Envoys, *John* Biſhop of *Norwich*, *Robert de Maris*, Archdeacon of *Northumberland*, and one Mr. *Adam* a Clerk, had agreed with *Simon Langton* and certain other Clerks, Commiſſioners for the Archbiſhop of *Canterbury*, and the reſt of the Biſhops, in the Pope's Preſence, that it was very much for the Advantage both of the Eccleſiaſticks, and Seculars, that the *Interdict* ſhould be releaſed; and then with all their Conſents appoints the Form of it, by which he order'd 40000 Marks to be paid to the Archbiſhop of *Canterbury*, and the Biſhops of *London* and *Ely*, or their Aſſigns; but yet with a Diſcount of what they had received before; which being paid, and further Security given (as it was directed in the Form it ſelf) the Legate without any more ado was to releaſe the *Interdict*; yet Caution was given, that the King ſhould bind Himſelf by his Oath, and Letters Patents, with Six others, both Biſhops and Earls, as his *Fide-juſſors*, or *Sureties*, for the Payment of 12000 Marks a year, by equal Portions, until the 40000 Marks were fully diſcharged; Theſe Letters are dated at the *Lateran Palace* at *Rome*. [4] *M. P.* p. 249. The P. writes to his Legate, letting him know that the Commiſſioners on both ſides had all agreed, That the *Interdict* ſhould be Releaſed, and on what Conditions.

[5] 'Tis true, that at the time when *Nicholas* the Legate received this Authentick Anſwer from the Pope, the King was himſelf beyond Sea, but at his departure from *England* he left him and *William* Earl-Mareſchal his Commiſſioners for this Buſineſs; Hereupon the Legate aſſembled a Great Council or Synod at St. *Paul's* in *London*, where the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and others, were all aſſembled, about this Affair of the *Interdict*; and there he propounded to them the Form of Reſtitution for Damages, for what had been taken away from the Biſhops, *&c.* which had been drawn up by the Pope at *Rome*, with the Conſent of all Parties; alſo he commanded Certificates of what Money had been paid to the Biſhops and others; upon which it appear'd by a ſtated Account, that the Archbiſhop and Monks of *Canterbury*, with the Biſhops of *London*, *Ely*, *Hereford*, *Bath*, and *Lincoln*, had before their return into *England*, received by the Hands of *Pandolf* the late Legate, 12000 Marks *Sterling*; and in the Council held at *Reading*, on the 7th of *December*, after their return, That the ſame Biſhops and Monks had received 15000 Marks more, to be divided among them; ſo that there remained in Arrears only 13000 Marks; for the Payment of which, they had the King's Letters Patents, and the Securities of the Biſhops of *Wincheſter* and *Norwich*, [5] *Id. ib.* The K. at his departure left the Legate and the Earl-Mareſchal his Commiſſioners to act for him. The Former Summons a Synod at St. *Pauls*, about releaſing the *Interdict*; and the Conditions of it.

Anno Dom. MCCXIV.

[1] *Id. ib.* The Sentence of *Interdict* releaſed, after above 6 years continuance.

[1] ſo that after the Stating and Agreeing all theſe Demands, the Legate on the Feaſt of St. *Peter* and *Paul*, publickly releaſed the Sentence of *Interdict*, after it had continued Six Years, Three Months and Fourteen Days. For this mighty Benefit *Te Deum* was ſolemnly Sung by the Clergy; and indeed, the whole Nation highly rejoyced, that they were now Reſtored to the Free and Publick Exerciſe of Religious Duties.

A great number of other Eccleſiaſtics require Satisfaction for their Loſſes, but go away without it.

The *Interdict* being thus releaſed, there came to the Legate a great Multitude of Abbots, Priors, *Knights-Templars*, and *Hoſpitallers*, Abbeſſes, and Clerks, all deſiring Satisfaction for the Damages and Injuries they had received from the King during the *Interdict*; but the Legate anſwered them all alike, that there was no mention made of their Damages and Injuries in the Pope's Letters, and therefore he neither could, nor ought to tranſgreſs the Bounds of his Authority; only he adviſed them to apply themſelves to the Pope, and Petition him to do them Juſtice concerning their Injuries and Loſſes. Upon which anſwer, this whole Body of Eccleſiaſtical Sufferers were forced to return Home hopeleſs of any other Relief, than what might be gain'd by Petitioning the Pope, which never came to any thing.

Thus none but the Rich Biſhops and ſome Abbies received any Benefit by this Agreement, whilſt the Poorer Monaſteries, and others of the Inferior Clergy, received no Satisfaction for all their Loſſes.

Dr. *Brady's* Excuſe for the King's Violence and Injuſtice to the Religious Houſes, proved inſufficient.

Here Dr. *Brady* would fain excuſe the King, as if nothing had been due from him to thoſe Religious Houſes, becauſe he had before procured their Charters, teſtifying, That what he had taken from them was freely given: But the Doctor himſelf ſufficiently confutes this Excuſe, when he acknowledges from our Author (tho' under the former Year) that the King, by his ſubtilty, had extorted from thoſe Religious Houſes certain Charters, wherein they acknowledged they had given him *gratis* whatſoever Money he had violently wreſted from them; and the Doctor muſt needs know, That as well by the *Canon* as *Common* Law, *Dureſs* is always looked upon as a *Good Plea* againſt any Acts done thereby, eſpecially by Spiritual Corporations, who are always eſteem'd as in a ſtate of Minority; and therefore tho' in the *Patent* Roll of the 16th of this King, (which the Doctor has given us at large in his **Appendix*) this Diſcharge is entred in the Form of an *Acquittance* from all the Abbots and Convents, by which they acknowledged full Satisfaction, for what the King had received of them during the *Interdict*; yet this will not do the Buſineſs for which it is brought, but rather ſerves to make the Wrong more apparent, ſince if the King could extort that Money from them, he might likewiſe by the ſame Power exact what *Releaſes* he pleas'd for it: But it is time to look abroad, and ſee what Succeſs the King's Army now met with in Foreign Parts.

*N. 111.

[2] *M. P. Ib.* The K. marches with his Army into *Poictou*, and beſieges a ſtrong Caſtle.

[2] About this time the King marched his Army out of *Poictou* into *Bretaigne*, and beſieged the ſtrong Caſtle *de la Roche au Moine*, upon the River *Loir* between *Nants* and *Angiers*; whereupon Prince *Lewis*, the King of *France*'s Eldeſt Son, came with a great Army to Relieve it; but King *John* ſending forth his Scouts to diſcover their Numbers and Strength, they upon their return informed him, that they were inferior to him in Both, and perſuaded him to give them

Battel:

Battel: Upon this he commanded his Soldiers to Arm, with a Reſolution to March and Fight the Prince; but the Barons of *Poictou* refus'd to follow the King, alledging, They were not then prepar'd for a Battel, which made him afraid of their accuſtomed Treachery; ſo that when he was juſt upon the Point of taking the Caſtle, he was forced to raiſe the Siege, and retreat. But *Lewis*, ſo ſoon as he heard the King was coming towards him, fearing to Engage, retired likewiſe; thus both Armies having ignominiouſly declined an Encounter, ſhamefully turn'd their Backs upon each other, without ever ſtriking a ſtroke. *Anno Dom.* MCCXIV. But being ready to fight, he is deſerted by the Barons of *Poictou*, which proves the loſs of the Expedition.

But the *French* Hiſtorians, (eſpecially *Rigord*, and others from him) report this Action very partially on their own ſide, for they ſay, That Prince *Lewis* aſſembled an Army at *Chinon* Caſtle, and ſet forward towards King *John*; but ſo ſoon as he heard they were within one Day's march of him, he fled, and left his Engines with which he had batter'd the Caſtle, behind him; and that *Lewis* afterwards took the Caſtles of *Beaufort* and *Monconter*, waſted many rich Places belonging to the Viſcount of *Toars*, and demoliſhed the New Walls of *Angiers*, with which King *John* had encompaſſed it. The *Fr.* Hiſtorians relate this Action very partially on their ſide.

But this is more certain, that within leſs than a Month after, (that is to ſay) upon the 27th of *July*, the Famous Battel of *Bovines* was fought between *Tournay* and *Liſle* (in *Artois*). For at this time the Emperor *Otto*, the King of *England*, and Earl of *Flanders*, with the Dukes of *Lovain* and *Brabant*, had made a League againſt the King of *France*, and invaded his Kingdom, whilſt his Son *Lewis* was engaged in *Poictou* and *Bretaigne*, againſt King *John*; at this Battel, tho' the Emperor had infinitely the Odds in Men, and the Perſon of the King of *France* was in great Danger, having been thrown off his Horſe, and trod under Foot; yet at length his Enemies were all Vanquiſhed, the Emperor *Otto* being put to flight, his Standard, (which was a *Dragon*, under an *Imperial Eagle* all Guilt,) taken, and the Chariot that carried it, broken in pieces. There were alſo made Priſoners five Earls; Three whereof were *Ferrand* Earl of *Flanders*; *Reginald* Earl of *Bologne*; and *William Longeſpe*, Baſe-Brother to King *John*; beſides 25 Noblemen that carried Banners: Earl *Ferrand* was impriſon'd in a Tower at *Paris*, and *Reginald* in the ſtrong Caſtle of *Perone* in *Picardy*, laden with Irons, and Chain'd to a great piece of Timber; but as for the Emperor, he was forced to flie away into his own Territories in *Saxony*, where he lived Privately all the reſt of his Days, having been not long before *Excommunicated* and *Depoſed* by the Pope, who had beſtowed the Empire upon *Fretheric* King of *Sicily*, and not long after he was Crown'd King of the *Romans*. This great Victory ſo advanced the *French* King's Affairs, that neither King *John*, nor any other Prince was able for the future to withſtand him. *M. P. Id. ib.* p. 251. The Emp. *Otto* utterly defeated by K. *Philip* at the Battel of *Bovines*.

[3] But not long after this Victory, by the Procurement of *Ranulf* Earl of *Cheſter*, and the Mediation of *Robert* the Pope's Legate (ſaith *Rigord*) and of certain Religious Perſons, (as *Matt. Paris* relates) a Truce was concluded between King *Philip* and King *John*, as appears by thoſe Letters Patents, which our Author has put down at large; in which King *Philip* recites, That he had granted a Truce to *John* King of *England*, and his Subjects, from *Thurſday* after the Exaltation [1] *Id. ib.* A Truce is at laſt concluded between King *Philip* and K. *John* for five years.

Anno Dom. MCCXIV. Exaltation of the Croſs in *September*, to laſt for *Five Years* compleat; and in the mean while, all Things and Perſons were to remain in the ſame ſtate as they were in at the time of the Truce made; which Truce being agreed to, King *John* return'd into *England* on the 19th of *October*: And this was the laſt Expedition that ever he made into Foreign Parts.

[4] *Id.* p. 251. The Earls and Barons meet at *St. Edmunds-Bury*, to conſult how to re-obtain King *Henry* I. his Charter.

[4] About the ſame time, the Earls and Barons, under the Pretence of a Pilgrimage, but really for quite another Purpoſe, met at *St. Edmunds-Bury*; and when they had for a long while conſulted privately together, the Charter of King *Henry* the *Firſt* was produced, which the Barons had lately received from *Stephen* Archbiſhop of *Canterbury* at *London*, as was ſaid before; that contained the Laws and Liberties that K. *Edward* had granted to the Holy *Engliſh* Church, and the Great Men of the Kingdom, with ſome other Liberties, which King *Henry* had added himſelf. From whence we may obſerve, that the Laws of King *Edward*, and the Charter of King *Henry* the *Firſt*, were then looked upon to be the ſame in effect, excepting ſome few Additions; ſo likewiſe was that Charter which King *John* not long after granted, eſteemed to be the ſame in effect, as the above-mentioned Laws and Charter, only expreſſed more at large.

[5] *Id. ib.* They all ſwear at the High Altar never to deſiſt making War upon the King till he granted it.

[5] When theſe were all met at the Church of the Monaſtery of *St. Edmunds*, the Greater Barons began firſt to Swear at the High Altar, That if the King refuſed to grant them thoſe Liberties they demanded, they would make War upon him, and withdraw themſelves from their Obedience, until he ſhould by a Charter, Sealed with his Seal, reconfirm them; and they likewiſe unanimouſly agreed, That after *Chriſtmas* they would all go to the King in a Body, to demand his Confirmation of the Liberties above-mentioned; and in the mean time they would provide themſelves with Horſes and Arms, that if perchance the King ſhould ſtart from his own Oath, (as they believed by reaſon of his Double-dealing he would) they might then compel him to give them Satisfaction, by taking his Caſtles into their Cuſtody.

The Account the Annals of *Waverly* give of the Reaſons of this great Diſcontent of the Nobility at this Time.

The Annals of *Waverly* do alſo under this Year give us the Occaſion of this general Diſcontent of the *Engliſh* Nobility; affirming, That *Peter* Biſhop of *Wincheſter* (being left the King's Juſticiary during his abſence) endeavouring by degrees to Subject the Great Men of the Kingdom to the King's Will, thro' the abuſe of his Power, did but increaſe their Diſpleaſure againſt his Maſter; inſomuch that their fury was not at all pacified when that Author wrote, which ſeems to be about the very time that theſe things happened; his words being, *Neque eſt ſedatus furor ille uſque adhuc.*

Nicholas, the Pope's Legate, is call'd home, upon which the K. becomes milder to the Clergy.

As for Eccleſiaſtical Affairs, this Year affords little more, but that (according to *Walter* of *Coventry*) *Nicholas* Biſhop of *Tuſculum*, the Pope's Legate, was, not long after the King's Return out of *Poictou*, recalled to *Rome*, becauſe he was accuſed for having carried himſelf with leſs Honeſty and Courage than he ought to have done in behalf of the Church: wherefore, when the King found he was bereft of his Aſſiſtance, he became Milder, and ſhewed more Benignity to the Biſhops and Clergy, to whom he made larger Satisfaction for the Injuries he had done them; beſtowing on ſome, Mannors;

Mannors; on others, Immunities and Privileges for their Houſes; and on thoſe that were more Covetous, ready Money.

Anno Dom. MCCXIV.

I can find nothing more Remarkable to have happened this Year, [1] only in *December William* King of *Scots* died in the Forty Ninth year of his Reign, and the Seventy Second of his Life; which I mention, becauſe it has been hitherto ſo rare among the Kings of that Nation, either to Live, or Reign ſo long.

[1] *C. M.* The Death of *William* K. of *Scots*, with his Character.

He was a Prince of great Valour and perſonal Worth, and being much lamented by his Subjects, was ſucceeded by Prince *Alexander* his Son, then a Youth of but Seventeen years of Age.

Anno Dom. MCCXV.

And now I am come to the 17th Year of King *John's* Reign, [2] when he kept his *Chriſtmas* at *Worceſter*, tho' it was but for One Day; and ſo haſtening from thence to *London*, took up his abode in the *New-Temple*, which ſtood where thoſe Inns-of-Court now called the *Inner* and *Middle-Temples* are ſince built: Thither the Great Men came to him in very pompous Military Accoutrements, and deſired that the Liberties and Laws of King *Edward*, with other Privileges granted to the Kingdom of *England*, and *Engliſh* Church, might be confirmed, as they were contained in the Charters of *Henry* the *Firſt*. Moreover they affirmed, That at the time of his Abſolution at *Winchester*, he promiſed to obſerve thoſe Laws and Liberties, and likewiſe bound his ſaid Promiſe with his Oath: The King hereupon perceiving the Earneſtneſs of the Barons, and their Preparations for War if he denied them, was much ſtartled; but in regard of the greatneſs and difficulty of the Matter, he deſired time to give them a poſitive Anſwer until the Cloſe of *Eaſter*: Many things were now propounded on both ſides, but at length the King (though unwillingly) found for his Sureties the Archbiſhop of *Canterbury*, the Biſhop of *Ely* and *William* Earl-Mareſchal, that on the Day prefixed he would give them full and reaſonable Satisfaction, upon which all the Great Men return'd home.

[2] *M. P.* The K. preſently after *Chriſtmas* comes to *London*, where all the Great Men of the Kingdom reſort to him, to demand the Confirmation of K. *Henry's* Charter.

The K. being afraid of the Barons, deſires ſome time to give them an Anſwer, and in the mean while gives Security to ſatisfie them.

About the ſame time alſo, the King granted a Charter under his Seal, for the Freedom of Elections to Biſhopricks, and Abbies, and all other Conventual Churches, to chuſe their Biſhops, Abbots, *&c.* without any Letters of Nomination or Recommendation of ſuch Perſons as were Faithful to him, *&c.* and this was contrary to the uſage of his Predeceſſors. *Id.* p. 263.

This Privilege was not only confirmed by the firſt Clauſe of *Magna Charta*, but alſo not long after this preſent Charter, made by the Pope's, which you may find at large in our Author. *Id. Ib.*

So that the antient Prerogative of Nominating to Abbies and Convents, and alſo to Deans and Chapters, fit Perſons to be Elected Biſhops, was never after this time fully reſtored to the Crown till the 25th of *Henry* VIII. when by a Statute made on purpoſe it was ordain'd, that together with the *Conge d'eſtire*, ſhould be alſo ſent down a Letter miſſive from his Majeſty, containing the Name of the Perſon, whom he would have choſen Archbiſhop or Biſhop; and if they fail'd to make their Election accordingly, then the King by his Letters Patents might Nominate whom he ſhould think fit.

[3] In

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[3] *Id. ib.* The K. to ſecure himſelf, makes all Men do Homage, and ſwear Fealty to him, and then undertakes the *Cruſado*

[3] In the mean while, the King, the better (as he thought) to ſecure himſelf for the future, cauſed the Homages to be renewed throughout *England*, and all Men to be ſworn to himſelf againſt all others; and further ſtill to provide for his own Safety, upon *Candlemas-Day* he took upon him the *Cruſado*, *i.e.* Vowed an Expedition to the *Holy-Land*, tho' it was thought an Act rather of Fear than Devotion, that ſo thereby he might be more ſafe under the Protection of that Badge.

[4] *G. N. T.* Other Noblemen take the *Croſs* at the ſame time.

[4] At the ſame time alſo, that the King took the *Croſs* from the Hands of the Biſhop of *London*, the Earls of *Cheſter* and *Derby*, with other Noblemen did ſo likewiſe; But this Undertaking (if ever really intended) came to Nothing, the Civil Wars between the King and the Barons breaking out preſently after.

[5] *M. P. Ib.* The Nobility meet again at *Stanford*.

For in [5] *Eaſter* Week, the Great Men met at *Stanford* with Horſe and Arms, and had drawn almoſt the whole Nobility of *England* into their Party, ſo that they made up a very great Army; for upon their Muſter they were found to be no leſs than Two Thouſand Knights, beſides other Horſe and Footmen, armed with divers Weapons.

[1] *Id.* p. 254. Who were the chief Inciters to this Undertaking.

[1] The Chief Inciters to this Undertaking, were, *Robert Fitz-Walter*, *Euſtace de Veſci*, *Richard de Percy*, *Robert de Roſs*, *Peter de Bruis*, *Nicholas de Stutevil*, *Saher*, Earl of *Wincheſter*; *Robert*, Earl of *Clare*; *Roger*, Earl *Bigod*; *William de Mumbray*, (alias *Mowbray*) *Roger de Creiſſy*, *Ranulph Fitz-Robert*, *Robert de Ver*; with other Barons, as well of *Norman* as *Engliſh* Extraction, whoſe Names being many, and needleſs to be repeated, I refer the Reader curious in ſuch Matters to the Author; and theſe were all Confederate, tho', under hand, *Stephen* Archbiſhop of *Canterbury* was their Principal Adviſer.

To which the A. Bp was the Principal Adviſer.

[2] *Id. ib.* The K. being at *Oxford* ſends the A. Bp to the Barons, to know their Demands.

At [2] this time the King was at *Oxford* in expectation of the coming of the Great Men; and on *Monday* after *Eaſter*, the abovementioned Barons rendevouzed at *Brackley* in *Northamptonſhire*; but ſo ſoon as the King heard of it, he ſent the Archbiſhop of *Canterbury*, and *William Mareſchal*, Earl of *Pembroke*, and ſome other Wiſe Men, to know what the Liberties and Laws were, that they ſo earneſtly deſired: Upon which the Confederate Earls and Barons delivered to them a Schedule or Writing, which indeed for the moſt part, contained the Antient Cuſtoms of the Kingdom; affirming, That if the King would not forthwith Grant and Confirm them under his Seal, they would compell him, by ſeizing his Caſtles and Poſſeſſions, until ſuch time as he had given them Satisfaction.

They ſend the K. their Demands in Writing.

The K. upon hearing them read, falls into a Paſſion, and refuſes to grant them.

The Commiſſioners returning to the King with the Schedule, read to him all the Articles therein contain'd; whereupon falling into a great Paſſion, he asked, *Why the Barons did not, together with theſe Exactions, demand of him the Kingdom alſo? They are all fooliſh things* (ſaid he) *and without colour of Reaſon*, and ſwore a great Oath, *That he would never grant ſuch Liberties as would make himſelf a Slave.*

The Annals of *Waverly* give their Account of the Original of the Barons War.

Thus began this Unhappy War by the Nobility's poſitively inſiſting upon, and the King's as obſtinately refuſing to confirm the Laws of King *Edward*, and the Liberties and Free Cuſtoms of other preceeding Kings, as the Writer of the Annals of *Waverly* here very judiciouſly obſerves: To which he alſo ſays, That thoſe Laws had been very much Corrupted and Infring'd, during this King's Father's Reign;

Reign; but chiefly in his Own, who had diſinherited divers of the Great Men without any Judgment of their Peers, and had Condemned others to cruel Deaths, and violated their Wives and Daughters; ſo that his Tyrannical Will was inſtead of a Law. *Anno Dom.* MCCXV.

To which we may add the further Teſtimony of the Abbot of *Dundrainand*, one of the Writers of the Chronicle of *Mailros*, who lived at that very time, and being a *Scotch-man*, may be ſuppoſed to write impartially concerning the Original of this Quarrel, of which under this Year he gives us this Relation. Another large Account of it from the Chronicle of *Mailros*.

England (ſays he,) was now in a ſtrange Confuſion, ſo that 'tis wonderful to Relate it; and who hath ever heard the like? For the Body deſired to Rule the Head, the People would Govern their 'King: yet divers Reaſons required it; for he perverted the antient 'approved Cuſtoms and Laws of this Kingdom, and did not Govern 'his People with Equity; but his Will was to him the only Law: 'He oppreſt his own Subjects, and preferred barbarous Mercenaries 'before them; He deſtroyed the Lawful Heirs that were deliver-'ed as Pledges to him, and Strangers enjoyed their Inheritances; and then proceeds to give an Account of the beginning and progreſs of this War, to the ſame effect with our *Engliſh* Hiſtorians.

I have been the more particular in this Account, to let the Reader underſtand, that it was not without cruel Oppreſſions and great Provocations, and after the King's refuſal to obſerve his own Oath and Engagements, that the greateſt part of the Nobility, Clergy, and People of *England* then took up Arms againſt Him.

Walter of *Coventry* alſo Relates, that there were ſeveral Treaties between the King and the Barons, concerning this great Affair; and that the laſt was not far from *Brackley*, and agrees with *Matt. Paris*, that [3] When the Archbiſhop and *William Mareſchal* could not bring the King to conſent to the Barons demands, they returned to them, and gave them an account of what he had ſaid; the Barons hereupon by their Meſſengers defied the King, and renounced their Homages lately made him; and [4] then choſe the Lord *Robert Fitz-Walter* their General, calling him *the Mareſchal of the Army of God, and of Holy Church*; and preſently upon this they marched to *Northampton*, and beſieged that Caſtle Fifteen Days, tho' without ſucceſs for want of Engines to batter it; ſo that they were forced to raiſe the Siege, and went to *Bedford* Caſtle, where they were kindly Received by *William Beauchamp* its owner.

[3] *Id. ib.* The A. Biſhop and Earl Mareſchal carry back the K's refuſal, whereupon the Bp's chuſe *R. Fitz-Walter* for their General, and then by meſſage defie the King and beſiege the Caſtle of *Northampton*, but cannot take it.

[4] *M. P.* p. 254.

[5] *Id. Ib.* The Citizens of *London* invite the Barons thither, who immediately march up and ſeize the City.

[5] Thither came alſo to them Meſſengers from the City of *London*, giving them privately to underſtand, that if they would poſſeſs themſelves of that City they muſt make haſte; whereupon they preſently marched to *Ware*, and from thence in the Night to *London*, and on the 24th of *May*, early in the Morning, at the time of Maſs, without any noiſe entred the City at *Aldgate* by the favour of ſome of the rich Citizens, the poorer ſort not daring to oppoſe it. On the other Side, the King all this time acting only on the Defenſive part, ſtored his Caſtles with Men and Proviſions; having alſo ſent Meſſengers beyond Sea for foreign Aſſiſtance.

[1] *Id. Ib.* The Confederate Barons being now Maſters of the City, threaten thoſe of the King's party, that if they did not deſert him, they would treat them as Enemies.

[1] The Barons having poſſeſſed themſelves of *London*, after they had placed their own Guards at every Gate, and taken Security of

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the Citizens, diſpoſed of all things therein as they pleaſed; and having now got ready their Engines of Battery, they began to beſiege the Tower; and then ſent their Letters to the Earls, Barons, and Knights that really, or ſeemingly adhered to the King, threatning them, that if they would not deſert that *perjured King*, and faithfully cloſe with them in aſſerting their Liberties, they would proceed againſt them as publick Enemies, beat down their Caſtles, burn their Houſes, and deſtroy their Warrens, Parks, and Orchards.

[3] *Ib.* p. 255. The Names of the Earls and Barons who had not Confederated.

[2] The Earls and Barons who had not yet ſworn to maintain the Liberties before mentioned, were *William Mareſhcal* Earl of *Pembroke*, *Ranulph* Earl of *Cheſter*, *William* Earl of *Salisbury*, *William* Earl of *Warren*, *William* Earl of *Albemarle*, *H.* Earl of *Cornwall*, *William de Albiney*, *Robert de Vipont*, *Peter Fitz-Hubert*, *Brien de Liſle*, *G. de Lucy*, *G. de Furnival*, *Thomas Baſſet*, *H. de Braibroke*, *John de Baſſingborn*, *William de Cantilupe*, *Henry de Cornhulte*, *John Fitz-Hugh*, *Hugh de Nevile*, *Philip de Albiney*, *John Marſchal*, *William Brewere*, moſt of whom upon the Command of the Barons left the King, went to *London*, and Confederated with them: Here the Manuſcript Copy of *Roger* of *Wendover* (in the *Cottonian* Library) further adds, that now the Pleas of the *Exchequer* and thoſe of Sheriffs Ceaſed throughout *England*, becauſe there was ſcarce any Body to be found, who would pay the King his Revenues, or Obey him in any thing; from whence we may obſerve, how general this Defection was, not only of the Nobility, but amongſt the Common People too. *Walter* of *Coventry* alſo relates, that whilſt theſe things were Tranſacting in the *Southern* Parts, many Men being animated by the ſame Spirit, roſe in *Devon-ſhire*, and took and plundered the City of *Exeter*; but it ſeems not being able to keep the Field, they afterwards hid themſelves in the Woods; but thoſe who had poſſeſſed themſelves of *London*, being more Powerful, ſallied out in Troops, and ſpoiled the King's Houſes, and Parks, killing thoſe that offered to reſiſt them: Whilſt, in the mean time thoſe of the *Northern* Parts, drawing a great many either by fair means or foul into their Party, made an indifferent Army, and therewith took *Lincoln* in *Whitſun-Week*, and beſieged the Caſtle, but to little purpoſe.

upon which meſſage moſt of them leave the K. and join with the Barons.

The Pleas of the Exchequer and thoſe of Sheriffs now ceaſe.

Some riſe in the *Weſt*, and take *Exeter*, but cannot keep it; whilſt thoſe at *London* deſtroy the K's Houſes and Parks.

[2] *Id.* p. 255. The K. counterfeit Letters under the Seals of the B'ps. ſetting forth that the *Engliſh* were now become Apoſtates, and the King would beſtow their Eſtates on thoſe that would aſſiſt him.

[3] About this time the King, reſolving to conceal his ſecret hatred againſt the Barons, under a fair and plauſible appearance, cauſed the Seals of divers Biſhops to be Counterfeited, and Letters to be written in their Names to all foreign Nations, that the *Engliſh* were now become Apoſtates, and ought to be deteſted by all the World; for which reaſon the King, by the Conſent and Authority of the Pope, was reſolved to beſtow their Lands and Poſſeſſions on any that would aſſiſt him to puniſh their Infidelity and Rebellion. But when Foreigners had read theſe counterfeit Letters, they would give no Credit to them, becauſe they were well ſatisfied, that the *Engliſh* were very good Chriſtians.

[4] *Id. Ib.* The K. ſeeing himſelf deſerted, is forced to agree to the Barons demands.

This paſſage, tho' it may ſeem improbable, yet I find it in *Matt. Paris*'s Additions to *Roger* of *Wendover*'s Chronicle, and it is not likely he would have inſerted it, had he not had ſome very good ground for it.

[4] And now the King ſeeing himſelf thus forſaken, and that he had ſcarce Seven Knights left him, and fearing leſt the Barons ſhould

should seize his Castles, when they found none able to resist them; yet having conceived in his heart an implacable Hatred against them, he so far dissembled as to make Peace with them for a time, in hopes that when he should become stronger, He might be more severely Revenged upon them separately, with whom whilst in a Body he found he was not able to Cope. *Anno Dom.* MCCXV.

[5] Therefore sending to them *William* Earl of *Pembroke* with other trusty Messengers, and making use of the Archbishop's mediation, in whom they much Confided, he let them know, he would grant them the Laws and Liberties they desired, and sent to them also to appoint a Day and Place for a meeting to put a final Conclusion to this Affair. These Messengers coming up to *London*, faithfully related to the Barons what the King had (tho' deceitfully) charged them with, who being Transported with Joy, appointed a Meeting or Conference in a Meadow between *Staines* and *Windsor* called *Runnemede*; which, as *Matt. Westminster* observes, signifies the Mead of *Counsil*, because from antient Times Treaties concerning the Peace of the Kingdom had been often held there. So upon the 15th of *June*, at that Place the King and all the great Men of the Kingdom met, and both Parties (as *Rad. de Coggeshal* relates) pitching their Tents asunder in the said Meadow, began to Treat concerning a Peace, and the Liberties above mentioned.

[5] *Id. Ib.* The K. sends Commissioners to Treat with the Barons.

A meeting is appointed between the K. and them at *Runne Mead.*

There appeared on the King's Part the Archbishops of *Canterbury* and *Dublin*, with the Bishops of *London*, *Winchester*, *Lincolne*, *Bathe*, *Worcester*, *Coventry* and *Rochester*, and Master *Pandulph* the Pope's Legate, and *Almeric* Master of the *Knights-Templars* in *England*, and of the Laiety, *William Mareschal* Earl of *Pembroke*, the Earls of *Salisbury*, *Warren* and *Arundel*; with these Barons, *Alan de Galoway*, *William Fitz-Gerald*, *Peter* and *Matthew Fitz-Herbert*, *Thomas* and *Alan Basset*, *Hugh de Neville*, *Hubert de Burc*, Seneschal of *Poictou*, *Robert de Roppeley*, *John Mareschal*, and *Philip de Albiney*: But as for those that appeared on the Baron's Side, they were not to be numbred, since the whole Nobility of *England*, being Collected into one Body, were not easie to be reduced under any certain Account.

where they meet, and Treat of Peace, with the Names of the Commissioners on either Side.

At length when they had variously Treated concerning the Articles, the King without any seeming difficulty granted them the Laws and Liberties in [1] two Charters, because being so many, they could not be contained in one Schedule; the First of them is called *Charta Communium Libertatum*, or *Magna Charta*, the Charter of Liberties, or the Great Charter; the Second is called the Charter of the Liberties and Customs of the Forests; both which being very long, you may find at the End of this King's Reign, since they properly belong to the Laws he made.

[1] *Id. p.* 256, 257 where he agrees to grant the Great Charters of Liberties and Forests.

[2] Here also follow in our Author the Names of the Five and twenty Barons, who were chosen by the rest to see the said Charters faithfully observed: They were the Earls of *Clare*, *Albemarle*, *Gloucester*, and *Winchester*, with divers other Earls and Barons, most of whom, being already named, I Omit. These Five and twenty Barons took their Oaths by the King's consent, that they would in every particular observe these Charters, and would compel the King (if he should repent of it) to keep them: Then follow the Names of the rest of the Earls and Barons, who swore to obey the Com-

[2] *Id. ib* p. 262. The Names of the 25 Barons who were appointed by the rest to see these Charters observed, and the large Power they had.

Anno Dom. MCCXV. Commands of the Twenty five above-mentioned, whoſe Names being numerous and of little moment to us at this Day, I refer the Reader, if Inquiſitive in the Hiſtory of Families, to our Author, for further ſatisfaction.

The ſtrange Diviſion of Families at this time, and how it came to be ſo.

For as *Walter* of *Coventry* here very well obſerves, many great Families became now divided in Intereſts, the Fathers and Elder ſort adhering to the King, whilſt their Sons and Nephews took part with the Barons, and others, either out of Reſpect to their Relations, or elſe in hopes of Advantage, often changed Sides: But *Alexander* King of *Scots* out of Emulation to King *John* and *Llewellin* Prince of *Wales*, hoping to make his Advantage of theſe Diſturbances, favoured the Barons, and when there was occaſion, they both openly aſſiſted them, as you will find hereafter. But this is only by the bye.

We ſhall now ſay ſomewhat more of the Priviledges granted to the Clergy as well as Laiety by this Charter, above-mentioned; but I refer the Reader to Dr. *Brady's Engliſh* Traſlation of it, which is inſerted at the End of this King's Reign.

[1] *M. P.* p. 262 The K. ſends his Writs to all Sheriffs, Commanding them to make all Men ſwear to obſerve the great Charter.

[5] Then about the ſame time, *viz.* *June* the 16th, King *John* ſent his Writs under the great Seal into all Parts of *England*, firmly enjoining all Sheriffs throughout the Kingdom to make all Men within their Bailywicks of whatſoever Condition, to Swear, that they would obſerve the Laws and Liberties contained in the abovementioned Charter, and that they would to the utmoſt compel the King to the performance of all things therein Contained, by the taking of his Caſtles, if he ſhould do to the contrary. This done, many Noblemen of the Kingdom came to the King, requiring Reſtitution to divers Lands, Poſſeſſions, and Cuſtodies of Caſtles, which they ſaid belonged to them by Hereditary Right; but the King deferr'd giving them a juſt Anſwer to theſe their Demands, until it could be proved by the Oaths of lawful Men, what rightly belonged to each of them; and for the better performance of this, he appointed them a Day being the 16th of *July*, to appear at *Weſtminſter*; nevertheleſs he reſtored to the Archbiſhop, the Caſtle of *Rocheſter*, with ſome other things, which of antient Right belonged to his See; and ſo the aſſembly breaking up, the Barons Returned joyfully to the City of *London*.

Many Noblemen come to the K. and require Reſtitution of their Lands and Caſtles, whom the K. puts off for the preſent with a dilatory Anſwer.

Dr. *Brady* omits the former Writs to the Sheriffs, and gives us another of leſs moment, tho' upon Record, and the ſubſtance thereof.

Dr. *Brady* has for ſome Reaſons beſt known to himſelf, thought fit to omit making any mention of theſe Letters-Patents, tho' they are ſet down by *Matt. Paris*, and inſtead of them he has only given us the Subſtance of a Writ dated at *Runne-Mead* the 19th of *June*, whereby the King Signified to all Sheriffs, Foreſters, Warreners, Keepers of Rivers, and his other Bailiffs, or Officers, that there was a firm Peace made between him, the Barons and Freemen of his Kingdom, as appeared by his Charter which he Commanded publickly to be read in their Bailywicks, willing and ſtreightly Charging each Sheriff, that he ſhould cauſe all of his Bailywick according to the Form of the Charter to Swear to the Five and twenty Barons, or their Attorneys conſtituted by their Letters-Patents, at ſuch Day and Place as they ſhould appoint; and alſo willed and Commanded, that Twelve Knights ſhould be choſen in every County, at the next County (*i. e.* County-Court) which

which ſhould be holden after the recepit of theſe Letters, to enquire into the evil Cuſtoms or Practices of Sheriffs and their Miniſters, as alſo of Foreſters, Warreners, and Keepers of Rivers or River-banks, and Toll-gatherers towards the Repairs of Bridges and Banks, and to extirpate ſuch evil Cuſtoms or Exactions. This Writ is on * Record in the *Tower*, and is Printed at Large in * Dr. *Brady's* Appendix. *Anno. Dom* MCCXV.

* *Rot. Pat.* 17. *Johan. M.* 23. *Dorſ.* * *No.* 118. * *Appendix No.* 119.

And there he has given us another Writ of this King's (likewiſe on Record) bearing date the 27th of the ſame Month from *Wincheſter*, directed to the Sheriff of *Warwick-Shire*, and the Twelve Knights elected in the ſame County, to take away the evil Cuſtoms of Sheriffs and their Officers, and of Foreſters, with all other Officers in the former Writ mentioned; ſtreightly Commanding them, that without any delay, they ſhould ſeize the Lands, Tenements and Chattles of all thoſe in the County of *Warwick*, who refuſed to ſwear to the Twenty five Barons, or their Attorneys, and to detein them until they did thus Swear, ſince it was ſo provided by the Archbiſhop of *Canterbury*, and Barons of his Kingdom.

* *Rot. Pat.* 7. *Joan. M.* 21. Another Writ to the Sheriffs of Counties, Commanding them to ſeize the Lands and Goods of all thoſe that ſhall refuſe to ſwear to the ſaid Charters.

Yet notwithſtanding all theſe fair Conceſſions, the Barons would not truſt to Wax and Parchment alone, but alſo made the King engage, and put into their Poſſeſſion the City and Tower of *London*, and Covenant with *Robert Fitz-Walter*, Mareſchal of the Army of God, and of *Holy Church* in *England*; *Richard* Earl of *Clare*, *Geoffrey* Earl of *Eſſex* and *Glouceſter*, *Roger Bigod* Earl of *Norfolk* and *Suffolk*, *Saher* Earl of *Wincheſter*, *Robert* Earl of *Oxford*, *H.* Earl of *Hereford*, and the Barons following; *William Mareſchal* the Younger, *Euſtace de Veſcie*, *William de Mowbray*, *John Fitz-Robert*, *Roger de Monte Begon*, *William de Lanvalay*, with other Earls, Barons and Free-Men of the whole Kingdom, that they ſhould hold the City of *London* of the Livery of the King, until the 15th of *Auguſt* that Year; ſaving to him his Farms, Rents and clear Debts, and that the Archbiſhop of *Canterbury* ſhould hold the Tower in like manner, for the ſame Term; ſaving to the Citizens their Liberties and Free Cuſtoms, and ſaving to every one his Right in the Guard of the Tower of *London*, and ſo as the King ſhould not put any Ammunition or new Forces into the City or Tower in the mean time; and further, that within the ſaid Term, Oaths ſhould be given through all *England* to the 25 Barons, or their Attorneys, according to the ſaid Writs for chooſing Twelve Knights in every County, *&c.* and alſo that all things which the Earls, Barons, and other Free-Men did require of the King, which he owned proper to be Reſtored, or which ought by the Judgment of the Twenty five Barons or greater part of them, according to the Form of the ſaid Charter, ſhould be Reſtored accordingly; ſo that if theſe things were performed without any moleſtation or hindrance on the King's Part, within the ſaid Term, then the City and Tower of *London* ſhould be Re-delivered to him; but if they were not done, or that the King obſtructed the doing of them, then the Barons ſhould hold the City, and the Archbiſhop the Tower, until the Covenants were performed; and in the mean time all on both Parts, to repoſſeſs their Lands, Caſtles, and Towns, which they had in the beginning of the War, between the King and Barons.

The Barons will not truſt to the Charters alone, but make the K. engage to leave the City and Tower of *London* in their Hands, as a Caution for his true obſervance of them, with the ſubſtance of this Charter.

This

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This is the Subſtance of another very remarkable Covenant or Agreement, between the King and the Barons above-mentioned, which was only to be found upon Record in the Tower, but now is Printed in Dr. *B.* * Appendix.

*Rot. Claus. 17 Johan. M. 21. Dorſ. No. 120.

[4] *M. P.* p. 263. ſ. upon the K's. Agreement to all theſe things, there is for a while great hopes of better Times.

[4] Theſe things being thus diſpatched, and ſeemingly approved of by both Parties, all Men rejoiced, hoping that God had touched the King's heart, and that *England* ſhould now be delivered from that *Egyptian* Servitude under which it had ſo long groan'd, and the People be in a much better Condition, being under the Protection of the *Roman* Church; but it fell out quite otherwiſe than was expected, for thoſe wicked * Mercenary Soldiers who always rather deſired War than Peace, were by their Leaders continually whiſpering in the King's Ears, that he was now no longer a King, but the ſcorn of other Princes, and that 'twere better not to be a King at all, than ſuch a one; thereby adding freſh fuel to the Flame; wherefore the King inclining too much to the falſe ſurmiſes of theſe ſort of Men, quite alienated his affection from his own natural Subjects, and confided wholly in them; ſo that immediately after this Agreement, He grew very reſerved and melancholy, walking alone, and giving divers Signs of inward Rage and Diſcontent.

* *Ruptarij i. e. Brabanter* and other *Flemiſh* Horſemen.

But the King being perſwaded by his mercenary Officers, reſolves to take other meaſures.

[5] *Id. Ib.* 264. And thereupon writes to thoſe Foreigners who had the Cuſtody of his Caſtles to new Victual and Fortifie them.

[5] Therefore reſolving again to recover his loſt Power, he wrote Letters to *William Le Marc*, a *Poictovin* (then Conſtable of the Caſtle of *Nottingham*) as alſo to all other Foreigners, (on whom he chiefly relied) that they ſhould new Victual and Fortifie all the Caſtles and ſtrong Places in their Poſſeſſion; but yet ſo privately, that the Barons might not take Notice of it: But ſince there is ſcarce any thing, which at one time or other does not come to light, the Barons having heard an Inkling of it, ſent ſome of the Wiſeſt of their Number to ſound the King's mind concerning this matter; and if they found it as they had been informed, to labour by wholſome Advice to divert him from ſuch precipitate and ruinous Deſigns: But the King cunningly palliating his ſecret Intentions, Swore *by the Feet of God*, (his uſual Oath) that he thought no Evil againſt them. Nevertheleſs, tho this pacified them a little for the preſent, yet he could not ſo cloſely conceal it, but that they perceived his Heart was averſe to them; from whence they eaſily preſaged what was like to happen from a King, who, wanting Sincerity, had Subjected himſelf to the *Roman* See, only that he might have the ſurer means to make them Slaves; and ſo taking their leaves of him, they Returned Home.

[1] *Id. ib.* The K. retires to the Iſle of *Wight*.

[1] After which, the King being left alone but with a very few Attendance of his own Family, he ſpent that Night at *Windſor*, and the Day following took his Journey towards the Iſle of *Wight*. For it is certain he did not ſtay long at *Windſor*, in regard we find the above-mentioned Writ to the Sheriff of *Warwick-Shire*, to bear Date the 27th of *June* at *Wincheſter*, tho' he had not as yet pull'd off the Maſk: But ſo ſoon as he arrived in the Iſle, being unmindful of the Oath he had ſo lately Sworn to the Barons, he was reſolved both by the Temporal as well as Spiritual Sword, to free himſelf from theſe Obligations; and that he might begin with the former, he ſent *Pandulph* with others to the Pope, that he might,

And from thence ſends *Pandulf* to the Pope, to make void all that the Barons had done.

might by his *Apoſtolick* Authority, make void what the Barons had done, and fruſtrate all their Deſigns; he alſo ſent *Walter* Biſhop of *Worceſter*, Chancellor of *England*, *John* Biſhop of *Norwich*, *Richard de Mariſco* or *Maris*, *William Gernon*, and *Hugh de Boves* to all the Neighbouring Nations, with Letters under his Seal, to procure Foreign Aſſiſtance, promiſing ſuch as would Arm themſelves for him large Poſſeſſions and ſtore of Money; and if it were needful, they might make Deeds of Gift to ſuch as were willing to come, for their greater Security, of their military Stipends, appointing them to meet him at *Dover* on *Michaelmas-Day*, with as many as they could bring over; he ſent likewiſe to all his Caſtellans or Governors of his Caſtles, to Fortifie, Man, and Victual them, as if they were immediately beſieged; and then endeavoured to gain over the Seamen of the Cinque Ports to his Party.

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He ſends alſo the Biſhops of *Worceſter* and *Norwich* to procure foreign Aſſiſtance.

[2] Thus the King continued privately in the Iſland, ſometimes plying about the Sea-Coaſts, & converſing only with Sea-Men for near Three Months, without any Court or Regal State: In the mean while it was no wonder if his Subjects talked variouſly of this Retirement, and of the Reaſons of it; and indeed he only waited for the Return of his Meſſengers from the *Roman* Court, and for the Arrival of thoſe Mercenary Soldiers he had ſent for from Foreign Parts.

[2] *Id. Ib.* The K. ſpends three Months in the Iſle of *Wight*, expecting foreign Forces.

But to give an impartial Account of the Cauſes of this unhappy Civil War, *Walter* of *Coventry* does not (as *Matt. Paris*) lay the whole fault of its breaking out afreſh at the King's Door, but ſays, that certain of the *Northern* Barons were much in fault; for they departing from this Aſſembly, under pretence that they had never given their Conſents, ſought ways and means how to break the Peace ſo lately made, and therefore ſtill exerciſed Plunderings, and other Hoſtilities; nor yet indeed did the King ever Confide in the Barons, or had they free Acceſs to him; wherefore ſome of them retired to *London*, whilſt others fell on Fortifying thoſe Caſtles which the King had lately delivered to them, or elſe, which they had in their Poſſeſſion before; and there were ſome who built new ones.

Walter of *Coventry* does not lay the whole fault at the K's door, but blames ſeveral of the *Northern* Barons.

And though the King had ſent Commiſſioners to Swear Men to the Obſervation of the late Charters, yet when he ſent his Officers, or Sheriffs to look after the Buſineſs of his Exchequer, in whatever Parts thoſe unquiet Barons prevailed, thoſe Officers were ſeized on, and abuſed; which, when the King heard, and ſuſpecting that this Oath for the Obſervation of the Charters was intended againſt himſelf, there being a Clauſe expreſsly Inſerted, that he might be compelled by Force to obſerve them; he thereupon ſent Envoys to Foreign Nations (as *Matt. Paris* has already related) and in particular, *Richard de Mariſco* to the Pope, becauſe the General Council was now at hand, and for that he believed the Barons had conſpired his Deſtruction.

Alſo he endeavoured by large Promiſes to bring over the King of *France* to his Party, but all in vain; for the Barons had been there before hand, and prevented him, and beſides there had been from the beginning of the King's Reign too great Quarrels and Animoſities between them to be eaſily reconciled, tho' they ſeemed for the preſent skinn'd over by a Truce.

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[3] *Id. Ib.* The Barons resolve to keep the City of *London*. And put off their Juſts for ſome longer time.

[3] In the mean time the Barons that were in *London* thinking the danger over, appointed to meet at a Torneament or Tryal of Feats at Arms at *Stanford*: Whereupon *Robert Fitz-Walter* and other Great Men wrote to *William de Albiney*, what great conveniency it was for them all to keep in the City of *London*, which was their Receptacle, and what Diſgrace and Damage it would be to them, if by their negligence it ſhould be loſt; and therefore by Common Advice they deferred the Juſts which were to be at *Stanford* on the *Monday* after the Feaſt of St. *Peter* and St. *Paul* until *Monday* after the Octaves of that Feaſt: And that they ſhould be holden upon the Heath between *Staines* and *Hounſlowe*; and this they did for the Security of themſelves and the City. And therefore they ſent to, and required them diligently, that they ſhould come ſo well provided with Horſe and Arms to the Tilting, as they might receive Honour, and he that behaved himſelf beſt, ſhould have a Bear which a certain Lady ſhould ſend thither, which it ſeems was the Prize, (tho' a very homely one) they were then to contend for; thus they pleaſed themſelves with theſe idle ſports, being ignorant of the Snares that were preparing for them.

[4] *Id. Ib.* The K's Envoys complain to the Pope of the Affronts and Injuries of the Barons.

[4] About the ſame time the King's Envoys came unto the Pope, complaining of the Barons, what Affronts and Injuries their Maſter had received at their Hands, and what Rebellions they had raiſed againſt him, exacting from him ſuch wicked Laws and Liberties, as 'were not fit for his Royal Dignity to grant; and that after the 'Diſcord between them, when the King and Barons often met to 'Treat of Peace, he publickly proteſted before them, that the 'Kingdom of *England*, in reſpect of Dominion, belonged to the '*Roman* Church, and that without the Pope's conſent he could 'Ordain nothing New, or Change any thing in his Kingdom to 'his Prejudice; and therefore he had by Appealing, put Himſelf 'and all the Rights of his Kingdom, under the Protection of the '*Apoſtolick See*; yet that the Barons, taking no notice of this Appeal, had ſeized the City of *London*, being treacherouſly delivered, 'to them, and had Armed themſelves, and exacted the aforeſaid 'Liberties by Force; and that the King fearing their Strength, durſt 'not deny what they demanded of him. Then they delivered the Articles of the Charter in Writing to the Pope, which when he had diligently peruſed, he knit his Brows, and ſaid, *what! do the Barons of* England *endeavour to Dethrone a King, who hath taken upon him the Holy Croſs, and is under the Protection of the Apoſtolick See? and would they force him to transfer the Dominion of the* Roman *Church to Others?* By St. *Peter* this Injury we cannot paſs by unpuniſhed: [5] Then deliberating with the Cardinals, he damned and Caſſated for ever, by a definitive Sentence, the Charter of Liberties ſo often mentioned; and ſent the King a Bull containing that Sentence, which you may alſo find at large in our Author.

At the hearing of which, the Pope is highly diſpleaſed.

[5] *Id.* p. 266.

But before we ſpeak farther of this matter, 'tis neceſſary to take notice of ſome precedent Records which this Bull refers to; and are not to be found in any of our Hiſtorians; for Dr. *Brady* whilſt he was keeper of the Records in the *Tower*, there found out ſome Letters and Declarations relating to the preſent Affair, which becauſe they ſerve very much to prove the Truth of the matters of Fact recited in

in the ſaid Bull, I ſhall make bold to Tranſcribe the Subſtance of, as they ſtand in the Dr's Hiſtory, tho' they are Printed at large in the *Appendix*. *Anno Dom.* MCCXV.

You are therefore to underſtand, that ſo ſoon as the Barons had appeared in a Warlike poſture before the King at *Chriſtmaſs*, (as hath been already related) and made their Demands of their Liberties, he gave the Pope notice of it, who upon the Nineteenth of *March* following * wrote two ſeveral Letters to the Archbiſhop and his Suffragans, (the Biſhops of his Province) and to all the Barons, that they had raiſed new Queſtions and Controverſies a-'gainſt the King, ſuch as were not heard of in the time of his 'Father, or Brother, that they ſhould not enter into Conſpiracies 'againſt him, but humbly and dutifully apply themſelves to him; 'and perform their due and accuſtomed Services, as they had been 'performed to him and his Anceſtors, upon which he would en-'join him for the Remiſſion of his Sins, to deal more mildly with 'his Nobles, and admit their juſt Petitions.

The K. writes to the Pope, giving him notice of the Barons demands.

* *Pat.* 16 *Johan. parte prima. M.* 1 *Dors. n.* 3. *Vid.* Dr. B. *Appendix*, N. 122.

On the Tenth of *May* following, the King publiſhed a * De-'claration, that he would not take the Barons or their Men, (that 'is, their Tenants) nor Diſſeiſe them, nor paſs upon them 'by force of Arms, but by the Law of the Land, and Judg-'ment of their Peers in his Court, till things ſhould be determi-'ned by Four Perſons to be choſen on his Part, and Four by the 'Barons, and the Pope to be Umpire between them; and for the 'performance of this, he offered as Security the Biſhops of *Lon-'don*, *Worceſter*, *Cheſter*, and *Rocheſter*, with *William* Earl of *Warren*.

* *Pat.* 16 *Johan. parte prima. M.* 3. *Dors. n.* 2. *Append.* N. 124. The K's Declaration concerning them and their Tenants.

On the Twenty ninth of *May*, King *John* * wrote to the Pope, 'that the Archbiſhop of *Canterbury* and his Suffragans had neglect-'ed his Commands, and that the Great Men and Barons altogether 'refuſed to hear what he had wrote; and that in anſwer to what 'the Barons had urged, he replied to them, that *England* was the Pa-'trimony of St. *Peter*, and that he held it as ſuch of the Pope, 'and the Church of *Rome*: That he had taken upon him the *Cruſado*, 'and required the Priviledge of ſuch who had Engaged themſelves 'in that Expedition: Then after having recounted the ill effects of 'his former Offers to the Barons and Biſhops from whom he could 'obtein no Remedy, he refers himſelf to the Pope's Diſcretion to 'Relieve him.

* *Clauſ.* 17 *Johan. M.* 24. *Dors. vid Prynn.* 2. Vol. of Papal Uſurpations, p. 342, 344, 345. *et* Dr. B't. *Ap.* N. 125. The K's Letter to the Pope, complaining againſt the A. Bp. and B's. as alſo of the Barons dealing with him: upon which Letter the Pope iſſues out his Bull, to annul the Charter of Liberties.

Upon Conſideration of theſe Offers and Declarations, & which the Pope briefly recites in his above-mentioned Bull: He, by the Common Conſent of the Cardinals, damned the late Charter of Liberties, and all Obligations, and Cautions which the King had given, and entred into for the performance of it, and declared them Null and Void, as you have already heard.

[1] By Letters bearing the ſame Date with this Bull, the Pope wrote to the the Barons that they had not well conſidered their Oath of Fidelity, when they thus raſhly perſecuted their Lord the 'King: That all Men deteſted their Proceedings, eſpecially in ſuch 'a Cauſe, where they made themſelves both Parties and Judges; 'when the King was ready to do them Juſtice by their Peers in his 'Court, according to the Laws and Cuſtoms of the Kingdom, or 'to proceed by Arbitrators choſen on both Sides, with a Reference 'to

[1] *Id.* p. 267 The Pope alſo writes to the Barons commanding them to deſiſt, and refer all their demands to himſelf, and the General Council.

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'to himſelf, if they could not agree: And therefore Commands 'them to renounce that unlawful and unjuſt Compoſition they had 'extorted from him by Fear and Force, and ſatisfie him, and ſuch 'as adhered to him, for the Injuries they had done them, That by 'this means the King might be induced to grant whatſoever of Right 'ought to be granted to them; and further adviſed them to ſend 'their Procurators or Deputies to the next General Council, which 'he intended ſuddenly to call about the Buſineſs of the *Cruſade*; '(where would be preſent the Archbiſhop, and other *Engliſh* Bi'ſhops,) and there commit themſelves to his good Pleaſure; for by 'the Grace of God he intended ſo to determine things, as to take 'away all Oppreſſions and Abuſes in the Kingdom, that ſo the King 'being content with his own Right, and Honour, the whole Cler'gy and Laiety might enjoy their juſt Repoſe and Liberty.

[2] *Id. ib.* The Barons will not deſiſt from what they had undertaken, notwithſtanding the Popes's Letters, but ſend for *William de Albiney*.

[2] But it ſeems the Pope's Letters had no effect with the Barons; for they purſued what they had undertaken, and ſent for *William de Albiney*, an Experienced Soldier, to their Aſſiſtance. 'Tis true, they ſent to him ſeveral times before he came; but at laſt, upon a chiding Letter, he having firſt ſecured the Caſtle of *Belvoir*, or *Beevoir*, (as we now call it) came to *London*, where he was received with great joy by the Barons; and their firſt Conſultation with him was, which way to Secure the City of *London* from being Beſieged; Upon which they reſolved to fortify all the Avenues leading to it, and then raiſing a more conſiderable Force, they and divers of their own number, together with *William de Albiney* went into *Rocheſter* Caſtle, of which he was then made Governor, under the Archbiſhop of *Canterbury*. And it is to this Time, (whilſt the Barons carried all before them, and that the King lay ſtill without Action, expecting the arrival of the Foreign Forces, he had ſent for,) that we may refer what *Walter* of *Coventry* farther relates concerning this Affair, *viz.* That the Archbiſhop and Biſhops beheld with Grief the great Havock that the Barons had made of the King's Houſes, Parks and Foreſts, eſpecially in the *Northern* Parts, (tho' as yet they ſpared the Country, becauſe of the approaching Harveſt) wherefore the ſaid Biſhops began again to admoniſh ſometimes the Barons, and ſometimes the King, to maintain the Peace; which ſince both of them pretended (at leaſt in words) earneſtly to deſire, it was at laſt agreed, That a Treaty ſhould be held at *Oxford*, the day after our *Lady*'s Aſſumption, where the King appointed to meet the Biſhops as Mediators; the Barons met at *Brackley*, and from thence went to *Oxford* with a great Appearance; but the King did not come according to his promiſe, but ſent certain Meſſengers, to excuſe himſelf, who ſaid, That he had reſigned up all things to them, ſo that he had ſcarce any Refuge left him; and that ſince the late Peace, he had received great Injuries from them without any Satisfaction, and they now appeared in ſuch mighty Numbers, that it was not thought ſafe for him to come to them thither.

The A. Bp and Bps mediate a Treaty between the K. and the Barons.

Which is agreed to be at *Oxford*; but the K. not appearing, nothing is done.

[3] *Id. ib.* The K's Meſſengers produce the P's *Breve*, threatning all thoſe with *Excommunication* who ſhould reſiſt the King: But the Sentence is deferred for a Time.

[3] Then the Meſſengers produced the Pope's *Breve*, Threatning all thoſe with *Excommunication* who ſhould dare to reſiſt the King; ſo the Treaty being protracted for the ſpace of Three days, at laſt it was agreed between the Biſhops and the Barons, That the Sentence

tence of *Excommunication* ſhould be put off for ſome time; and in the mean while, the Biſhops ſhould wait upon the King to ſee if they could prevail with him to Treat with the Barons at *London*, or elſe at *Staines* near *Windſor*. Thus they parted, the Barons returning to *London*, and the Biſhops ſetting forward in order to attend the King at *Portſmouth*, who being then juſt going to put to Sea, came again a-ſhore to meet them; But all they could obtain of him was, that he would ſend ſome of his Servants in the Company, and under the ſafe Conduct of the Biſhops, who ſhould in a publick Aſſembly of the Barons make Proteſtation, that it was not his fault, if the Peace lately concluded was not obſerved. *Anno Dom.* MCCXV.

The Bps again attend the K. but can obtain no poſitive Anſwer from him.

[4] Wherefore about *Bartholomew-Tide*, the Biſhops and Barons meeting the King's Commiſſioners at the Town of *Staines*, after ſome deliberation, moſt of the Biſhops ſeeing the Danger that hung over their Heads from the Pope's Bull, publiſh'd the Sentence of *Excommunication* againſt all thoſe who ſhould preſume to diſturb the Peace of the King and Kingdom; yet this had little or no effect, moſt of the Barons turning this Sentence upon the King's own Head, who (as they affirm'd) was the chief Diſturber of it, and did by his own actions go about to expell himſelf: Wherefore the Barons return'd to *London* with great Pomp, and preſently diſperſed themſelves into ſeveral Parts of the Kingdom; the Government of *Eſſex* being committed to *Geoffry de Mandeville*; That of *Northampton*, to *Robert Fitz-Walter*; whilſt *Roger de Creſſey* undertook the Cuſtody of *Norfolk* and *Suffolk*; as *Saer de Quincy* did that of *Cambridge* and *Huntingtonſhires*; *William de Albiney* that of *Lincolnſhire*; and *Robert de Roſs* the Government of *Northumberland*; ſo that every one was to act as a Juſticiary over the **Province* or County aſſign'd him, and to provide for the Peace of the Inhabitants.

[4] *Id. Ib* p. 269. The K's Commiſſioners meet the Bps at *Staines*, where moſt of them agree to publiſh the ſaid Sentence of *Excommunication*, but it had no effect upon the Barons.

The Barons return to *London*, where they appoint Governors over ſeveral Counties.

** Provincia.*

[5] But before the Barons had ſufficiently provided for their Defence, I mean, ſo well as they intended, the King after about three Months ſtay in the Iſle of *Wight*, ſailed from thence to *Dover*, where he met his Meſſengers whom he had ſent to fetch freſh Forces from *Poictou*, *Gaſcony*, *Brabant*, and *Flanders*; and theſe being now arrived, he preſently marched to beſiege the Caſtle of *Rocheſter*.

[5] *M.P.* p. 268. *W. C.* The K. leaves the Iſle of *Wight*, and comes to *Dover*; from whence (his Foreign Forces being now arrived) he marches to beſiege *Rochester-Caſtle*.

[1] The Barons had before ſworn to *William de Albiney*, That whenever the Caſtle ſhould happen to be Beſieged, they would uſe their utmoſt Endeavours to relieve it; ſo they marched as far as *Dartford*, but then finding themſelves too weak, they retreated to *London*, becauſe (as *Walter* of *Coventry* relates) the King had ſeized upon all the Avenues, and cauſed all the Bridges to be broken down that led thither; notwithſtanding which, the Gariſon defended themſelves with great Courage and Reſolution; but the King making uſe of his Engines of Battery, and they within not having Weapons ſufficient to withſtand them, at laſt, after near Three Months ſiege, were forced to yield at diſcretion; becauſe not only great part of the Walls were beaten down, but likewiſe becauſe they were in mighty want of Victuals.

[1] *Id.* p. 269.

[2] This Siege was very Troubleſome and Expenſive to the King, and many of his beſt Men were ſlain in it, for which Reaſons he would have Hanged all the Noblemen or Knights, that were then taken Priſoners, had it not been thro' the Perſuaſion of *Savery de Mal-*

[2] *Id.* p. 270. The K. being incenſed at the obſtinate Defence made by the Barons, would have hanged all that had been taken in it, but is hinder'd by *Savery de Malleon*, &c.

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leon, and ſome others; who told him the War might prove long, and ſome of his own Knights might be taken, and put to Death after the ſame manner; whereupon he ſent *William de Albiney*, *William de Lancaſter*, and *William de Emesford*, with divers others of the beſt Quality, cloſe Priſoners to *Corf-Caſtle*, and other Priſons; and all the Ordinary Soldiers, (except the Croſs-Bow-men) he cauſed to be Hanged.

[3] *W. C.*

[3] Whilſt the King was thus employed in the Siege of *Rocheſter*, the Barons in return Beſieged his Gariſons at *Oxford* and *Northampton*, having for this end ſent for Engineers out of *France*; but they did not meet with the like Succeſs as the King had at *Rocheſter*.

[4] *M. P.* p. 268. *Hugh de Boves* with a great many Foreign Forces, is caſt away in a great Storm.

[4] But about this time, the King received a great Diſappointment in ſome of thoſe Foreign Succours he now expected; for *Hugh de Boves* (a Stout but Inſolent Commander) having Shipp'd himſelf with a great Number of Mercenary Soldiers at *Calice*, intending to Land at *Dover*, the Veſſels met with ſo great a Storm at Sea, that they were all Shipwrack'd in the Paſſage, and their dead Bodies moſt of them caſt on Shore near *Yarmouth*; at which News the King was ſo diſturbed, that he would not eat a Bit of Bread all that Day till Night. But to ſay ſomewhat of Eccleſiaſtical Affairs.

[5] *Id.* p. 270. The Pope having declared the Barons *Excommunicated*, commits the Execution of the Sentence to the Biſhop of *Winchester*, and others.

[5] The Pope upon notice that the Barons ſtill perſiſted in the Proſecution of the War againſt the King, had ſome time before declared them all *Excommunicated*, (as you have already heard) and he now committed the Execution of this Sentence to *Peter* Biſhop of *Wincheſter*, the Abbot of *Reading*, and *Pandulph* his late Legate; in which Bull of *Excommunication*, he enjoyned the Archbiſhop and Biſhops, by virtue of their Obedience, *That they ſhould cauſe the Sentence to be publiſhed every Lord's Day and Holyday, and that with ringing of Bells, and lighting of Candles, throughout all* England, *untill the Barons ſatisfied the King for the Injuries done to him, and returned to their Obedience.*

[1] *Id.* p. 271. The ſaid Bp and *Pandulf* attend the A. Bp of *Canterbury*, commanding him to direct his Suffragans to publiſh this Sentence, which he defers to do. Upon which they ſuſpend him, and publiſh the Sentence themſelves.

[1] Then the Biſhop of *Wincheſter*, and *Pandulph*, perſonally attended the Archbiſhop of *Canterbury*, and, in the Name of the Pope, Commanded him to give directions to the Biſhops of his Province to publiſh this Sentence againſt the Barons: But he was then ready to take Shipping to go to the Council at *Rome*, and therefore deſired reſpite until he ſpake with the Pope; affirming, the Sentence had been obtained by concealing *Truth*; and for that Reaſon he ſhould by no means publiſh it, till upon diſcourſe with his Holineſs he knew his Mind concerning it. But the Biſhop and *Pandulph*, when they found the Archbiſhop diſobedient to the Pope's Command, *Suſpended* him from entering the Church, and celebrating Divine Service.

At the ſame time likewiſe, the Biſhop of *Wincheſter* declared all the Barons that had endeavoured to drive the King out of the Kingdom, *Excommunicated*, and continued to do ſo every Lord's Day, and on every Feſtival: But they, becauſe not particularly named in the Pope's *Brief*, valued not the Sentence, reputing it Null and Void: And thus the Pope, when he had ſubdued the King, and brought him to his own Terms, to make him amends, joined with him to eſtabliſh his Abſolute, Arbitrary Power over the Nation.

[2] *Id.* p. 272, 273. The K's Procurators accuſe the A. B. of *Canterbury*, in the Council at *Rome*, of holding Intelligence with the Barons.

[2] In the General Council now held at *Rome*, the Procurators or Commiſſioners for the King, That is to ſay, *John* Abbot of *Beaulieu*,

lieu, with *Thomas de Huntingdon* and *Godfrey de Craucomb*, Knights, appeared againſt *Stephen* Archbiſhop of *Canterbury*, and accuſed him of holding a Criminal Correſpondence with the Barons, and that by his Favour and Aſſiſtance they endeavoured to Dethrone the King; and that when he received the Pope's Commands to reſtrain the Barons from perſecuting the King by Eccleſiaſtick Cenſures, upon his refuſing to do it, he had been *Suſpended*. But the Archbiſhop being confounded with theſe Accuſations, ſaid nothing for himſelf, only deſired to be Abſolved from his *Suſpenſion*: To which the Pope in Anger Swore by *St. Peter*, That he ſhould not ſo eaſily obtain the Benefit of Abſolution, who had offered ſo many Affronts, not only to the King of *England*, but alſo to the *Roman* Church. Then upon Conſultation with the Cardinals they all Subſcribed, and he confirm'd the late Sentence of *Suſpenſion* againſt the Archbiſhop; which was dated the Fourth of *November*, and ſent to all the Clerks and Laicks of that Province, to let them know they had ratified what the Biſhop of *Wincheſter* and *Pandulph* the Legate had done, commanding ready Obedience to it, as appears by the Pope's *Brief*, which you may find at large in our Author. *Anno. Dom.* MCCXV.

Whereupon the Pope confirms his *Suſpenſion*.

[3] About this time the Canons of *York* having lately choſe *Simon Langton*, (Brother to *Stephen* Archbiſhop of *York*) preſented him to the Pope for his Confirmation; but inſtead of that he Null'd the Election, and recommended to them *Walter de Gray*, Biſhop of *Worceſter*, upon the Account that he was reputed a Pure Virgin ever ſince he was born, whom they accordingly choſe; and he at the receipt of his Pall obliged himſelf to pay Ten thouſand Pounds *Sterling* to the Court of *Rome*: From which Relation we may make theſe Obſervations: *Firſt*, What a rare Virtue Continence was then thought to be amongſt the Clergy, when a Biſhop, (who was very Illiterate) ſhould be thus advanced to an Archbiſhoprick, only becauſe he was not known to have had any Unlawful Communication with Women; which it ſeems was very frequent in that Age to Men of his Order.

[3] *Id.* p. 271. The Chapter of *York* chuſe *Simon Langton* A.Bp. but he being refuſed by the Pope, the Bp of *Worceſter* is recommended to them, who pays the Pope 10000 *l.* for his Pall.

You may alſo, *Secondly*, See what vaſt Sums of Money the Pope in thoſe Days extorted out of *England*, and what great Riches the Clergy poſſeſs'd, when this Archbiſhop was to pay the Pope ſuch a Sum as would be equal at this Day to above 40000 *l.*

By this time, [4] the King having received the late Sentence againſt the Archbiſhop, went to the Monaſtery of *St. Albans*, and there cauſed it to be Publiſhed by that Abbot; and from thence it was ſent to all Cathedral and Conventual Churches throughout *England* for the ſame Purpoſe. So ſoon as this was granted by the Convent, he went out of the Chapter-Houſe into the Cloiſters, and there adviſed with thoſe few Councellors he had about him, how he might confound thoſe Great Men who were his Enemies, and provide Pay for that Army of Mercenary Foreigners, that were lately arrived: Upon which it was there agreed, That the King ſhould form two Armies, One of which was to repreſs the Excurſions of the Barons, who then held *London*, whilſt he marched forward to ſubdue the *Northern* Counties. Theſe Reſolutions were taken at *St. Albans*, the Twentieth of *December*.

[4] *Id.* p. 274. The K. goes to the Abbey of *St. Albans*, and there cauſes the Sentence againſt the A.Bp of *Canterbury* to be publiſhed.

He alſo conſults with his Great Men how to carry on the War.

About

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At the ſame time, [5] the King made his Brother, the Earl of *Saliſbury*, (who was now releaſed out of Priſon in *France* by exchange) and *Fawkes de Brent* a cruel Man (who, tho' of mean Birth, had raiſed himſelf by his military Services to the Degree of a Baron) with *Savery de Malleon*, another of the ſame ſort, *William de Briwere* and *Walter Buck*, Commanders of thoſe Forces he left behind; *Savery* Commanding the *Poictovins*, and *Walter* the *Flemmings* and *Brabanters*, who were then noted for all kind of villanies; which done, the King marched from thence toward the *North*, taking along with him *William* Earl of *Albemarle*, *Philip de Albiney* and *John* the *Mareſchal*; and of the Foreigners, *Gerard de Sotinie*, and one *Godeſchal* with his *Flemmings* and Croſs-Bow-men, with others of divers Nations, who neither fear'd God, nor regarded Man.

[5] *Id. Ib.* He appoints his Brother the Earl of *Saliſbury* with certain Foreigners Commanders of the Forces he left behind. And then marches toward the *North*, taking along with him great ſtore of Foreign Officers, and Soldiers.

[1] In his march the King lodging one Night at *Dunſtable*, ſet forward the next Morning before Day towards *Northampton*, and detaching divers Parties, burnt the Houſes of the Barons by the way, plundering and deſtroying the whole Country before them; and all Perſons of whatſoever Age or Condition (who not having taken refuge in a Church or Church-yard) that the Soldiers met with, were cruelly tormented, till they had ranſomed themſelves by Money; So true (ſays my Author) is that Verſe of the antient Poet, *Quicquid delirant Reges, plectuntur Achivi.*

[1] *Id. Ib.* The K's Forces in their march plunder and deſtroy the Country.

Then the *Chaſtellans*, who kept the Barons Caſtles, when they heard of the King's coming, quitted their Commands, and fled to places of Safety; and the King putting Governors into thoſe places, marched with all ſpeed to *Nottingham*.

[2] In the mean time *William* Earl of *Saliſbury* and *Fawkes de Brent*, with the Forces left under their Command at St. *Albans*, after they had put very ſtrong Garriſons into the Caſtles of *Windſor*, *Hertford* and *Berkamſted*, as well to bridle the Barons in *London*, as to hinder Victuals from being carried into the City, they marched into the Counties of *Eſſex*, *Middleſex*, *Hertford*, *Cambridge* and *Huntingtonſhires*, where they made the like Waſte upon the Barons Eſtates, as the King did *Northward*, and further deſtroyed their Parks and Warrens, cutting down their Orchards, *&c.* and at laſt they came ſo near *London* that they ſet Fire on the Suburbs, and carried off much Plunder: Yet for all this, when the Barons heard their Towns and Houſes were burnt, and their Wives and Children taken and expoſed to Infamy, they bore it patiently, only ſaying, *theſe things are done by this dear Son of the Pope, who defends his Vaſſal in thus enſlaving a Free and Noble Kingdom.*

[2] *Id. Ib.* p. 275. The Earl of *Saliſbury &c.* put ſtrong Gariſons into *Windſor Caſtle*, *Hertford*, *&c.* to curb the Barons, and ſtreighten the City of *London*. And marching into the adjacent Counties, ſpoil the Barons Eſtates. All which the Barons bear with great Patience.

[3] About the ſame time, *Fawkes de Brent* burnt the Caſtle of *Hanſlape*, in *Bucks* belonging to *William Mandit*, and demoliſhed it; alſo the ſame Day the ſtrong Caſtle of the Earl of *Clare's* at *Tunbridge* was taken by the Garriſon of *Rocheſter*, and *Fawkes* likewiſe took the Caſtle of *Bedford*, having no Relief from *William de Beauchamp* the Owner of it. Then the King, to recompence this *Fawkes* for his Services, gave him that Caſtle, and a Noble young Lady, one *Margaret de Rivers*, in marriage, with all her Eſtate; as alſo the Lands of divers Barons of *England*, all which did but ſerve to exaſperate them the more againſt the King.

[3] *Id. Ib.* *Fawkes de Brent* takes divers ſtrong Caſtles.

[4] For

[4] For in Return of the Outrages committed upon them, a strong Party of the Barons that were at *London*, sallyed out, and marching into *Cambridge-shire*, spoiled that Country, and took the Castle of that Town without any difficulty, sending those that kept it, Prisoners to *London*; and then passing through the Counties of *Norfolk* and *Suffolk*, they plundred those Inhabitants, and made the Citizens of *Norwich* redeem themselves: The like they did at *Yarmouth* and *Ipswich*, and the Neighbouring Towns, and in their Return they took the Castle of *Colchester*, and some time after this, those of *Hertford* and *Berkhamsted*, with other Places adjacent.

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[4] *M. W.* The Barons in return plunder *Cambridge*, *Norwich*, and other Towns.

[5] As for Ecclesiastical Affairs, this Year affords none in *England* (except what has been already mentioned;) but the Pope held a General Council at *Rome*, which was chiefly called to renew the *Crusado*, for the Recovery of the *Holy Land*; to which he himself then gave Thirty thousand Marks, which remained in his Hands of the Alms of certain pious Persons; He also promised for himself and his Cardinals to pay the Tenth part of their Ecclesiastical Revenues for Three Years, and Taxed all Archbishops, Bishops and other Clergymen a Twentieth part of theirs for the like time.

[1] *M. P. Id* p. 272. The Pope in the General Council at *Rome*, renews the *Crusado*, and gives largely to it, out of other Peoples Purses.

At this Council appeared no less than Four hundred and Twelve Bishops, with the Two Patriarchs of *Constantinople* and *Jerusalem*, besides the Ambassadors of the *Greek* and *Roman* Emperors, together with those of *France* and *England*, and the rest of the King and Princes of Christendom.

[1] This being the last Year of King *John's* Reign, he kept *Christmass-Day* at the Castle of *Nottingham*, and the Day after, he sent and summoned *Belvoir*-Castle, threatning to starve *William de Albiney* (the Lord of it) to death, if it were not surrendred without Capitulation. Upon which the Governors, for the safety of their Master carried the Keys thereof to the King, being then at *Langar*; yet upon Condition, that he should deal mercifully with him, and that they themselves should remain in safety with their Horses and Arms. Accordingly the King took possession of it on St. *John's* Day, and gave them that were in it his Letters Patents of Indemnity, for the Enjoyment of all their Goods, having first taken an Oath of Fidelity and Obedience from them.

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[1] *Id.* The K. after he had kept *Christmass-day* at *Nottingham*, summons *Belvoir Castle*, which is surrendred to him at Discretion.

[2] In the mean time some of the King's Army came to *Deventon*, a Castle of *John de Lacyes*, and finding it deserted, the King Commanded it to be Razed to the Ground. Here our Author, (not *Matt. Paris*, but *Roger* of *Wendover*, who wrote before him,) proceeds to Relate, that the King passing through the *North* Parts, divided his Army into several Bodies, which every where in their march plundered and burnt the Houses of the Barons, driving away their Cattle, and destroying all things before them with Fire and Sword: And here the Monk is very sharp against these cruel Mercenaries, calling them *the Guards of Satan, and Ministers of the Devil*; and indeed not without cause, if they were guilty of those barbarous Cruelties he charges them with; which, since they would be tedious and perhaps unpleasant to Relate at large, I shall only give you this brief account of them; as that they spared neither Age, nor

[2] *Id.* p. 275. The K. Commands *Deventon Castle* to be razed. And his Army make great havock in the *North*. our Author's Character of their Mercenaries.

Sex

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A brief Account of their Cruelties.

Sex; neither Women, Children nor old decrepit People escaping their Cruelties: He farther relates, that they took Priests from the very Altar, with the consecrated Hosts in their Hands, and then tortured, robbed and wounded them; and that to extort Money from Gentlemen and those of meaner Condition, they hanged Some up by the Middle, Others by their Legs and Feet; Some by their Arms, Hands, or Thumbs, spitting into their Eyes Salt mixt with Vinegar; Others they laid upon Trivets and Grid-irons over burning Coales, then put their broiled Bodies under Ice to cool them: So that now all Commerce ceased, and there were no Markets held any where but in Church-Yards.

Dr. *Brady* endeavours to make these Accounts the false representations of the Monks; but his Reasons seem not sufficient.

Dr. *Brady* and Others who Write in favour of King *John*, would fain suppose that these things were invented by the Monkish Writers of these times, purely to blacken his Memory, and one might believe so, if there were only One or Two who wrote this; but *Radulph* Abbot of *Coggeshal* gives us the same Account (tho' in fewer words) of these Cruelties; and if we must not believe these Authors, who wrote of things in their own time, because they were Monks and Enemies to King *John*; we may as well for the same Reason not give them Credit in any thing else: whereas what they relate was done within the memories of divers then alive, who must needs have cryed out on them for notorious lyars, had the matters been otherwise than as they related them; but I shall produce a foreign Writer to justifie the same passages by and by.

The King commits the Custody of the *Northern* Counties to *Hugh de Bailiol*, and others.

Thus, whilst the Barons lay quiet at *London*, the King got possession of almost all their Castles and Estates from the *South* to the *Northern* Sea; which with the Lands lying between the River *Teyse* and *Scotland*, he committed to *Hugh de Bailiol* and *Philip de Hulecotes*, with sufficient Soldiers to defend that Country, as appears by a [3] Writ which Dr. *Brady* cites from the *Tower* Records. The Castles and Lands in *York-shire* were commited to *Robert de Vipont*, *Brien de Lisle*, and *Geoffry de Lucy*, with Forces requisite for their Defence; to *William* Earl of *Albemarle* he committed the Castle of *Rockingham* and *Bitham*; to *Fawkes de Brent*, he gave the Custody of the Castles of *Oxford*, *Northampton*, *Bedford* and *Cambridge*; with the Castle of *Hereford* he entrusted *Walter de Godardvil*, a Knight, Retainer of *Fawkes de Brent*; and to *Ranulph* the *German* the Castle of *Berkamsted*; with commands to all of them, that as they loved their Bodies and all they had, they should destroy all things that belonged to the Barons, their Castles, Houses, Towns, Parks, Warrens, *&c.* and what could the most Barbarous foreign Enemy have done more!

[3] * *Ro. Pat.* 18. *Joan. M.* 7. *Dors.* n. 66. And the Castles in the *South*, to the Earl of *Albemarle* and others.

The K. of *Scots* invades *England*.

About this time (as the *Scottish* Historians *Buchanan* and others relate, their) Young King *Alexander*, being Invited by the *English* Clergy and Barons, who were Enemies to King *John*, Invaded *England*; and *Norham* Castle being surrenderd to him upon Articles, he marched further into the Country, doing what mischief he could to those of the King's Party.

[4] *C. M.*

[4] When the *Scottish* King was returned home, after he had taken the Homages of the Barons of *Northumberland*, (which he then laid claim to) King *John* with his Army of Mercenaries marched toward *Scotland*; at what time the Barons of *York-shire*, who had also Confederated against him, hearing of his coming, fled to the

King

King of *Scots* for Refuge, and did him Homage at the Abbey of *Mailroſs*. But the King of *England* preſently following them, deſtroyed their Towns and Poſſeſſions with Fire and Sword; tho' ſome of thoſe Barons to prevent him, ſet fire themſelves to their own Houſes, together with their Corn, leſt they might prove ſerviceable to the King; ſo that the greateſt part of the Country was laid waſte. *Anno Dom.* MCCXVI. K. John ſpoils the eſtates of the Barons in *York-ſhire*.

Then advancing farther, about the beginning of *January* the Towns of *Werk*, *Alnwick*, and *Morpeth* were alſo burnt; nor did the King ſtop here, but marching into *Scotland*, in the ſame Month he burnt *Roxburgh*, with divers Towns and Villages, and about that time likewiſe took the ſtrong Town and Caſtle of *Berwick*, which was till then thought impregnable. K. *John* burns divers Towns in *Northumberland*, and entring *Scotland*, burns *Roxburgh*, and takes *Berwick*.

Here, as the Writer of the Chronicle of *Mailroſs* (who then lived) relates, the King's Mercenaries exerciſed moſt inhumane Cruelties upon all they could meet with of both Sexes; for hanging up ſome by their Hands, and others by their Feet, they tormented them after a moſt terrible manner, to ſqueeze Money from them: And thus you have another impartial Witneſs of the ſtrange Inhumanity of theſe mercenary Forces in *Scotland* as well as in *England*; which ſince the King did not reſtrain by any good Diſcipline, it may be juſtly imputed to his Order or Connivance at leaſt. A farther Account of the Cruelties of K. *John*'s mercenary Army.

From hence the King marching to *Hadington*, burnt it, and *Dunbar*, with other Towns in thoſe Parts. Alſo theſe Soldiers or Miniſters of *Satan*, (as my Author calls them) plundered the Abbey of *Coldingham*, and then burnt and deſerted the Town of *Berwick*; the King himſelf giving the example, who (as it is reported) with his own Hands ſet Fire to the Houſe in which he lay. King *John* marches farther into *Scotland*, burning ſeveral Towns.

On the other Side, in the Month of *February* following, the King of *Scots* raiſing a powerful Army, marched againſt King *John*, but he being afraid to meet him, retreated towards *England*; therefore *Alexander* in Revenge burnt and deſtroyed all the Country as far as *Carliſle*, and then leading them quite through *Northumberland*, (as *Buchanan* relates) came as far as *Richmond*; but King *John* preventing his overtaking him by long marches, *Alexander* returned back through *Weſtmorland* into his own Kingdom, and ſo concluded his Expedition with ſufficient Honour. The K. of *Scots* raiſes an Army, and marches againſt K. *John*, who thereupon retreats, and returns into *England*.

But notwithſtanding King *John* now loſt whatever he had got in *Scotland*, yet this Expedition proved of great advantage to him, ſince beſides the miſchief he did the *Scots*, [5] he alſo reduced the *Northern* Counties to his Obedience, ſo that there did not remain any more than Two Caſtles belonging to the Barons in thoſe Parts: Theſe Countries being thus ſubdued, the King returned home by the Borders of *Wales*; where he likewiſe treated thoſe that reſiſted him very Cruelly, and took divers Caſtles belonging to his Enemies, ſome of which he pulled down, and others he new-Gariſoned with his own Soldiers. [5] *M. P.* p. 276.

But it is fit we give ſome Account of the Eccleſiaſtical Affairs that were tranſacted this Summer, ſince they had now ſo great an Influence on the Civil.

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[1] *Id. ib.* The Pope *Excommunicates* the Chiefeſt of the Barons who were againſt the K. by Name.

As alſo divers Citizens of *London*, and puts the whole City under an *Interdict*.

[1] The Pope having had notice from the King, that the Barons valued not his general *Excommunication*, he therefore proceeded to *Excommunicate* the Chiefeſt of them by Name, and committed the Execution of his *Breve* to the Abbot of *Abbendun*, the Archdeacon of *Poictou*, and Maſter *Robert*, Official of *Norwich*, by which he not only *Anathematized* all the Barons with their Aſſiſtants and Favourers, who perſecuted the Illuſtrious King *John*, Vaſſal to the *Roman* Church, but further, he *Excommunicated* and *Anathematized* all thoſe who helped them to Invade and Poſſeſs the Kingdom, or hindered any Perſon from going to, and aſſiſting the King; and put all the Barons Lands under *Interdict*; He alſo *Excommunicated* the Citizens of *London*, that were principal Actors againſt the King, and One and Thirty Others, by Name, with all their Accomplices, and put the City of *London* under Eccleſiaſtical *Interdict*, and all this without remedy of Appeal. This *Brief* bears date the 27th of the Kalends of *January*, being *December* the 16th, 1215.

[2] *Id.* p. 277. The Pope's Delegates here write to all Cathedral and Conventual Churches, to publiſh this Sentence.

* See their Names in our Author.

[2] The Pope's Commiſſioners, or Delegates, upon the receipt of this *Brief*, wrote to all Cathedral and Conventual Churches, enjoining them to publiſh this Brief of *Excommunication* againſt the Barons *therein named, and to order it to be publiſhed in the Pariſh Churches, within their ſeveral Juriſdictions, upon all Lord's Days and Feſtivals, and enjoined them to publiſh Thirty other Barons by name *Excommunicated*, which were contained in the Sentence drawn up by *Peter* Biſhop of *Wincheſter*, *Pandulph*, and the Abbot of *Reading*, for whoſe Names I refer you to our Author.

[3] *Id.* p. 278. The City of *London*, and the Barons deſpiſe the Sentence, and their Reaſons for it.

[3] Upon the Publication of this Sentence, the City of *London* ſtood contumacious, and deſpiſed it; and the Barons reſolved not to obſerve it, nor did the Biſhops much urge it; For it was generally ſaid, that thoſe Briefs were obtained by falſe Suggeſtions, and therefore were of no value; and for this alſo more eſpecially, that it did not belong to the Pope to direct and govern in Lay-matters, becauſe only the Power and Diſpoſition of Eccleſiaſtick Affairs was committed by God to *Peter* the Apoſtle, and his Succeſſors; 'Why 'therefore ſhould the inſatiable Covetouſneſs and Ambition of the '*Roman* Court oblige them? Behold (ſaid they) the Succeſſors of '*Conſtantine*, not *Peter*, who do not the Works of *Peter*, nor are 'they at all like him in Authority: And then after many Invectives againſt the Pope's Uſurers and Simoniacal Miniſters, our Monk concludes with this Exclamation, *How unlike to* Peter, *are thoſe who Uſurpe to themſelves ſo large a ſhare of his Power!*

[4] *Id. ib.* *Walter Buck* Seizes and Plunders the Iſle of *Ely*.

* *i.e.* The ſtation of the Army, and was the Old Fortification where the Conqueror's Army lay.

[4] About the ſame time *Walter Buck* with his *Brabanters* entered the Iſle of *Ely* by *Auder*'s Cauſe-way; or, as our Author words it, he enter'd it on that ſide towards **Hereby*, while *William* Earl of *Saliſbury*, *Faulks* and *Savarie de Malleon*, paſſing over the Ice, got into it on the other ſide by *Stuntney-Bridge*, and waſted and plundered the whole Iſle; and many that fled thither, as to a Place of Safety, were taken Priſoners, and put to Ranſom: The Cathedral was redeemed from Fire by the Prior, for ſomewhat more than an Hundred Marks of Silver; ſo that theſe *Mercenaries* made no diſtinction between Perſons or Places, Sacred or Prophane.

[5] *Id. ib.*

[5] The Barons having now loſt all they had, and being reduced to Deſperation, knew not what courſe to take to recover their Loſ-

ſes;

ſes; but for the preſent all the Remedy they had was to curſe the King's Falſhood and Inconſtancy, and ſo fell into very ſharp Invectives againſt him, for ſubjecting his Kingdom to the Pope; Nor ſpared they his Holineſs himſelf, for thus joining with the King to Oppreſs and Enſlave the Nation; which (tho' added by *Matt. Paris* to *Roger* of *Wendover*'s Hiſtory, yet) ſeems very likely to have been the General Complaint of the Kingdom at that time. *Anno Dom.* MCCXVI. The Barons curſe the K's Falſhood, and rail againſt the Pope.

But to come to the Matter, [1] The Barons when they had vented their Spleen, after much Conſultation, at laſt reſolved, that the only way they had left to recover their loſt Eſtates, was, to chuſe ſome powerful Prince for their King, ſuppoſing that None could be more Severe and Tyrannical than King *John*; nor could they (as they believed) be in a much worſe Condition, let what would befall them: The main Queſtion was, whom they ſhould make choice of; which being for ſome time debated, at laſt they agreed to ſet *Lewis*, Eldeſt Son to *Philip* King of *France*, upon the *Engliſh* Throne, and one of their chief Reaſons was, becauſe that moſt part of the Forces (which were King *John*'s greateſt Strength) came out of his Territories; ſo that he would be thereby deprived of their Aſſiſtance, and left as it were to their Mercy. This generally pleaſed them; and thereupon they ſent *Saher* Earl of *Winton*, and *Robert Fitz-Walter*, to King *Philip*, and *Lewis* his Son, with Letters ſealed with the Baron's Seal, earneſtly imploring the Father to ſend his Son to be King of *England*; and no leſs importunately requeſting the Son, that he would forthwith come and receive the Crown. [1] *Id.* p. 279. And agree to make *Lewis*, Son to K. *Philip*, their King, and the Reaſons of it. They ſend Ambaſſadors into *France* to invite him over.

The King of *France* having peruſed the Barons Letters, told their Commiſſioners, he ſhould not ſend his Son, till, for his greater Security, he had received Twenty four Hoſtages or Pledges, of the moſt Noble Perſons of the Kingdom; whereupon the Barons, having no other Remedy, ſent to him ſo many Hoſtages as he required; and ſo ſoon as they were received, and put into ſafe Cuſtody, *Lewis* prepared himſelf for the Expedition, which he deſired above all things; but becauſe his coming over could not be immediately, he ſent before him into *England* the *Caſtellans* of *St. Omars* and *Arras*, *Hugh Chacun*, *Euſtace de Neville*, *Giles de Melun*, and divers other Noblemen of *France*, with a great Number of Soldiers, to encourage the Barons, who came up the *Thames* to *London*, and were received with great Joy on the 27th of *February*. The *French* K. requires Hoſtages for his Son's Security if he came, which is granted. Prince *Lewis* ſends ſeveral of his Great Men, and a great many Soldiers over before him.

But to intermix now ſomewhat of Eccleſiaſtical Matters; [2] About the ſame time *Stephen* Archbiſhop of *Canterbury*, having given caution at *Rome*, that he would ſtand to the Judgment and Determination of the Pope concerning the Things before expreſſed, was abſolved from the Sentence of *Suſpenſion*, upon condition that he ſhould not return into *England*, untill there was a firm Peace eſtabliſhed between the King and his Barons. [2] *Id. ib.* The A. B. of *Canterbury*'s Suſpenſion taken off, on Condition he would not return into *England* till Peace was made.

To this time I muſt alſo refer what *Rad. de Coggeſhal* relates, that in *Mid-Lent*, the King with a great Army beſieged the Caſtle of *Colcheſter*, which within a few Days was ſurrender'd upon theſe Terms, That all the *French* Men (who it ſeems were the greater Number) might freely return home with their whole Baggage, while the *Engliſh* were to be diſmiſs'd, but upon Ranſom; which Agreement, tho' the Earl of *Salisbury* had confirm'd with an Oath on the King's *Colcheſter* Caſtle taken by K. *John*, where the *French* are diſmiſs'd, but the *Engliſh* kept Priſoners contrary to their Articles.

Anno Dom. MCCXVI.

King's behalf; yet he ſet none but the *French* at Liberty, keeping all the *Engliſh* not only cloſe Priſoners, but alſo in Fetters, under pretence that he could not endure the Breach of their Fidelity: But ſo ſoon as theſe *Frenchmen* came to *London*, they were like to be Hanged by the Barons, becauſe they had given up and betray'd their Fellow-Soldiers: But at laſt by the Advice of one Wiſer and more Merciful than the reſt, this ſevere Execution was remitted, and they were to be kept in Priſon till the arrival of Prince *Lewis*, who was now ſuddenly expected.

The *French* like to be Hanged by the Barons.

[3] *Id. Ib.* The King beſtows great Donatives on his *Mercenaries* to encourage them to beſiege *London*; but the Citizens, in Contempt of them, ſet open their Gates.

[3] Sometime after this, when the King had taken the Caſtle of *Hidingham*, belonging to *Robert de Vere* Earl of *Oxford*, he diſtributed great Donatives to his *Mercenaries*, that ſo he might thereby encourage them to beſiege *London*; which when the *Londoners* heard, they were ſo far from being afraid of them, that they preſently ſet the Gates of their City wide open, to ſhew they were ready to Encounter the King, if he ſhould offer to ſet upon them; but he perceiving their Courage, and the Multitude of Combatants, thought fit to retreat, without putting it to the Tryal. Yet *Savory de Malleon* approaching too near the Town, fell into an Ambuſcade of the *Londoners*, and loſt a great many of his Men, while he himſelf being grievouſly wounded, had much ado to eſcape.

[4] *Id. ib.* The *Londoners* take 65 Sail of Pyrates that block'd up the River of *Thames*.

[4] About the ſame time alſo, the *Londoners* Ships took and deſtroyed Sixty Five ſail of Pyrate Veſſels, which then block'd up the Mouth of the River *Thames*, killing and taking Priſoners moſt of the Seamen that were in them; From whence we may Judge of the great Power and Strength of this City, by Sea and Land, in thoſe Days, which could thus ſupport it ſelf againſt the King's *Mercenary* Forces, who had then over-run all the reſt of *England*.

[5] *Id. ib.* The *Northern* Barons not being able to take *York*, accept of Money from the Citizens to march off.

[5] Alſo about this time the *Northern* Barons taking freſh Courage, gathered together an Army, and beſieged *York*; and tho' they were not able to take it, yet they received more than a Thouſand Marks from the Citizens to march off, which they did for the preſent.

In the mean while, there were cruel Plunderings and Burnings committed in that Province by the King's Soldiers, whilſt the Barons committed the like Devaſtations upon the Lands of their Adverſaries; but when the King heard that Prince *Lewis* was now reſolved to paſs over into *England*, he ſent *Philip* Biſhop of *Wincheſter*, *William Mareſchal* the Elder, and ſome others, Ambaſſadors to the King of *France*, to perſuade him to hinder his Son from this Deſign: But the King ſent them away without ſo much as vouchſafing them an Audience.

K. *John* ſends Ambaſſadors to the King of *France*, to hinder his Son *Lewis* from coming over, but without any Effect.

When King *John* ſaw there was no good to be done with *France* by fair means, he preſently viſited the Sea-Coaſts, and putting Gariſons into the ſtrongeſt Places, obliged the *Cinque-Ports* by freſh Oaths and Pledges to be Faithful to him; then gathering together a great Fleet of Ships from *Yarmouth*, *Lyn*, *Donwich*, and other Ports, and having Mann'd them very well, he reſolv'd to Engage the *French* in their Paſſage: But a mighty Tempeſt ariſing from the *North*, broke to Pieces, or Sunk, the moſt part of this Fleet, by which ſad Accident the King was fruſtrated of his hopes of doing any good by Sea.

Whereupon the K. viſits the Sea-Coaſts, and putting Gariſons into the ſtrongeſt Places, ſets out a great Fleet.

Moſt part of which is caſt away by a Storm.

But

But now let us look back to Eccleſiaſtical Matters, and ſee what the Spiritual Sword acted all this while in *England*. *Anno. Dom.* MCCXVI.

[1] About *Eaſter* the Abbot of *Abbendun*, and his Fellow Commiſſioners, finding the Contumacy of the Barons and City of *London* ſtill to continue, wrote to all the Conventual Churches, or Monaſteries of *England*, commanding them to publiſh the Sentence of *Excommunication* againſt the Deans of St. *Pauls* and St. *Martins*, and the Convent of *Holy Trinity*, for their Contempt to the Pope, in not publiſhing his Sentence of *Excommunication* againſt the ſaid City and Barons, as Enemies to the King; and alſo Commanded them to *Excommunicate* the Caſtellan of St. *Omar*, with all his Company, that came to Invade and Poſſeſs the Kingdom of *England*, together with all Canons and Clerks within the City of *London*, upon pain of falling under the Pope's high Diſpleaſure. The Reader may find theſe Letters at large in our Author.

[1] *M. P.* p. 279. The Pope's Commiſſioners write to all the Conventual Churches to publiſh the Sentence of *Excommunication* againſt the Deans of St. *Pauls*, and St. *Martins*, *London*, for their Contempt in not publiſhing his Sentence.

[2] At this time alſo Prince *Lewis* wrote to the Barons and Citizens of *London* a very kind Letter, wherein he returned them thanks for their valiant Behaviour in his Cauſe, with an Exhortation to them to perſevere in the ſame Courſe, and a Promiſe that he would be at *Calais* by *Eaſter* following, in order to come over into *England*. Not long after, ſome of the *Engliſh* Barons holding a great Tournament with thoſe Noblemen that came lately out of *France*, One of them with his Spear mortally wounded *Geoffrey de Mandeville*, Earl of *Eſſex*, who died within a few Days after, to the great Grief of thoſe of his Party.

[2] *Id.* p. 280. Prince *Lewis* writes to the Barons, and Citizens, to encourage them to take his Part.

Geoffrey Earl of *Eſſex* is wounded at a Tournament, and Dies.

[3] In the mean while the Pope ſent *Wallo*, or *Guallo* his Legate, into *France*, to prevent the Expedition of Prince *Lewis* into *England*, who delivered to King *Philip* his Maſter's Letters, by which he endeavoured to perſuade him, not to permit his Son to invade *England*, nor diſturb the King, but rather to Protect and Defend him, as being a Vaſſal of the *Roman* Church, and whoſe Dominions belonged unto it. To which the King of *France* immediately replied, 'That the Kingdom of *England* never was, nor ever ſhould be 'the Patrimony of St. *Peter*, for King *John* having ſeveral years 'endeavoured to Dethrone his Brother *Richard*, he was accuſed of 'Treaſon, and convicted in that King's Court, *Hugh de Pudſey*, Biſhop of *Durham*, having pronounced the Sentence againſt him; 'and therefore either he never was a Lawful King, and ſo could not 'give away his Kingdom; or if he ever were ſuch, yet he had been 'already Condemn'd in the Court or Parliament at *Paris*, for the 'Death of his Nephew *Arthur*, and for this Fact continued ſtill Sentenced. Laſtly, That no King, or Prince, could diſpoſe of his 'Kingdom without the aſſent of the Barons, who are bound to defend it: And if the Pope would take upon him to maintain this 'Error, it would prove a Pernicious Example to all Civil States. Then likewiſe all the Great Men of *France* unanimouſly declared, that they would maintain this Point even to Death, *That no King, or Prince, by his ſingle Authority, had Power to give away, or make over his Kingdom, and thereby enſlave his Nobility.* Theſe things were acted at *Lyons* about Fifteen Days after *Eaſter*.

[3] *Id. ib.* The Pope ſends his Legate to K. *Philip*, to hinder his Son's coming into *England*.

From

Anno Dom. MCCXVI. From which Relation we may obſerve, That the King and Nobility of *France* did not believe, that King *John* had ever ſurrender'd his Kingdom to the Pope by the Conſent of his Barons, tho' it be otherwiſe recited in that King's Charter, concerning which I ſhall ſay no more, having already ſpoken ſomewhat of it in my *Introduction* to this Volume.

We may likewiſe obſerve from this Unanimous Judgment of the *French Nobility*, that they did not ſuppoſe their own King, nor any other Prince in Chriſtendom, was ſo Abſolute, as to have a Power veſted in him of diſpoſing of his Kingdom without their Conſents.

[4] *Ib.* 280, 281. An Account of the Pleadings on both ſides between the Pope's Legate, and the Proctor or Advocate of Prince *Lewis*.

[4] The next Day, by means of the King of *France*, Prince *Lewis* was preſent at the Conference, where the Legate began to diſſuade him from Invading *England*, as being the Patrimony of the *Roman* Church; and alſo again applyed himſelf to his Father, according to the Effect of the Pope's Letter; to whom the King ſaid, 'He always was much devoted to the Pope, and the *Roman* Church, 'and always effectually promoted their Affairs; nor ſhould his 'Son now, by his advice or aſſiſtance, attempt any thing againſt 'them; but if he challenged any Right to the Kingdom of *England*, 'he ought to be heard, and what was juſt ſhould be allowed him: Upon which words a Knight ſtood up and argued for his Maſter Prince *Lewis*, againſt King *John* and the Pope's Title, alledging, (as King *Philip* had done before)

The Reaſons of Pr. *Lewis*'s Advocate againſt the Pope's and K. *John*'s Title.

Firſt, That King *John* had deſtroyed his Nephew *Arthur*, and was therefore condemn'd to Death by his Peers of *France*.

Secondly, That afterwards, for many Murthers Manſlaughters, and other Enormities committed in *England*, he had been Depoſed by the Barons, from Reigning over them.

Thirdly, That without the Conſent of his Barons he had made over the Kingdom of *England* to the Pope and Church of *Rome*, to take it again and hold it of them under the Annual Tribute of a Thouſand Marks.

Fourthly, That ſuppoſing he had given away the Crown of *England* without the Conſent of the Barons, and had quitted and reſigned his Right to it, yet ſo ſoon as he had done it, he thereby immediately Unking'd himſelf, and the Throne becoming vacant, it could not be fill'd, without the Conſent of thoſe Barons; who had now choſen Prince *Lewis* in right of his Wife, whoſe Mother (the Queen of *Caſtile*) was the only Child then living of all the Sons and Daughters of *Henry* the late King of *England*.

Theſe were the Arguments uſed by *Lewis* his Advocate, againſt the Titles of the Pope.

[5] *Id. ib.* The Legate's Reply to the Reaſons brought by *Lewis*'s Advocate.

[5] For all this the Legate ſtill urged, That King *John* was ſigned with the *Croſs*, (that is, had undertaken the *Cruſado*) and therefore according to a Conſtitution of the late General Council, ought to be free from any Diſturbance for Four Years, being under the Protection of the *Apoſtolick See*; To this *Lewis* his Advocate replied, That King *John*, before ever he was ſigned with the *Croſs*, had made War upon his Maſter, and taken his Caſtles, and waſted his Countries with Fire and Sword; and had made many Knights and others Priſoners, whom he ſtill detained, and was even now in actual War

War against his Master, and therefore the War he intended against him was just, according to the Law of Retaliation.

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[1] The Legate hereupon, not satisfied with these Reasons, forbad Prince *Lewis* under pain of *Excommunication* to enter *England*, and the King his Father to permit him to do it. But yet *Lewis* begged of his Father not to hinder his Design for declaring his Right; since he resolved to hazard his Life to obtain his Wife's Inheritance, and so departed from the Conference. Then the Legate desired a safe Passage from the King of *France* to the Sea side, which was readily granted him through his own Territories; but he would not undertake to secure him if he should fall into the hands of his Son *Lewis* his Friends, that guarded the Sea; at which the Legate being much displeased, departed from Court.

[1] *Ib.* The Legate not satisfied with *Lewis*'s Reasons, forbids him entering *England* on pain of *Excommunication*, who regarded not those Threats.

The Legate desires leave to depart.

[2] Prince *Lewis* on the Morrow after St. *Mark*'s Day, went to his Father, being then at *Melun*, and once more earnestly besecched him not to hinder his Design: But tho' the King durst not openly encourage it, yet he privately permitted him to go, and dismissed him with his Blessing; After this the Prince sent his Envoys to the *Roman* Court, to declare to the Pope his Right to the Kingdom of *England*, and then with all speed came to *Calais*, with the Earls, Barons, Knights, and others that had sworn to go along with him in this Expedition, that so he might come into *England* before the Legate. At that Port they found ready to receive them Six hundred Ships, and Fourscore *Cogs*, a sort of small Transport-Vessels, which *Eustace*, Sirnam'd the *Monk*, had gathered together; [3] in which they Embarked with all the speed they could, and Landed at *Stanbore* in the Isle of *Thanet*, not far from *Sandwich*, upon the 21st of *May*.

[2] *Ib.* Prince *Lewis* renews his request to his Father, not to hinder his going over into *England*, which he privately permitted.

Lewis sends Envoys to *Rome* to set forth his Right to the Kingdom of *England*.

[3] *Ib.* p. 282. Coll. 1868. He arrives and Lands in the Isle of *Thanet*.

But Prince *Lewis*, after his arrival in *England*, having heard that *Alexander*, Abbot of St. *Augustin*'s at *Canterbury*, had, amongst other Prelates, received Orders from the Pope to proceed against him by Ecclesiastical *Censure*, or *Excommunication*; to prevent this he wrote a Letter to the said Abbot, (still extant in **William Thorn*'s History of that Abbey, 'wherein he claims an Hereditary Right to the 'Kingdom of *England*, by *John*, (then Earl of *Mortaign*,) his Con-'demnation for High Treason against his Brother King *Richard*, (as 'hath been already mentioned), and that by Virtue of this Attain-'der, all the Right to the Crown of *England* had devolv'd upon 'Eleanor Queen of *Castile* his Sister, and her Heirs, whose Eldest 'Daughter he the said *Lewis* had Married; and that this Queen had 'made over to himself and her said Daughter, all her Right to the 'said Kingdom; and further sets forth, that Archbishop *Hubert* late 'deceased, did, at the time of King *John*'s Coronation, publickly 'in a Speech made for that purpose, declare, that he succeeded to 'the Crown, not by *Succession*, but by *Election*; which, as also his 'subsequent Coronation, having been perform'd by Power or Force, 'ought not to prejudice the Right of him the said *Lewis*. And he 'therein further says, 'That King *John* having been solemnly Con-'demned in his Father's Court for the Murther of his Nephew *Ar-'thur*, had thereby lost his Right to the Crown, and had also for-'feited it, by making it over to the Pope contrary to his Corona-'tion-Oath, whereby he swore to maintain all the Rights and Cu-'stoms of the Kingdom, and that this was done without the Con-

'sent

[3] *Lewis* arrives and Lands in the Isle of *Thanet*.

And presently writes to the Abbot of St. *Augustin*'s.

The Contents of that Letter.

Anno Dom. MCCXV.

'ſent of the Barons; and he moreover ſets forth his great Violence 'and Injuſtice in breaking the Charter he had made to them, and 'in making War upon them without cauſe; and therefore in the 'concluſion of this Letter, he deſires the Abbot, (notwithſtanding 'the Evil Suggeſtions of *Guallo* the Pope's Legate,) to conſi-'der that he was come over to reſtore the Liberties of the Church 'and Kingdom of *England*, and for the Common-Weal and Bene-'fit thereof; in the procurement of which, if the ſaid Abbot would 'be any ways aſſiſting to him, he ſhould then look upon him as 'his Friend, and would be no ways forgetful of it hereafter.

I have been the more exact in reciting the Contents of this Letter, becauſe you will here ſee, on what weak Grounds this Prince founds his Title, which certainly could be none at all in Right of his Wife, there being divers Others who had a Precedent, and conſequently a much better Right, as you will find more at large hereafter. But to return to our Hiſtory.

[4] *Id. ib.* K. *John*, tho' he lay at *Dover*, yet could not hinder the *French* from Landing, and the Reaſon of it.

[4] In the mean while, King *John* lay at *Dover* with his Army, which conſiſted of Strangers, and therefore he durſt not attempt to hinder the Landing of the *French*, leſt his Men ſhould deſert him, and go over to *Lewis*; From thence he went (leaving *Hubert de Burgh* Governor of *Dover-Caſtle*) to *Guilford*, and ſo on to *Wincheſter*, whilſt *Lewis* himſelf Landed near *Sandwich*, and finding no body to reſiſt him, preſently ſubdued all the Country, except *Dover-Caſtle*; but in his march he took that of *Rocheſter*; then coming up to *London*, was there received by the Barons with all outward demonſtrations of Joy, receiving at the ſame time the Homages and Fealties of all the Barons, and Citizens; and he likewiſe ſwore upon the *Holy Goſpels*, that he would reſtore to all of them good Laws, as alſo their Loſt Inheritances; which Paſſage Dr. *Brady* omits in his Hiſtory, and places inſtead of it a Paſſage of King *John* and the Barons at *Runnemead*, which is not to be found in that Author, or any where elſe, that I know of; but this by the By.

Lewis ſubdues all *Kent*, except *Dover* Caſtle, and is then joyfully received into *London*.

Where he receives the Homages and Fealties of the Barons and Citizens.

[5] *M. P. Ib.* Having got Poſſeſſion of great part of the Kingdom, he Summons the K. of *Scots* and all the Great Men of *England* to come and do him Homage, upon which many of them come in to him, and their Names.

Thus [5] by the 14th of *June* Prince *Lewis* had got poſſeſſion of ſo much of the Kingdom, that he ſummoned the King of *Scots*, and all the Great Men of *England* to come and do him Homage, or forthwith to depart the Nation; and with great ſpeed upon this his Proclamation, there came in to him *William* Earl *Warren*, *William* Earl of *Arundel*, *William* Earl of *Salisbury*, the King's Half-Brother, *William Mareſchal* the Younger, and many others, who deſerted King *John*, upon a firm Belief, that *Lewis* would now obtain the Kingdom of *England*; or (which is more likely) becauſe King *John* was now grown Odious, even to his beſt Friends and neareſt Relations. At the ſame time alſo, Prince *Lewis* made Maſter *Simon Langton*, Brother to the Archbiſhop, his Chancellor, who being before incenſed againſt the Pope by his late diſappointment of the Archbiſhoprick of *York*, did now by his Preaching perſuade all the Barons and Citizens of *London* to be preſent at *Divine Service*, and alſo made Prince *Lewis* to give conſent to it. Thus you ſee, when the Clergy and People grew once Unanimous, the Pope's *Excommunication* ſignified nothing.

Lewis makes Mr. *Simon Langton* his Chancellor.

Guallo

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[1] *Guallo* the Legate followed Prince *Lewis* into *England* with all ſpeed, and got ſafe to King *John*, who was then at *Gloceſter*; and there calling together as many Biſhops, Abbots, and Clerks as he could, *Excommunicated* Prince *Lewis* by Name, with all his Accomplices and Favourers, and eſpecially *Simon de Langton*; commanding all the Biſhops and Others to publiſh the Sentence againſt them every Lord's Day and Feſtival. But *Simon de Langton*, and *Gervaſe de Hobrugge*, Præcentor of St. *Pauls* in *London*, alledged, that they appealed for the Right and Title of Prince *Lewis*, and therefore the Sentence was Null and Void. At this time alſo moſt of the Knights, and Ordinary Soldiers of *Flanders*, and other Tranſmarine Countries, left King *John*, (except the *Poictovins*, and ſome went over to *Lewis*, and others returned home. From whence we may obſerve, that this Unfortunate King could not depend even upon thoſe very *Mercenaries* he had Hired, and kept in Pay; but whether for Fear of *Lewis*, or out of Hatred to King *John*, our Author does not tell us.

[1] *Id. ib.* The Pope's Legate follows *Lewis* into *England*, and *Excommunicates* him with all his Adherents.

Simon Langton, and *Gervaſe* appeal to the Pope on the Prince's behalf.

Moſt of the Foreign Mercenaries deſert King *John*.

[2] Sometime after this, Prince *Lewis* leaving *London*, marched into *Kent*, and totally ſubdued it, except *Dover* Caſtle; then going into *Suſſex*, he took in that Country, with the Towns and Fortreſſes belonging to it; and afterwards paſſing into *Hampſhire*, took the City of *Wincheſter* with the Caſtle. None withſtanding him, except one Brave young Gentleman, *William de Colingham*, who defied *Lewis*; and refuſing to ſwear Fealty to him, with a Thouſand Archers during the time of Hoſtility kept himſelf in the Woods and Faſtneſſes of *Suſſex*, and killed ſeveral Thouſands of the *French*: *Hugh de Neville* came to *Lewis* at *Wincheſter*, and doing him Homage there, delivered the Caſtle of *Marlborough* into his Hands; So that he was now poſſeſſed of all the *Southern*-Parts of the Nation, except the Caſtles of *Dover* and *Windſor*, which were well Mann'd and Fortified, and prepared to receive him. At the ſame time alſo, *William de Mandevil*, *Robert Fitz-Walter*, and *William de Huntingfield*, by Force brought under his Obedience the Counties of *Eſſex*, and moſt part of *Suffolk*.

[2] *Id. Ib.* *Lewis* leaves *London*, and marches into *Kent*, and reduces it all except *Dover-Caſtle*. And takes *Wincheſter*, none reſiſting him except *William de Colingham*. *Hugh de Neville* delivers up the Caſtle of *Marlborough* to *Lewis*, and is thereupon poſſeſs'd of all the *South* of *England*, except two Places *Eſſex* and *Suffolk*.

In the mean while, King *John* took care to Furniſh and Strengthen, as well as he could, with Men, Victuals, and Ammunition, ſeveral Caſtles in the *Weſtern*-Parts, as *Wallingford*, *Corf*, *Warham*, *Briſtol*, with the *Deviſes*, and others.

K. *John* furniſhes his Garriſons in the *Weſt* with Victuals, and Ammunition.

[3] In the midſt of theſe Succeſſes, Prince *Lewis* received an Account from the Meſſengers he had ſent to the Pope, that upon their Application to him, and preſenting his Complement, he told them, *Their Maſter was not worthy the return of his Salutation*; to which they replied, 'When his *Holineſs* had heard his Reaſons and Apo-'logy, they doubted not but he ſhould find him a True Catholick 'Prince, and highly devoted to him and the *Roman* Church; Inſomuch that at length, after many Addreſſes, they found him Wavering and Fluctuating between his Affection to Prince *Lewis*, and his Inclination to King *John*, and indeed he well conſidered his Intereſt on both ſides, and what Inconveniencies he might receive, whether the King, or the Prince got the better.

[3] *Id* p. 283. *Lewis* receives an Account from his Ambaſſadors at *Rome* of their Proceedings there.

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[4] *Id. Ib.* The Reaſons of the Ambaſſadors, with the Pope's Anſwers.

[4] Then the Envoys proceeded to ſet forth at large the Reaſons and Arguments preſented to the Pope on behalf of Prince *Lewis* againſt King *John*; the Sum of which were,

Firſt, That the King was adjudged to Death by his Peers for the Murther of his Nephew *Arthur*; to which the Pope anſwered, That the Barons of *France* could not Judge him, becauſe he was an Anointed King, and their Superior; and beſides, it was againſt the Canons to Judge an Abſent Perſon, unheard, unconvicted, and who had not confeſſed his Crime: To this the Envoys of *Lewis* returned, that according to the Law or Cuſtom in the Kingdom of *France*, their King had all Juriſdiction whatſoever over King *John* his Liege-Man, as an Earl and Duke; therefore tho' he was a King Anointed in *England*, yet as he was but an Earl and Duke of *France*, he was under the Juriſdiction of their Lord the King; ſo that if ſuch an Earl or Duke, committed a Crime in that Kingdom, he might and ought to be judged by his Peers there: Nay, if he were neither Duke nor Earl, nor Liege-man of the King of *France*, but had committed ſuch a Crime in that Kingdom, even then, becauſe the Crime was committed there, the Barons might Judge him to Death; otherwiſe, if the King of *England*, becauſe he was an Anointed King, could not be Condemn'd as a Peer of *France*, he might then without any controul enter the Kingdom of *France*, and deſtroy the Barons of that Kingdom, as well as he had done his Nephew *Arthur*; to [5] which the Pope reply'd, That many Emperors and Kings of *France* are reported in Hiſtories to have deſtroyed ſeveral Innocent Perſons, yet we do not read that any of them were ever condemn'd to Death; and ſeeing *Arthur* had done Homage and Allegiance to his Uncle King *John*, and was afterwards taken Priſoner, fighting againſt him, he might juſtly be put to Death, as a Traytor to his Lord the King: So little Senſe the Pope then had of Duke *Arthur*'s Right to the Crown, or of the Horridneſs of the Murther committed upon him.

[5] *Id.* p. 284.

[1] *Id. Ib.*

[1] *Secondly*, 'Twas objected againſt King *John*, that tho' he was often cited to the Court of the King of *France*, yet he neither appeared Perſonally himſelf, nor ſent any one to do it for him; to which the Pope anſwered, That this was but a Contumacy at moſt, and not a Mortal Crime, and was otherwiſe to be puniſhed; and therefore the Barons could not Judge him to Death: But *Lewis* his Meſſengers replied, That it was the Cuſtom of *France*, if any one was accuſed of Murther, and appeared not, but ſent his Excuſe, he was adjudged as if he were Convicted in all points, and his Iſſue barred from Inheriting: To this the Pope anſwered again, That ſuppoſing King *John* had been judged to Death, and his Iſſue barred (which could only be for his Territories in *France*) yet did it not follow, that *Blanche*, the Wife of *Lewis*, ought therefore to ſucceed; but either the Siſter of *Arthur*, or elſe *Otto*, Son of *Henry* Duke of *Saxony*, by King *John*'s Eldeſt Siſter; or if it be ſuppoſed that the Queen of *Caſtile* ought to ſucceed, or her Daughter *Blanche* in her Right, that is a Miſtake, becauſe the Male-Iſſue, *viz.* the King of *Caſtile* her Brother, or elſe the Queen of *Leon* her Eldeſt *Siſter*: To this *Lewis* his Envoys rejoin'd, That their Miſtreſs had a colourable Title, which was to hold good, until ſome other more Rightful plainly

plainly appeared, and if any nearer to it afterwards claimed, their Maſter then might do what he thought fit, or what he ought. *Anno Dom.* MCCXVI.

[2] Then the Pope urged, That the Kingdom of *England* was his Property, and that *Lewis* ought not to deprive King *John* of it, who held it as his Feudatary; To this *Lewis* his Commiſſioners anſwered, That the War was begun before the Pope could pretend to it, for *William Longeſpee*, Earl of *Salisbury*, had long ſince invaded Prince *Lewis* his Territories with an Army, and therefore his War was juſt againſt the King of *England* that ſent them. To this the Pope anſwered, That *Lewis* ought not to make War for what his Vaſſal had done, but to make his Complaint to himſelf, as his Superior Lord; To which *Lewis* his Commiſſioners replied, That it was the Cuſtom of *France*, when ever any Vaſſal made War upon another, by authority of his Lord, he might make War upon him again, without complaining to his Lord. Then the Pope urged further, That the *Engliſh* Barons were *Excommunicated*, with all their Adherents, by which means *Lewis* would incur the Pain of *Excommunication* too, if he joined with them: To this his Commiſſioners ſaid, He did not favour the Barons of *England*, but only proſecuted his own Right; and that he believed neither the Pope, nor Council, would *Excommunicate* any Man Unjuſtly, ſince at the time of declaring the Sentence, they knew not what Right their Maſter might have to the Kingdom of *England*. [1] *Id.* p. 285.

Upon hearing the whole Matter, the Pope ſaid, he would then determine nothing concerning it, untill he heard from his Legate *Guallo*. This was the Sum of the Diſcourſe between the Pope and Prince *Lewis*'s Envoys, with their mutual Objections, Anſwers and Replies, which tho' long, and perhaps may ſeem tedious to ſome, yet ſince it contains the clear ſtate of this Controverſie, and many curious Points in the *Feudal* Law of that Age, I thought fit to ſet it down here at large.

[3] In the mean while, Prince *Lewis* made a great Incurſion into the Eaſt of *England*, *viz.* the Counties of *Eſſex*, *Norfolk*, and *Suffolk*, and miſerably waſted them, putting a Gariſon into the Caſtle of *Norwich*, which *Thomas de Burgh* had deſerted: This done, the *French* returned with great Booty and Spoils to *London*; where *Gilbert de Gant* came in to *Lewis*, and by him was girt with the Sword of the County of *Lincoln*, and made Earl thereof; and then was ſent to block up the King's Forces in the Caſtles of *Nottingham* and *Newark*, for they had burnt all the Great Houſes of the Barons in thoſe Parts. [3] *Id.* p. 285. Prince *Lewis* makes an Incurſion into *Eſſex*, *Norfolk*, and *Suffolk*, and puts a Gariſon into *Norwich-Caſtle*.

[4] At the ſame time, *Robert de Ros*, *Peter de Bruis*, and *Richard de Percie*, reduced the City and County of *York* to Prince *Lewis*'s Obedience; whilſt *Gilbert de Gant*, and *Robert de Ropelley* took the City of *Lincoln*, with the County round about, except the Caſtle, and put them under Contribution: They alſo plundered *Holland*, and made it Tributary. [4] *Id. Ib.* Several Barons reduce *Yorkſhire* and *Lincolnſhire* to Prince *Lewis*'s Obedience.

[5] In *July* the King of *Scots* invaded *England* afreſh with his whole Army, and beſieged the City of *Carliſle*, and took it about the beginning of *Auguſt*, all but the Caſtle, which he could not make himſelf Maſter of at that time. [5] *G. M.* The King of *Scots* again invades *England*, and takes *Carliſle*, but not the Caſtle.

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[1] *M. P.* p. 286. Then marches into *Northumberland*, and ſubdues it for Prince *Lewis*.

[1] Then marching forward into *Northumberland*, he ſubdued the whole County for Prince *Lewis*, excepting ſome Caſtles which *Hugh de Baliol* and *Philip de Hulecotes* Manfully defended; ſo that all theſe Counties were now become Subject, and had ſworn Fealty to the Prince.

[2] *Id. ib.* *Lewis* being reproved by his Father for not taking *Dover-Caſtle*, he marches again to beſiege it.

But it was ſo well defended by *Hugh de Burgh*, that he could not take it.

And therefore blocks it up.

[2] About the Nativity of St. *John Baptiſt*, Prince *Lewis* being reproved by his Father, as if he were Unskilful in matters of War, becauſe he had hitherto left *Dover*-Caſtle untouch'd, (being then accounted one of the ſtrongeſt Fortreſſes in the Kingdom) he therefore marched with a ſtrong Force to beſiege it, having before ſent to his Father for a great Engine, (which the *French* called a *Mal-voiſin*) to caſt Stones, with which, as well as with other Engines, the *French* were inceſſantly battering the Walls. But *Hubert de Burgh* with about an Hundred and Forty Knights and their Eſquires, defended the Place with ſo much Courage, that they deſtroyed many of their Enemies, until the *Frenchmen* being ſenſible of their Loſs, were forced to retreat to a further Diſtance. But Prince *Lewis* being cruelly vex'd at this Repulſe, ſwore, That he would never quit the Siege till he had taken it, and Hanged all thoſe that Defended it; and therefore blocking it up built great ſtore of Huts before it, hoping to do that by *Famine*, which he was not able to compaſs downright by *Force*.

[3] *Id. Ib.* The Barons make an Excurſion, take *Cambridge*, and Plunder *Norfolk* and *Suffolk*.

[3] At the ſame time a Party of the Barons made an Excurſion into *Cambridgeſhire*, waſted the whole Countrey, and took the Caſtle of *Cambridge*; and from thence they marched into *Norfolk* and *Suffolk*, and plundered them, with all the Churches, and forced the Towns of *Yarmouth*, *Dunwich*, and *Ipſwich*, to moſt grievous Ranſoms; and going back by *Colcheſter* they committed the like Outrages, and ſo returned to *London*, their old Retreat.

And then beſiege *Windſor-Caſtle*, but could not take it.

Some time after this, the Barons gathered together a great Force, under the Command of the Count of *Nevers*, and beſieged *Windſor* Caſtle, wherein were Sixty Knights with their Followers; at which time the *French* applied their Battering Engines againſt the Walls, whilſt the Beſieged endeavoured to beat them off.

[4] *Id. ib.* The K. upon the Barons beſieging *Windſor-Caſtle*, marches about the Countrey, and deſtroys their Eſtates.

[4] Our Author farther relates, That ſo ſoon as King *John* knew *Dover* and *Windſor* Caſtles were beſieged by the Barons, he, to divert them from it, drew out of his Garriſons a great Army, with which he marched furiouſly up and down the Countries for a Month together, Waſting their Lands, Burning their Houſes, and Deſtroying all their Fruit and Corn: Inſomuch, that at length he made an Incurſion into the Counties of *Norfolk* and *Suffolk*, and there laid waſt the Eſtates of the Earl of *Arundel*, *Roger Bigod*, *William de Huntingfield*, and other Great Men.

The Barons raiſe the Siege of *Windſor-Caſtle*, and march towards *Cambridge* to ſurprize the K. who thereupon returns to *Stamford*, and from thence towards *Lincoln*.

Upon this the Barons perceiving they could not make any great Advance in the Siege of *Windſor* Caſtle, quitted it in the Night, and leaving their Tents and Engines behind them, marched with all the haſte they could towards *Cambridge*, in order to ſhut up, and ſurprize the King, who was then harraſſing the Country about the Sea-Coaſt of *Suffolk*; but he receiving Intelligence by his Scouts of their coming, went back again to *Stamford*, and from thence marched in great haſte towards *Lincoln*, the Caſtle whereof was then beſieged by *Gilbert de Gant*; but upon his approach, he fled with all his Forces as faſt as he could.

The

The Barons having thus miſſed the King, plundered and waſted the Country, and returned to *London* with their Spoils; and there leaving a ſtrong Gariſon, they marched to Prince *Lewis*, who was then employed in the Siege of *Dover*-Caſtle, whither [5] *Alexander* King of *Scots*, paſſing through *England* with his whole Army, came to wait upon him, and there did him Homage for the Lands he held in *England*, in the ſame Form as the Barons of *England* had done before; and then Prince *Lewis*, as well as the other Barons, Swore, That they would never make Peace with King *John*, without the King of *Scot*'s conſent: But to this Oath they were no Slayes, as you will find hereafter.

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The Barons having plundered the Country, return to *London*, and thence march to the Siege of *Dover-Caſtle*.

[5] *C. M.* P. 287. Where *Alexander*, K. of *Scots* meets Pr. *Lewis*, and does him Homage.

[1] For about this time, the Viſcount of *Melun*, a *French* Nobleman that came into *England* before Prince *Lewis*, fell ſick in the City of *London*, and when he found he had not long to live, he called to him ſome of the *Engliſh* Barons, that were poſted there for the Security of the City; and told them, he was ſorry for the Deſtruction and Ruine that was coming upon them, which they underſtood not, but he would reveal the Secret; and then acquainted them, That Prince *Lewis* with Sixteen Earls and Barons of *France* had ſworn, That when he had Conquer'd *England*, and was Crown'd, he would for ever Baniſh all thoſe that fought for him, and perſecuted King *John*, as *Traytors to the Realm*, and would likewiſe deſtroy all their Poſterity; and that they might not doubt the Truth of it, he affirmed upon the Word of a Dying Man, and as he hoped for Salvation, that he himſelf was One of thoſe that had ſworn with *Lewis*; yet he deſired them not to make any Diſcovery of what he had ſaid, but provide for their Safety as well as they could; and ſo preſently after Died.

[1] *M. P. Ib.* The Viſcount of *Melun* upon his Death-Bed, diſcovers to the Barons Prince *Lewis*'s Deſign to ruine them.

[2] When theſe Things were whiſper'd amongſt the Barons, they were highly Incenſed, and not without Reaſon: For if this Relation were true, (as there was no great cauſe to diſtruſt the words of a Dying Man) there cannot be an Inſtance of greater Falſhood and Ingratitude, than this of Prince *Lewis* and his *French* Lords; and may ſerve as a *Laſting Warning* how the *Engliſh* ever call in too great a Number of *Foreigners* (eſpecially *French*) be their Neceſſities never ſo Urgent; ſince it has been (I will not ſay always) the Cuſtom of that Nation, not only to take a Pride in their own Chains, but in reducing their Neighbours to the ſame Condition with themſelves; and indeed the Barons might very well have gueſs'd at Prince *Lewis*'s Intentions, when he put *French* Governors into all the ſtrong Places he took.

[2] *Id. Ib.* Upon which the Barons are highly incenſed.

But that which grieved them moſt, was, that he had ſtigmatized them with the odious Character of *Traytors*; and it added not a little to their Affliction that they were *Excommunicated*. Some of theſe reflecting upon their miſerable Condition, thought of returning to their old Obedience: and tho' divers of them were afraid they had ſo highly provoked King *John*, that he would never accept of their Return; Yet the ſame Author relates, that no leſs than Forty of the Barons were about to quit Prince *Lewis*, and be reconciled to King *John*, not long before his Death.

Walter

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Walter of *Coventry* repreſents Prince *Lewis*'s Affairs to have been in no very good Circumſtances at the time of King *John*'s Death; ſo that he ſeemed not well pleaſed with his coming over into *England*, becauſe he found things in a much different Poſture than what he expected: for the Caſtles in the King's Power were many, and thoſe well Fortified, and the greateſt Part of the Kingdom was ſtill under his Dominion; and tho' the King of *Scots* and the Barons of the *North* were for Prince *Lewis*, yet they were ſo divided from the Reſt of their Party, that they could neither help them, nor receive any Aſſiſtance from them; inſomuch that thoſe who ſtill adher'd to the King in thoſe Parts, ſpoil'd their Eſtates at their Pleaſure: Beſides, the Prince found the *Engliſh* Fickle and Mutable, and that the *French* he had brought over with him were too few to Gariſon, and Secure ſo great a Kingdom.

Lewis's Affairs but in a bad Poſture before King *John*'s Death, and the Reaſon.

This was the true Reaſon, why he ſtill kept himſelf near the Sea-Coaſts, ſo that if any unexpected Diſaſter ſhould happen, he might find the eaſier Paſſage back again. And thus ſtood Affairs till the ſudden News of the King's Death raiſed the Spirits of thoſe of *Lewis*'s Party, as you will find anon; and therefore *Matt. Paris* alſo adds, That about this time, the Barons ſeeing themſelves *Excommunicated*, and like to be deprived of their Honours and Eſtates, grew very Melancholly and Diſcontented; ſo that ſeveral of them thought of returning to their Allegiance to the King; and had actually done it, had they not believed the King's Temper to be ſo implacable as never to pardon them.

But it is high time to return to the ſmall Remainder of this Unfortunate Prince's Reign, and of which it muſt be confeſs'd Dr. *Brady* gives us the beſt Light from the **Patent-Rolls* of this Year; That King *John* was buſied in the *Weſt* all this Summer, from almoſt the Beginning of *May* to the Beginning of *September*; yet by the Grants, Protections, and other things he then ſigned, we find he was in perpetual Motion, and very ſeldom ſtayed more than Two or Three Days in a Place; as appears by the *Teſte*'s of theſe Patents, where the Place of his Abode is always expreſſed.

* *Rot. Pat. 18 Johan.*

Dr. *Brady*'s exact Account of the King's ſeveral Gifts during the reſt of his Reign, and Life.

At the beginning of the Summer he was at *Wincheſter*, at the *Deviſes*, at *Briſtol*, *Wells*, *Shirborn*, *Warham*, *Corf-Caſtle*, *Lutgarſhal*, *Berkeley-Caſtle*, and many other Places in the *Weſt*: And whilſt he was there, *Lyn* in *Norfolk* ſerved as a Place of Retreat or Defence to the Barons of his Party in thoſe Countries; and there alſo without doubt he ſecur'd his Treaſure, Crown, and all his Portable *Regalia*, as appears by the ſequel of the Story.

He ſpends moſt part of the Summer in the *Weſt*.

We are likewiſe beholding to Doctor *Brady* for the exact Diſcovery of this King's *Giſts*, during his frequent Removes from Place to Place, all the reſt of the Summer, and the Autumn following, when he left the *Weſt* and came to *Oxford*; where after a ſhort ſtay he went from thence in *September*, and paſſing through the Counties of *Berkſhire*, *Buckinghamſhire*, *Bedfordſhire*, *Cambridgeſhire*, and *Lincolnſhire*, return'd to *Lyn*, which he had made before his Head-Quarters. Yet there he tarried not long neither, but going from thence by *Wisbitch* and *Sleford*, he arrived at *Newark*-Caſtle before the middle of *October*, as the Doctor alſo proves by the Patent-Rolls of this Year; ſome of which are mentioned in his Hiſtory, and re-

And then coming to *Oxford*, paſſes thence thro' *Berkſhire*, *Bucks &c.* as far as *Lin.*

And from thence in *October* arrives at *Newark.*

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cited at large in the * *Appendix* to it. But they not being very material to our purpoſe, I refer the Inquiſitive Reader to the Book it ſelf, and will proceed to finiſh the ſhort Remainder of this King's Reign. *Anno Dom.* MCCXVI. * No. 137.

'Tis very probable, that (as *Matt. Paris* reports) the Barons might riſe from before *Windſor*-Caſtle about the Middle of *September*, and march after the King, from *Cambridge* to *Clare*; and from thence to *Clivam*, and ſo to *Bocking* in *Eſſex*, where he was on *September* the Twenty Firſt; and that Day he might go croſs the Countrey to *Royſton*, and ſo to *Huntington* and *Stamford*, and from thence to *Lincoln*. The K's Gueſts in Autumn.

The next Day, when he underſtood that the Barons had been withdrawn to *London*, and from thence to *Dover* to meet Prince *Lewis*; he came to *Spalding*, and ſo over the *Waſhes* to *Lin*, to fetch his Carriages and Treaſure which he had laid up there, and to recruit his Army with ſuch of his People that had fled thither. The K. comes to *Lin*.

Our Author tells us further, That whilſt *Lewis* in vain beſieged *Dover*-Caſtle, King *John* came into the Counties of *Norfolk* and *Suffolk*, and miſerably waſted them; and going by *Peterburgh* and *Croyland*, plundered thoſe Abbies; and at length, in his paſſage toward the *North*, he took his way through *Lin*: tho' this doth no ways agree with the Patent-Rolls, which ſay, He was at *Grimsby* in *Lincolnſhire* upon the Fourth of *October*; at *Spalding* in the ſame County upon the Seventh; at *Lin* on the Ninth and Eleventh; and at *Wisbetch* on the Twelfth; from whence he went back to *Lin*, and went over the *Waſhes* on the Fourteenth of *October*, to *Swines-head-Abbey*; and this indeed agrees with the latter Part of the Story in *Matt. Paris*, and the Patent-Rolls alſo.

[3] The King coming to *Lin* was received with great Joy by the Inhabitants there; but after a few Days ſtay he went away toward the *North*, and by the way loſt all his Waggons, and Sumpter-Horſes, with their Lading, and all his Treaſure, and his Portable *Regalia*, which are called by *Rad. de Coggeſhal*, his Moveable Chapel, (*i.e.*) the Furniture of it, with many Sacred Relicts, in the River called *Well-ſtream*: Where (ſays *Matt. Paris*) the Earth opened in the midſt of the Floods, and they ſunk down into the Gulf, both Men, Horſes, and Carriages, only the King with his Army going before eſcaped: But notwithſtanding this Monk's Tragical Deſcription of this ſad Accident, whereby he would make it a kind of a Miraculous Judgment; Yet in truth it was no more than that King *John* paſſing with his Carriages over the *Waſhes*, between a Place called the *Croſs-Keys* in the Marſhland of *Norfolk*, and *Forſdike* in *Holland* in *Lincolnſhire*, his Carriages being overtaken by the Tide, were loſt in the Waters and Quickſands, as it is more truly related by the Abbot of *Coggeſhal*. [1] *Id. Ib.* The K. leaves *Lin* to march into the *North*. And loſes all his Carriages and Treaſure in paſſing over the Waſhes in *Lincolnſhire*.

[4] The King that Night got ſafe to *Swines-head-Abbey*, and there Lodged; But with grief and anguiſh of Mind for the Loſs of his Carriages, he fell into a Feaver, which was much heightned that Night, by his Eating too many Peaches, and Drinking New Ale or Bracket: the next Morning he went from thence, but not being able to ride, he was carried in a Litter to *Sleford*-Caſtle, from whence he proceeded in like manner with great Difficulty as far as *Newark*, where [4] *M. P. Ib.* The K. comes to *Swines-head-Abbey*, and there falls ſick of a Feaver. And at *Newark*, Dies.

Anno Dom. MCCXVI where falling alſo into a Flux, and his Feaver ſtill increaſing, he Died on the Eighteenth of *October*, being St. *Luke*'s Day.

I cannot here omit letting the Reader know, that ſome of our Writers give a far different Account of the Manner of this King's coming to his End, which they will needs have to have been by Poyſon: *Caxton* (our old Chronicler) is the firſt who in *Engliſh* hath told us this Story, and from him our more Modern ones, ſuch as *Speed* and *Baker* have borrowed it, to this Effect; That this King, being at *Swines-head-Abbey*, and hearing it ſpoken how cheap Corn then was, ſhould ſay, *He would e'er long make it to be dear, ſo that a Penny Loaf ſhould be ſold for a Shilling:* At this Speech a Monk there preſent took ſuch Indignation, that he went and put the Poyſon of a *Toad* into a Cup of Wine, and brought it to the King, telling him, There was ſuch a rare Cup of Wine, as he had never drunk in all his Life; and therewithal took the Aſſay of it himſelf, which made the King drink the more boldly of it: but finding himſelf preſently very ill upon it, he asked for the Monk, and when it was told him he was dead; *Then* (ſaid the King) *God have mercy upon me, I doubted as much.*

Not Poyſon'd, as ſome relate.

This is a very improbable Story, for a Man to Poyſon himſelf only to be revenged of another: But *Walter Hemingford* tells it a different way, *viz.* That the Abbot perſuaded the Monk to Poyſon the King, becauſe he would have lain with his Siſter; and that he did it by a Diſh of *Pears* which he Poyſon'd, all, except Three, and then making a Preſent of them to the King he bid him firſt taſte them himſelf, which he did, eating only thoſe Three, that he had marked; and ſo the King, eating heartily of the reſt, was Poyſon'd, and the Monk eſcaped. From whence you may obſerve, by the different way of telling this Story, that there was at firſt no other ground for it than an uncertain Tradition, or Report; for beſides the improbability of Poyſoning a whole Diſh of *Pears*, ſo as not to be taſted nor perceived; I ſay, beſides this, not one of the Hiſtorians, that lived and wrote within Sixty years of that time, mention any ſuch thing; for *Thomas Wikes* is the firſt who in his Chronicle relates it, and that too only as a Report, without ſaying any thing of the manner how, which *Walter Hemingford* firſt related at large, and which *Ranulph Higden* in his *Polychronicon*, and *Henry de Knyghton* copied from thence.

I ſhould not have dwelt ſo long upon this Subject, had not ſuch noted Writers, as [5] *Mr. *Fox* and Mr. *Pryn* inſerted it in their Hiſtories; who do both make great uſe of this Story to render the Monks as odious for their Treachery, as for their other Vices: But it is not my deſign to load any ſort of Men more than I think they truly deſerve.

[5] *Vid.* Acts, and Monuments, Vol. 1. p. 256. *Pryn*'s Hiſtory of Papal Uſurpations.

But let the manner of his Death be how it would, moſt of the Hiſtorians agree, That before his Deceaſe he by his Teſtament appointed *Henry* his Eldeſt Son (then a Child) to ſucceed him; and ordered his Body to be buried in the Cathedral Church at *Worceſter*, which was done accordingly, tho' with little Funeral Pomp. His Tomb with his Image upon it is ſtill to be ſeen in the *Choir* of that Church, notwithſtanding the late *Civil Wars*, which have elſewhere deſtroyed ſo many Noble Monuments of that kind.

Thus

Thus died this Unhappy Prince after Seventeen Years Five Months, and Four Days Reign: Which, tho' not very long, yet must needs seem tedious enough to those that lived under it, who were never without continual Vexations either from Foreign or Domestick Wars; besides other great Grievances, proceeding from his frequent and arbitrary Taxes and Oppressions: Yet notwithstanding all these, he lost more Territories in Two or Three years, than all his Successors ever did in thrice that time; which might be well enough excused, had not those Misfortunes chiefly proceeded from his own want of Courage and Conduct, he scarce ever undertaking any Enterprize in due time, or pursuing it with that Diligence and Application which was requisite: but it would be well if this were the worst that could be said of this Prince; who (besides a comely Outside) had very few good Qualities to recommend him to the Affections of his Subjects, or the Admiration of future times. *Anno Dom.* MCCXVI.

I shall therefore give you his Character from [1] Sir *Richard Baker*, as being the shortest, and nearest the Truth, of any I can find, which is to this Effect; Concerning his Conditions it may be said, That his Nature and Fortune did not very well agree; for he Naturally loved his Ease, yet his Fortune was to be ever in Action; He vanquished more of his Enemies by Surprizes than by Battles; He was never so true to his word, as when he threaten'd, because he meant always as cruelly as he spoke, tho' not always so graciously as he promised; and he that would have known what it was he never meant to perform, must have considered what he promised: He was neither fit for Prosperity, nor Adversity, for the One made him Insolent, the Other Dejected; so that a Middle Fortune would have suited best with his Temper: He was all things by fits, sometimes very Religious, as appears by his building a Monastery at a Place called *Beau-lieu* in the *New-Forest*, for *Cistercian* Monks; at other times scarce a *Christian*, as appears by divers prophane Speeches related of him, amongst which I shall mention but this One; that having been a Hunting, at the opening of the Buck, he said, *See how fat this Deer is, and yet I dare swear he never heard Mass.* [1] Vid. *Baker's* Chronicle. His Character.

I should not have taken notice of this Story, had it not been cited by [2] Mr. *Fox* in his Book of *Martyrs*, as a very commendable Expression; as if it were a good Character in a Prince or any other Person to ridicule the Religion he profess'd. I shall pass by divers other Stories of the like kind, and go on to the farther Character of him: He was extreme greedy of Money, and tho' it was got with much ill will and clamour from his Subjects, yet it was commonly spent in silence, without any Honour to himself, or Benefit to the Nation: He was very intemperate in his Pleasures, exceeding his Father in his Lust, not sparing the Wives of Men of the best Condition; not that I give credit to all Relations of this Kind, some of which may be invented out of Malice; as that in particular, of his intending to Debauch the Wife of *Eustace de Vesci*, by means of a Ring he borrowed of him; which tho' it be related in *Walter de Hemingford*'s Chronicle, and is borrowed from him by *Henry de Knighton*, yet besides that it is not men- [2] *Acts and Mon.* Vol. 1. p. 256.

tioned by any Hiſtorian who lived near that time, the very Circumſtances of the Story, render it incredible.

To conclude therefore; all I can ſay for him, is, that beſides his own perſonal Failings, he had alſo the Misfortune to Reign at a time, when his Great Adverſary, King *Philip* of *France*, was Wiſe, Valiant, and Succeſsful. The Pope, whom he had chiefly to do with throughout his Reign, was *Innocent* the *Third*, a Prelate of a High and Ambitious Spirit; and who, by the Means of the King of *France*, had humbled not only this King, but *Otto* the Emperor, as you have already heard; and perhaps his Barons, with many of the Biſhops, Clergy and People, were not only provoked by his conſtant Oppreſſions and Illegal *Taxations* of them, but being alſo ſenſible from his Carriage both in War and Peace, of how mean and unconſtant a Spirit he was, they were from thence the more Emboldened to demand the Confirmation of thoſe Antient Privileges and Liberties, which perhaps they would never preſume to have done, had his Brother King *Richard* been ſtill alive: and tho' the Monkiſh Writers of his Life and Reign may be too ſevere upon him, as to ſome particular Paſſages, yet we may be pretty well aſſur'd, that the Character we have now given of him is true in the main, as being founded upon clear and indiſputable Matters of Fact.

Of King John's *Wives, and Iſſue.*

AS for the Wives of this King, you may remember that his firſt was *Hawis*, or *Avis*, Daughter and Heir to the Earl of *Gloceſter*; but being divorced from Her, he then married *Iſabel*, Daughter to the Earl of *Angoleſme*, by whom he had Iſſue, [3] *Henry*, the Eldeſt Son, afterwards King *Henry the Third*, who was born on Saint *Remigius*'s Day, (that is, the Firſt of *October*) in the year 1207.

[3] *M. P.* p. 225.

[4] *Id.* p. 226. [4] *Richard*, his Second Son, who was afterwards King of the *Romans*, and Earl of *Poictiers* and *Cornwal*, was born in the year 1208.

[5] *Rot. Pat.* 10 *Hen.* 3. *M.* 5. *Dorſ.* As for his Daughters, [5] *Joane*, the Eldeſt, was married to *Alexander* King of *Scots*, in the Fifth Year of her Brother King *Henry*'s Reign, *Anno Dom.* 1221. as all the Hiſtorians both *Engliſh* and *Scotiſh* agree.

[1] *M. P.* p. 465. [1] *Eleanor*, his Second Daughter, married *William Mareſchal* the Younger, who died without Iſſue, *Anno Dom.* 1231. and ſhe was then a Second time married to *Simon Montfort*, Earl of *Leiceſter*, on the Morrow after *Epiphany*, *Anno Dom.* 1238.

[2] *Id.* p. 414. [2] *Iſabel*, his Third and Youngeſt Daughter, was married to *Frederic* the Second, Emperor of *Germany*, at the Age of One and Twenty, on the 27th of *February*, *Anno Dom.* 1235.

His

His Baſe Iſſue.

HE had alſo by divers Miſtreſſes ſeveral Baſe Children, whoſe Mothers are not particularly mention'd; *Richard* the Eldeſt, is no where taken notice of (as I know) unleſs by [3] *Matt. Paris.* As for the Second called [4] *Geoffrey Fitz-Roy*, I refer you for him to *Sanford*'s Genealogical Hiſtory; as I do alſo for *Joane* his Baſe-Daughter, that was married to *Llewellin*, Prince of *North-Wales*.

[3] P. 298. N. 40.

[4] Vid. *Sanford*'s Gen. Hiſt. P. 87.

Dr. *Brady* has alſo diſcovered Two other Sons of his, not mention'd by any other Authors, as he proves from the Records in the *Tower*, (*Viz.*) *Osbert* mention'd as King *John*'s Son, in *Rot. Pat.* 17 *Johan.* *Part* 2. *M.*16; as alſo *Oliver* mention'd as ſuch, in *Rot. Clauſ.* 1 *Hen.*3. *Part* 2. *M.*23. and again as King *Henry*'s Brother in *Rot. Clauſ.* 2 *Hen.*3. *Part* 1. *M.*9.

His Taxes.

AS for his Taxations, and Ways of raiſing Money, they were ſo many, ſo various, and ſo arbitrary, that it may be almoſt ſaid, his whole Reign was but one continued Taxation and Oppreſſion of his Subjects: But ſince Doctor *Brady* has given us a more exact Account of them, both from our Hiſtorians and Records, then any other Author, I ſhall make bold to tranſcribe his.

Soon after his firſt Coronation, which was on the Seven and Twentieth of *May*, *Anno Dom.* 1199. he had a *Scutage-Tax* of Two Marks of every Knight's Fee.

The next Year he had of every *Plough-Land* in *England*, Three Shillings.

In the Year 1201. he had Two Marks of every Knight's Fee, for *Scutage-Service*, of ſuch as had his Licenſe to ſtay at home, upon Summons to paſs beyond Sea with him.

In the Year 1203. he took a Seventh Part of all the Earls and Baron's Goods that left him in *Normandy*.

In the Year 1204. in a Parliament at *Oxford*, there was granted to him a *Scutage-Tax* of Two Marks, and Half of every Knight's Fee.

In the Year 1205. he Levied of the Earls and Barons, that would not follow him beyond Sea, according to their Tenures, a vaſt Sum of Money.

In the Year 1207. he took a Thirteenth Part of all the Moveables and other Things, as well of Laicks, as of Eccleſiaſticks and Prelates; all of them murmuring, but none daring to contradict it.

In the Year 1210. he forced from the Abbots, Priors, Abbeſſes, *Templars*, *Hoſpitallers*, *&c.* One hundred thouſand Pound, and from the *White-Monks*, or *Ciſtercians*, Forty thouſand Pound more.

In the Year 1211. he had Two Marks *Scutage-Service* of every Knight's Fee, which furniſhed not out that Service to the Expedition of *Wales*.

In the Year 1214. he took of every Knight's Fee, of thoſe that went not with him into *Poicton*, as well of Biſhopricks in his hands, as of Wards and Eſcheats, Three Marks.

His Laws and Ordinances.

AS for the Laws and Ordinances made and enacted by him, ſince they are the beſt Actions of his Reign, they are by no means to be paſſed by.

Fol. 208. The firſt Ordinance we find of this King, is in **Matt. Paris*, under the Year 1202. when he cauſed to be proclaimed a Legal Aſſiſe of Bread, to be inviolably obſerved under pain of *Pillory*, as it was to be Tryed and Approved by the Baker of *Geoffrey Fitz-Peter*, Juſticiary of *England*, and the Baker of *R. de Turnham*; it was to be ſo made, as that the *Bakers* might gain in every Quarter Three Pence, beſides the Bran and Two Loaves at the Oven, with ſome ſmall allowances for Servants, Salt, Yeſt, Fewel, and other Neceſſaries for the making it up, amounting in all to about Seven Pence: And according to this following Gain and Allowance, when Wheat was at Six Shillings the Quarter, a Farthing White Loaf well Baked, was to weigh Sixteen Shillings; and a Farthing Loaf of the whole Grain, that is Bran and all, as it came from the Mill, was to weigh Twenty Four Shillings: when Wheat was at Eighteen-pence the Quarter, then a Farthing White Loaf was to weigh Sixty Four Shillings; and a Farthing Loaf of the whole Griſt, as it came from the Mill, was to weigh Ninety Six Shillings. This is the Higheſt and Loweſt Price of Wheat mention'd in this Hiſtorian; and the Intermediate Price of Wheat, and the Aſſiſe did riſe and fall, according as the Price of Wheat did, after the Rate of Sixpence in every Quarter; and this Aſſiſe was proclaimed through the whole Kingdom. This is Dr. *Brady*'s Obſervation, and deſerves to be taken notice of, becauſe from the Dearneſs and Cheapneſs of Bread-Corn, the Prices of all other Proviſions do commonly depend.

The Reader is to take notice, ſo that he might have a right Notion of theſe Weights, mention'd in this Aſſiſe, that Silver being then but at Twenty-Pence an Ounce, every Pound, (being indeed a Pound weight) was then at the Value of Three Pound *Sterling* at this Day.

His favour to the City of *London*. Vid. *Fabian*'s Chronicle.

He was alſo in the beginning of his Reign very favourable to the *City of *London*, and gave it the Liberty of altering their Mayor and Sheriffs every Year, which before continued during Life: He alſo gave them leave to chuſe a *Common Council* of the moſt Subſtantial Citizens; and likewiſe, as * *Henry de Knighton* relates, he was the Firſt King of *England*, who granted to the *Cinque-Ports* the Privileges and Cuſtoms which they now enjoy, and then held, on conſideration that they obliged Themſelves and their

* Coll. 2424.

He firſt granted to the *Cinque-Ports* their Privileges.

Heirs,

Heirs, to provide the King upon reaſonable Summons Fourſcore able Veſſels at their own Charges, for the ſpace of *Forty Days*, and after that to receive Wages of the King; but the Original Cauſe of this Grant, was, the great Neceſſity the King had of Shipping to paſs into *Normandy* that Year he loſt it, which was the Fourth of his Reign.

He alſo cauſed the *Engliſh* Laws and Cuſtoms to be Eſtabliſhed in *Ireland*, and placed Sheriffs and other Officers in divers Parts of that Nation, who ſhould Govern and Judge the People according to thoſe Laws; and made *John Gray*, Biſhop of *Norwich*, Juſticiary here, who made the Money of *Ireland* of the ſame Weight with that in *England*, for the Conveniency of Traffick between the two Nations, as has been already taken Notice of in the Hiſtory of his Reign. He Eſtabliſh'd the *Engliſh* Laws in *Ireland*.

But the moſt conſiderable Law made by this King, was, that of the *Great Charter of Liberties and Foreſts*, which I have reſerved for this Place, and have here tranſcribed Dr. *Brady*'s Tranſlation of it into *Engliſh*: only having added in the Margin ſuch Additions as the Doctor hath made, which are not in the Latin Original; and whatſoever is printed in an *Italian* Character, and between theſe Marks [ ] are ſuch Clauſes as not being thought very Material, were omitted in the Great Charter of *Nono Henry* the *Third*, and all that follow'd: For though *Matt. Paris* aſſures us, that they were altogether the ſame, yet certainly he ſaid this without due Conſideration, for they differ'd in divers Particulars, as any one may obſerve, that will but take the Pains to compare them together. But I ſhall here give you the Charter it ſelf at large, as it is Tranſlated by Dr. *Brady* in his * *Appendix*. His *Magna Charta*, and *Charta de Foreſta*.

* *Append.* p. 126

King

King *John*'s Great Charter,

* Fol. 255. *As 'tis to be found in* *Matt. Paris, *and divided into Chapters.*

JOHN, By the Grace of GOD, King of *England*, &c. To the Archbiſhops, Biſhops, *&c.* Know Ye that We, in the Preſence of God, and for the Health of our Soul, and the Souls of all my Anceſtors and Heirs, and to the Honour of God, and the Exaltation of *Holy Church*, and Amendment of our Kingdom, by Advice of our Venerable Fathers, *Stephen* Archbiſhop of *Canterbury*, Primate of all *England*, and Cardinal of the Holy *Roman* Church; *Henry* Archbiſhop of *Dublin*, *William* Biſhop of *London*, *Peter* of *Wincheſter*, *Jocelin* of *Bath* and *Glaſtonbury*, *Hugh* of *Lincoln*, *Walter* of *Worceſter*, *William* of *Coventry*, *Benedict* of *Rocheſter*, Biſhops; and Maſter *Pandulph* the Pope's Sub-Deacon, and antient Servant, Brother to the Maſter of the Temple in *England*, and the Noble Perſons *William* the *Mareſchal*, Earl of *Pembroke*, *William* Earl of *Salisbury*, *William* Earl of *Warren*, *William* Earl of *Arundel*, *Alan de Galoway*, Conſtable of *Scotland*, *Warin Fitz-Gerard*, *Peter Fitz-Herbert*, and *Hugo de Burgh*, * Seneſchal of *Poicton*; *Hugo de Nevil*, *Matthew Fitz-Herbert*, *Thomas Baſſet*, *Alan Baſſet*, *Philip de Albiney*, *Robert de Ropeſle*, *John Mareſchal*, *John Fitz-Hugh*, and Others, our Liegemen; have firſt of all granted to God, and by this our preſent Charter confirmed for Us and our Heirs for Ever.

* *i.e.* Steward.

This Clauſe is wanting in *Henry* the *Third*'s Charter.

I. That the *Engliſh* Church ſhall be Free, and Enjoy her whole Rights and Liberties unhurt; [*and We will have them to be ſo obſerved, ſo as it may appear that the Freedom of Elections, which was reputed moſt neceſſary for the* Engliſh *Church, which we granted and confirmed by our Charter, and obtained the Confirmation of it from Pope* Innocent *the* Third, *before the Diſcord between Us and our Barons, was of our meer Free Will; which Charter of Freedom we ſhall obſerve, and do will it to be faithfully obſerved by our Heirs for Ever.*]

II. We have alſo granted to all our Freemen of the Kingdom of *England*, for Us and our Heirs for Ever, all the Under-written Liberties, to have and to hold to Them and their Heirs of Us and our Heirs.

III. If any of our Earls, or Barons, or Others, who hold of us in chief by Military Service ſhall die, and at the time of his Death his Heir ſhall be of full Age, and owe a Relief, he ſhall have his Inheritance or Eſtate by the antient Relief; that is to ſay, the Heir or Heirs of an Earl, for a whole Earl's Barony, an Hundred Pounds; the Heir or Heirs of a Baron, for a whole Barony, an Hundred Marks;

Marks; The Heir or Heirs of a Knight for a whole Knight's Fee, an Hundred Shillings; and he that oweth leſs, ſhall give leſs, according to the antient Cuſtom of Fees.

IV. But if the Heir of any ſuch ſhall be under Age, and ſhall be in Ward, his Lord ſhall not have the Wardſhip of him, nor his Land, before he hath received his Homage; and after ſuch Heir ſhall be in Ward, and ſhall attain to the Age of One and Twenty Years, he ſhall have his Inheritance without Relief, or without Fine: Yet ſo, that if he be made a Knight while he is under Age, nevertheleſs the Land ſhall remain in the Cuſtody, or Guardianſhip of the Lord, until the aforeſaid time.

V. The Warden, or Guardian of the Land of ſuch Heir, who ſhall be under Age, ſhall take of the Land of the Heir, only reaſonable Iſſues or Profits, reaſonable Cuſtoms, and reaſonable Services; and theſe without the deſtruction, or waſte of the *Tenents, or things upon the Eſtate: And if we ſhall commit the Guardianſhip of thoſe Lands to the Sheriff, or any Other, that ought to anſwer to us for the Iſſues or Profits of the Land, and he ſhall make deſtruction and waſte upon the Ward-Lands, We will force him to give Satisfaction, and the Land ſhall be committed to Lawful and Diſcreet Tenants of that Fee, who in like manner ſhall be anſwerable to us, as hath been ſaid. *H. minum.

VI. But the Warden, ſo long as he ſhall have the Wardſhip of the Land, ſhall uphold and maintain the Houſes, Parks, Warrens, Pools, Mills, and other things belonging to the Land, with the Profits of the ſame Land, and ſhall reſtore to the Heir, when he comes of full Age, his whole Land ſtocked with Ploughs and all other things, at leaſt whatever he received; and all theſe things ſhall be obſerved in the Cuſtody, or Wardſhip belonging to vacant Archbiſhopricks, Biſhopricks, Abbies, Priories, Churches, and Dignities which do belong to us; except that theſe Wardſhips ought not to be ſold.

VII. Heirs ſhall be Married without Diſparagement; [* *ſo that before Matrimony ſhall be contracted, Thoſe who are neareſt to him in Blood ſhall be acquainted with it.*] *This is wanting in *Henry* the *Third*'s Charter.

VIII. A Widow, after the Death of her Husband, ſhall forthwith, and without any difficulty, have her Marriage-Goods, and her Eſtate of Inheritance; nor ſhall ſhe give any thing for her *Dower [*or Marriage-Goods*] and Inheritance, which her Husband and ſhe held at the day of his Death: and ſhe may remain in the Capital Meſſuage, or Manſion-Houſe of her Husband, by the ſpace of Forty Days after his Death; in which time her Dower ſhall be Aſſigned, if it was not Aſſigned before, unleſs the Houſe ſhall be a Caſtle; and if ſhe departs from the Caſtle, there ſhall be forthwith a Competent Dwelling provided for her, in which ſhe may decently remain until her Dower be Aſſigned, as hath been ſaid; and ſhe ſhall have her reaſonable Eſtovers [i.e. *competent Proviſion or Maintenance*] *Maritagium.

tenance] in the mean time out of the Common Stock or whole Revenue; and there ſhall be Aſſigned to her for her Dower the Third Part of the whole Land of her Husband, which was his in his Life time, except ſhe was Endowed with leſs at the Church-Door.

IX. No Widow ſhall be diſtreined (i.e. *compelled by taking her Goods*) to Marry her ſelf, ſo long as ſhe will live without an Husband; yet ſo as ſhe ſhall give Security that ſhe will not Marry without our Conſent, if ſhe holds of us; or without the Conſent of the Lord of whom ſhe holds, if ſhe hold of another Perſon.

X. But We, or our Bayliffs, will not ſeize any Land or Rent for any Debt, ſo long as there ſhall be Chattels (i.e. *Goods*) of the Debtors upon the Premiſes, ſufficient to Diſcharge it, and that the Debtor be ready and willing to ſatisfie it: Nor ſhall the Sureties of the Debtor be diſtreined, ſo long as the Capital Debtor be able to pay the Debt.

XI. And if the Principal, or Chief Debtor makes default in payment of the Debt, not having wherewithal to ſatisfie it, or will not ſatisfie it when he is able; then the Pledges or Sureties ſhall anſwer it, and they ſhall have the Lands and Rents of the Debtor, until they ſhall be ſatisfied for the Debt they paid for him; unleſs the chief Debtor can ſhew himſelf diſcharged thereof, againſt thoſe Pledges.

These two Chapters concerning Debts to the *Jews* are omitted in *Henry* the *Third*'s Charter.

XII. [*If any one have borrowed any thing of the* Jews, *more or leſs, and dies before the Debt be paid, there ſhall be no Uſe paid for that Debt, ſo long as the Heir is under Age, of whomſoever he holds: And if the Debt falls into our Hands, we will take only the Chattle contained in the Charter or Inſtrument.*]

XIII. [*If any one ſhall die indebted to the* Jews, *his Wife ſhall have her Dower, and pay nothing of that Debt; and if the Deceaſed left Children under Age, they ſhall have Neceſſaries provided for them according to the Tenement* (i.e. the Real Eſtate) *of the Deceaſed, and with the Reſidue or Overplus the Debt ſhall be paid; ſaving the Service of the Lords on whom this Tenement is holden: In like manner the Debts due to other Perſons than* Jews *ſhall be ſatisfied.*]

XIV. I will not impoſe or levy any Scutage or Aid in our Kingdom, without the *Common Advice* or *Council* of our Kingdom, unleſs to redeem our Body, and to make our Eldeſt Son Knight, and once to marry our Eldeſt Daughter; and for this there ſhall only be paid a reaſonable Aid.

This is not in *Henry* the *Third*'s Charter.

XV. [*In like manner it ſhall be concerning the Aids of the City of* London; *and*] the City of *London* ſhall have all its Antient Liberties and Free Cuſtoms, as well by Land as by Water.

XVI. Further-

XVI. Furthermore, We Will and Grant, that all other Cities and Burghs, and Towns, and Barons of the *Cinque* (or *Five*) Ports, and all other Ports, shall have all their Liberties and Free Customs: and shall have the Common Council, or Advice of the Kingdom concerning the Assessment of their Aids, [*i.e. *shall send their Representatives or Commissioners to the Common Council of the Kingdom*] otherwise than in the three Cases aforesaid.

Note, This is Dr. *Brady's* Paraphrase upon this Clause.

XVII. [*And for the Assessing of* Scutages, *we shall cause to be Summoned the Archbishops, Bishops, Abbots, Earls, and great Barons of the Kingdom, singly and personally by our Letters,* (i.e. *Writs:*]

These three next Chapters concerning Assessing *Scutages*, and Summoning the Tenents *in Capite*, are omitted in the Charter above mentionrd.

XVIII. [*And furthermore, We shall cause to be Summon'd in general by our Sheriffs and Bayliffs, all Others who hold of us* In Capite, *at a certain Day, that is to say, Forty Days* (*i.e.* before their Meeting) *at least, to a certain Place; and in all Writs of such Summons, we will declare the Cause of it.*]

XIX. [*And Summons being thus made, the Business mentioned in them shall proceed, according to the Advice of such as shall be present, although all that were Summon'd come not.*]

XX. We will not for the future Grant to any One, that he may take Aid of his own Free-Tenents, unless to *redeem his Body, and to make his Eldest Son a Knight, and once to marry his Eldest Daughter, and for this there shall only be paid a reasonable Aid.

*i.e. *Being taken Prisoner.*

XXI. No Man shall be distreined to perform more service for a Knight's Fee, or other Free Tenement, than what is due from it.

XXII. Common Pleas shall not follow our Court, but shall be holden in some certain Place: *Tryals upon the Writs of *Novel Disseisin*, Death of the Ancestor, and of last Presentment [*to Benefices*] shall not be brought but in their *proper Counties, and after this manner: We, or (if we shall be out of the Kingdom) our Capital or Chief Justiciary, shall send our Justiciaries through every County once in a Year, who with the Knights of the Counties shall hold the aforesaid Assizes in those Counties.

*Recognitions.

*In Civitatibus suis, says *Matt. Paris*, but falsly.

XXIII. And those things, which, at the coming of the Justices so sent into the Counties, to take or hold the said Assizes, cannot be determined, shall not be determined otherwise in their Circuit or *Iter:* And those things which for the difficulty of some Articles, cannot be determined by those Justices, shall be referred to our Justices of the Bench.

XXIV. Assizes of the last Presentation of Churches shall always be taken before the Justices of the Bench, and there determined.

XXV. A Freeman shall not be amerced for a small Fault, but according to the manner of the Fault, and for a great Crime, according to the Heinousness of it, *Saving his Contenement, (or Livelihood)* and after the same manner a Merchant, saving his Ability to Trade or Merchandize.

*Salvo Contenemento suo.

XXVI. And a Villain [i.e. *a Ruſtick or Husbandman*] of any other then our own, ſhall be amerced after the ſame manner, ſaving his *Wainage*, [i.e. *his Carts and Implements*] to Till his Land, if he falls under our Mercy; and none of the aforeſaid *Amerciaments ſhall be ſet, but by the Oath of Twelve Knowing and Lawful Men of the *Vicinage*, of the County.

* *Miſericordiarum.*

XXVII. Earls and Barons, ſhall not be amerced but by their Peers, and only according to the Quality of the Crime or Offence.

XXVIII. No Eccleſiaſtick Perſon ſhall be amerced according to the Quantity of his Benefice, but according to his Lay-Tenement, and the Greatneſs of his Offence.

XXIX. Neither a Town, nor any particular Perſon ſhall be di-
* *Ad Riparias.* ſtreined to make Bridges *over Rivers, unleſs that Antiently and of Right they ought to do it.

XXX. No River for the future ſhall be imbanked [i.e. *kept in with Banks*] but what was imbanked in the time of King *Henry* our *Grandfather.*

* *Balivi.* XXXI. No Sheriff, Conſtable, Coroner, or other **Officer* of ours ſhall hold Pleas of the Crown.

Omitted in *Henry* the *Third*'s Charter. XXXII. [*All Counties, Hundreds, Wapentachs and Tythings, ſhall ſtand at the old Farm, without any Increaſe, except in our* Demeſne *Lands.*]

XXXIII. If any one that holds of us a Lay-Fee dies, and the Sheriff, or our Bailiff, ſhew our Letters Patents of Summons concerning the Debt due to us from the Deceaſed, it ſhall be Lawful for the Sheriff, or our Bailiff, to Attach and Regiſter the Chattels of the Deceaſed found upon his Lay-Fee, to the value of the Debt by the view of Lawful Men, ſo as nothing be removed, untill our whole Debt be paid, and the reſt ſhall be left to the Executors, to fulfill
* *i.e.* His Executors or Adminiſtrators, as appears by the next Clauſe. the Will of the Deceaſed; and if there be nothing due from him to us, all the Chattels ſhall remain to the *Deceaſed, ſaving to his Wife and Children their reaſonable Shares.

Omitted in the Charter laſt mention'd XXXIV. [*If any Freeman dies Inteſtate, his Chattels ſhall be diſtributed by the hands of his neareſt Relations and Friends by view of the Church,* [i.e. *the Ordinary*] *ſaving to every one his Debts, which the Deceaſed owed.*]

* *i.e.* Of a Caſtle, by what follows. XXXV. No *Conſtable or Bailiff of ours, ſhall take Grain, or other Chattels of any Man, who is not of the Town where the Caſtle is, unleſs he preſently gives him Money for it, or hath reſpite of Payment from the Seller: But if he be of the ſame Town, he ſhall pay him within Forty days.

XXXVI. No

XXXVI. No Conſtable ſhall diſtrein any Knight to give Money for *Caſtle-Guard*, if he will perform it in his own Perſon, or by another able Man, if he be hindered by any reaſonable Cauſe.

XXXVII. And if we ſhall lead him, or if We ſhall ſend him into the Army, he ſhall be free from *Caſtle-Guard*, according to the time he ſhall be in the Army, by our Command, for the Fee, for which he performed his Service in the Army.

XXXVIII. No Bailiff of ours, or Sheriff, or other, ſhall take Horſes or Carts of any one to convey our Goods, unleſs he ſhall pay according to the Rate antiently appointed; That is to ſay, for a Cart and Two Horſes Ten Pence a Day; and for a Cart with Three Horſes Fourteen Pence a Day.

XXXIX. No Demeſne Cart of an Eccleſiaſtical Perſon, or a Knight, or Lady, ſhall be taken by our Officers; neither ſhall We or our Officers, or Others, take any other Man's Timber or Wood for our Caſtles, or other uſes, unleſs by the conſent of the Owner.

XL. We will retain the Land of thoſe that are convicted of Felony but one Year and one Day, and then they ſhall be render'd to the Lord of the Fee.

XLI. All * *Weres* for the future ſhall be demoliſhed in the Rivers of *Thames* and *Medway*, and through all *England*, unleſs upon the Sea-Coaſt. * Kidells

XLII. The Writ, which is called *Præcipe*, for the future ſhall not be granted to any one of any Tenement, whereby a Freeman may loſe his Cauſe.

XLIII. There ſhall be one Meaſure of Wine and Ale through our whole Kingdom, and one Meaſure of Grain; that is to ſay, the *London*-Quarter; and one Breadth of died Cloaths, and Ruſſets, and *Haberjets; That is to ſay, Two Ells within the Liſt; and the Weights ſhall be as the Meaſures. * A ſort of Coarſe Cloath.

XLIV. Nothing ſhall be given or taken for the future, for a Writ of *Inquiſition*, from him that deſires an *Inquiſition* of Life or Limbs, but ſhall be granted *gratis*, and not denied.

XLV. If any one holds of us by *Fee-Farm*, *Soccage*, or *Burgage*, and holds Lands of another by *Military Service*, We will not have the Wardſhip of the Heir or Land, which belongs to another Man's Fee, by reaſon of what he holds of us in *Fee-Farm*, *Soccage*, or *Burgage*: Nor will We have the Wardſhip, or Cuſtody of the *Fee-Farm*, *Soccage*, or *Burgage*, unleſs the *Fee-Farm* is bound to perform *Military Service*.

XLVI. We will not hold the Wardſhip of an Heir, nor any Land, which he holds of another by *Military Service*, by reaſon of

any *Petit*, or ſmall *Serjeanty*, he holds of us, as by the Service of giving us Daggers, Arrows, or the like.

XLVII. No Bailiff, or Officer for the future, ſhall bring any Man under the Sentence of the Law, nor to his Oath, (i.e. *Canonical Purgation by his Oath*) upon his ſingle Accuſation or Teſtimony, without credible and honeſt Witneſſes produced to prove it.

XLVIII. No Freeman ſhall be taken, or impriſon'd, or diſſeiſed of his Free-Tenement, or Liberties, or Free Cuſtoms; or Outlaw'd, or Baniſhed, or any way deſtroy'd; nor will we paſs upon him, or commit him to Priſon, unleſs by the Legal Judgment of his Peers, or by the Law of the Land, (i.e. *by Legal Proceſs*, &c.)

XLIX. We will not ſell to any Man, we will not deny any Man, or delay Right, or Juſtice.

L. All Merchants, unleſs they be publickly prohibited, ſhall have ſafe and ſecure Conduct to go out of, and come into *England*, and to ſtay there, and to paſs as well by Land as by Water, to buy and ſell by the antient and allowed Cuſtoms, without any Maletolts, (i.e. *Illegal Exactions*) except in time of War, or when they ſhall be of any Nation in War with us.

LI. And if there be found ſuch [*Merchants*] in our Land in the beginning of a War, they ſhall be attached or ſecured, without damage to their Bodies or Goods, untill it may be known to us, or our chief Juſticiary, how our Merchants are dealt with in that Nation in War with us; and if Ours be ſafe there, they ſhall be ſafe in our Land.

This Chapter is omitted in *Henry* the *Third*'s Charter.

LII. [*It ſhall be Lawful for any one for the future to go out of our Kingdom, and return ſafely and ſecurely by Land or by Water, ſaving his Faith or Allegiance to us; unleſs in time of War by ſome ſhort ſpace for the common Profit of the Kingdom; except Priſoners and* Out-Laws, *(according to the Law of the Land) and People in War with us, and Merchants who ſhall be in ſuch condition as aforeſaid.*]

LIII. If any Man holds by any Eſcheat, as of the Honour of *Wallingford*, *Bologne*, *Lancaſter*, *Nottingham*, or by other Eſcheats, which are in our hands, and are Baronies, and dies, his Heir ſhall not give any other Relief, or perform any other Service to us, than he did to the Baron, if the Barony had been in poſſeſſion of the Baron; and We will hold it after the ſame manner the Baron held it; nor will we by reaſon of ſuch Barony, or Eſcheat, have any Eſcheat, or Wardſhip of any of our Men, unleſs he that held the Barony or Eſcheat, held of us *in Capite* in another Place.

This and the next Chapter are omitted in *Henry* the *Third*'s Charter.

LIV. [*Thoſe Men who dwell without the* Foreſt, *for the future ſhall not come before our Juſtices of the* Foreſt *upon common Summons, but ſuch as were concern'd in the Controverſie, or were Pledges for any that were attached for ſomething concerning the* Foreſt.]

LV. *All*

LV. [*All Woods that were taken into the* Foreſt *by King* Richard *our Brother, ſhall forthwith be laid out again, unleſs they were our Demeſne Woods.*]

LVI. No Freeman for the future ſhall give or ſell any more of his Land, but ſo that out of the Reſidue, the Service due to the Lord of the Fee may be ſufficiently perform'd.

LVII. All Patrons of Abbies, who have Charters of the Kings of *England* of the Advowſon, or by any antient Tenure or Poſſeſſion, may have the Cuſtody of them when void as they ought to have, and as was declared before.

LVIII. No Man ſhall be taken or impriſon'd upon the Appeal of a Woman for the Death of any other Man, than her Husband.

LIX. No County-Court for the future ſhall be holden, but from Month to Month; and where there uſed to be a greater ſpace let it be ſo continued.

LX. Neither any Sheriff, nor his Bailiff ſhall keep his *Torne* oftner than Twice in a Year, and only in the accuſtomed Place; That is to ſay, once after *Eaſter*, and once after *Michaelmas*; and the View of *Franc-Pledges*, (or Sureties for the Peace of the Freemen one for another) ſhall be held after *Michaelmas*, * without Oppreſſion, and ſo that every one ſhall have his Liberties, which he had and was wont to have in the time of King *Henry* our *Grandfather*, or ſuch as he obtained afterwards. * *Sine Occaſione.*

LXI. But the View of *Franc-Pledge* ſhall be ſo made, that our Peace may be kept, and that the *Tything* be whole and full, as it wont to be.

LXII. And that the Sheriff ſhall not * ſeek cauſes to oppreſs any Man, but he ſhall be content with what the Sheriff was wont to have for making his View in the time of King *Henry* our *Grandfather*. * *Non quærat.*

LXIII. For the future it ſhall not be Lawful for any Man to give his Land to a Religious Houſe, ſo as to take it again, and hold it of that Houſe.

LXIV. Nor ſhall it be Lawful for any Religious Houſe to receive Land, ſo as to grant it to him again of whom they received it, to hold of Him. If any Man for the future ſhall ſo give his Land to a Religious Houſe, and be convicted thereof, his Gift ſhall be void, and the Land ſhall be forfeit to the Lord of the Fee.

LXV. *Scutage* for the future ſhall be taken as it was uſed to be taken in the time of King *Henry* our *Grandfather*; and that the Sheriff ſhall vex no Man, but be content with what he was wont to receive.

LXVI. All

LXVI. All the aforeſaid Cuſtoms and Liberties, which We have granted to be holden in our Kingdom, as much as belongs to us towards our Men of the Kingdom, Our Clerks and Laicks we ſhall obſerve, as much as it ſhall belong to Us, towards all the Men of our Kingdom.

LXVII. Saving to the Archbiſhops, Biſhops, Abbots, Priors, Templars, Hoſpitallers, Earls, Barons, Knights, and all Others, as well Eccleſiaſticks, as Seculars, the Liberties and Free Cuſtoms, which they had before; Theſe being Witneſſes, *&c.*

King *John*'s Charter of *Foreſts*,

As it is to be found in Matt. Paris, *Folio* 250. *Tranſlated and Divided into Articles or Chapters, from* Dr. Brady's *Tranſlation in his Appendix*, N°. 113. p. 141.

JOHN, By the Grace of GOD, King of *England*, *&c.* Know ye that for the Honour of God, and the Health of our Soul, and the Souls of our Anceſtors and Succeſſors, and for the Exaltation of Holy Church, and the Amendment of our Kingdom, we have of our Free and Good Will given and granted for Us and our Heirs, theſe Liberties underwritten, to be had and obſerved in our Kingdom of *England* for ever.

I. Firſt of all, Whatſoever Foreſts our Grandfather King *Henry* made Foreſt or Afforeſted, ſhall be viewed by Knowing and Lawful Men; and if he turned any other than his own proper Wood into Foreſt, to the Damage of him whoſe Wood it was, it ſhall forthwith be laid out again and diſforeſted: And if he turned his own Woods into Foreſt, they ſhall remain ſo, ſaving the Common of Herbage in the ſame Foreſt to thoſe who were formerly wont to have it.

II. They who dwell without the Foreſt for the time to come, ſhall not upon Common Summons appear before our Juſtices of the Foreſt, unleſs they ſhall *be impleaded, or are Pledges or Sureties, for ſuch as are attached or arreſted for any matter concerning the Foreſt: But all Woods that were turned into Foreſt by our Brother King *Richard*, ſhall be forthwith diſforeſted, unleſs they are our own Demeſns.

* *Sint in Placito.*

III. The Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, and Free Tenants, who have Woods in any Foreſt, ſhall have their Woods as they had them at the time of the firſt Coronation of our ſaid Grandfather King *Henry*, ſo as they ſhall be diſcharged

charged for ever of all **Purpreſtures*, Waſtes, and †Aſſarts, made in thoſe Woods, after that time, to the beginning of the Second year of our Coronation, and thoſe who for the time to come ſhall make Waſte, Purpreſture or Aſſart in thoſe Woods, without our Licenſe, ſhall anſwer for them.

* *i.e.* Encroachments upon the Kings Lands or Highways.

† *i.e.* Grubling up Wood and turning it into Arable Land without Licenſe.

IV. Our Regarders or Viewers, ſhall go through the Foreſts to make a View or Regard, as it was wont to be at the time of the firſt Coronation of our ſaid Grandfather King *Henry*, and not otherwiſe.

V. The Inquiſition or View for *Lawing of Dogs, which are kept within the Foreſt, for the future ſhall be when the Regard is made, that is, every three Years, and then it ſhall be done by the View and Teſtimony of Lawful Men, and not otherwiſe; and he whoſe Dog at ſuch time ſhall be found Unlawed, ſhall be puniſhed Three Shillings; and for the future no Oxe ſhall be taken for Lawing, and ſuch Lawing ſhall be according to the Common Aſſiſe or Eſtabliſhment, ſo as therefore the Claws of the Dog's Foot ſhall be cut off, or the Ball of his Foot cut out. And for the future Dogs ſhall not be Lawed, unleſs in ſuch Places where they were wont to be Lawed in the time of King *Henry* our Grandfather.

* Called in Latin *Expeditatio*.

VI. No Foreſter or *Bedell for the time to come ſhall make any †Ale-ſhots, or Collect Sheafs of Corn, or Oats, Wheat, or Lambs or Pigs, nor ſhall make any gathering or impoſition whatſoever, but by the view and Oath of Twelve Regarders; and when they make their Regard or View, ſo many Foreſters ſhall be appointed to keep the Foreſts as they ſhall reaſonably think ſufficient.

* *i.e.* Bayliff in a Foreſt.

† *Scotallum*.

VII. No *Swainmote* for the time to come ſhall be holden in our Kingdom oftner than thrice in one Year; That is to ſay, in the beginning of Fifteen days before St. *Michael*, when the Agiſters come to agiſt the Demeſne Woods, and about the Feaſt of St. *Martin*, when our Agiſters ought to receive their *Pannage, and in thoſe two *Swainmotes*, the Foreſters, Verderers, and Agiſters ſhall meet, and no other by compulſion or diſtreſs; and the third *Swainmote* ſhall be holden in the beginning of the Fifteen days before the Feaſt of St. *John Baptiſt*, concerning the Fawning of our Does, and at this *Swainmote* ſhall meet the Foreſters and Verderers, and no others ſhall be compell'd to be there.

* *i.e.* Money for the feeding of Hogs with Maſt in the King's Foreſts.

VIII. And furthermore every Forty days throughout the whole Year, the Verderers and Foreſters ſhall meet to view the Attachments of the Foreſt, as well of *Vert, as Veniſon, by preſentment of the Foreſters themſelves; and they who committed the Offences, ſhall be forced to appear before them: But the aforeſaid *Swainmotes* ſhall be holden but in ſuch Counties as they were wont to be holden.

* *i.e.* The Offences that have been committed in cutting of Wood or killing Deer.

IX. Every Freeman ſhall *Agiſt his Wood in the Foreſt at his pleaſure, and ſhall receive his Pannage.

* *i.e.* Shall take in Agiſtments of his Neighbour's Cattle.

X. We grant alſo, That every Freeman may drive his Hogs through our Demeſne Woods, freely and without impediment, and may

may agiſt them in his own proper Woods, or otherwhere as he will; and if the Hogs of any Freeman ſhall remain one Night in our Foreſt, he ſhall not be troubled for it, ſo as to loſe any thing, (*i.e.* Pay any thing) for it.

XI. No Man for the time to come ſhall loſe Life or Limb for taking our Veniſon; but if any one be ſeized and convicted of taking Veniſon, he ſhall be grievouſly *Puniſhed, if he hath where-withal; and if he have not, he ſhall lie in our Priſon a Year and a Day: And if after that Time he can find Sureties, he ſhall be releaſed; if not, he ſhall abjure our Kingdom of *England*.

*i.e. Fined.

XII. Every Archbiſhop, Biſhop, Earl, or Baron, coming to us at our Command, and paſſing through our Foreſt, may Lawfully take one or two Deer by view of the Foreſter if preſent; if not, he ſhall cauſe a Horn to be ſounded leſt he ſhould ſeem to ſteal them; alſo in their return, they may Lawfully do the ſame thing.

XIII. Every Freeman for the time to come may erect a Mill in his own Wood, or upon his own Land, which he hath in the Foreſt; or make a Warren, Pool or Pond, a Marl-pit, or Ditch, or turn ſome of it into Arable, without the Covert in the Arable Land, ſo as it be not to the Nuſance of his Neighbour.

XIV. Every Freeman may have his Woods, the Ayries of Hawks, of Spar-Hawks, Falcons, Eagles, and Herons; and they ſhall likewiſe have the Honey which ſhall be found in their Woods.

XV. No Foreſter for the future, who is not a Foreſter in Fee, paying us Rent for his Office, ſhall take **Chiminage*; That is to ſay, for every Cart Two Pence for half a Year, and for the other half Year Two Pence; and for a Horſe that carries Burthens, for half a Year One Halfpenny; and then only of thoſe, who come as Buyers out of their Bayliwick, or Liberty, to buy Underwood, Timber, Bark, or Char-coal, to carry it to ſell in other Places, where they will: And for the future there ſhall be no *Chiminage* taken for any other Cart, or Horſe-load, unleſs in thoſe Places, where antiently it was wont, and ought to be taken; but they who carry Wood, Bark, or Coal, upon their Backs to ſell, although they get a Livelihood by it, ſhall for the time to come pay no *Chiminage*: But for Paſſage through the Woods of other Men, no *Chiminage* ſhall be given to our Foreſters; but only in or from our own Woods.

**i.e.* Money for paſſing through the Foreſts.

XVI. All Perſons Outlaw'd for Offences committed in our Foreſts from the time of King *Henry* our Grandfather, untill our firſt Coronation, may Reverſe their Out-Lawries without Impediment, but ſhall find Pledges that for the time to come they will not forfeit to us, (*i.e.* Commit any Offence) in our Foreſt.

XVII. No Caſtellan, or Conſtable of a Caſtle, or other Perſon, ſhall hold Pleas of the Foreſt, whether Vert or Veniſon: But every Foreſter in Fee ſhall *Attach Pleas of the Foreſt, as well concerning Vert

**i.e* May ſeize the Body or Goods of the Offenders to make them appear.

Vert as Veniſon, and ſhall preſent the Pleas or Offences to the Verderers of the ſeveral Counties, and when they ſhall be inrolled, and wrapped in Wax, under the Seals of the Verderers, they ſhall be preſented to the Chief Foreſter, when he ſhall come into thoſe Parts, to hold Pleas of the Foreſt, and ſhall be determined before him.

XVIII. And all the Cuſtoms and Liberties aforeſaid, which we have granted to be holden in our Kingdom; as much as it belongs to us towards *our Subjects or Vaſſals, all our Kingdom, as well Laicks as Clercs, ſhall obſerve as much as it appertains to them, towards *their Tenents or Vaſſals.

* *Noſtros.*

* *Suos.*

There are alſo ſeveral other Clauſes properly belonging to this Charter, which are only to be found in the Originals, in the *Cottonian* Library, and in the Archives of the Dean and Chapter of *Salisbury*, or elſe in ſome antient Copies, as that in the Lord Archbiſhop's Library at *Lambeth*; all which being only temporary, were left out in all the Confirmations of the Great Charter by King *Henry* III. and were either never ſeen, or elſe were not thought by *Matt. Paris* worth the inſerting into his Copy of King *John*'s Charter; and for that Reaſon I have alſo omitted them in this Tranſlation: But in the Appendix to this Volume, I have printed this Charter at large from the above-mentioned Original, that the more Learned and Curious Readers may ſee the great difference between this of King *John*, and thoſe granted by his Son; notwithſtanding * *Matt. Paris*, or rather *Rog.* of *Wendover*'s ſo poſitively aſſerting, that the Charters of both Kings *are in nothing found unlike each other: But of the Differences between them I ſhall ſay more, when I come to the end of *Henry* the Third's Reign: And to which I had once reſolv'd to have referr'd this preſent Tranſlation of the Charter of *Foreſts*, ſince there is no Original of it now extant, nor any antient MS. Copies to be found, except what are in the Manuſcript of *Rog. Wendover* in the *Cottonian* Library, and in the ſeveral antient Copies of *Matt. Paris*'s Hiſtory, both there and elſewhere; but whether thoſe were ever tranſcribed from any Originals, or authentick Copies of any Charters granted by King *John* may well be doubted; for beſides the Reaſon already given, there is this to be ſaid further, that the moſt conſiderable Clauſes relating to *Foreſts* are inſerted at the End of King *John*'s Original Charter of Liberties, which had been needleſs to have been put into a Charter on purpoſe, if that the ſame things had been already granted before: But as for that long Clauſe in *Matt. Paris* at the end of the Charter of *Foreſts*, concerning appointing Twenty Five Barons to ſee theſe Charters obſerved, and the Power of reſiſting the King which was thereby reſerved to the *Community* of the Kingdom in caſe he broke them, and being admoniſhed refuſed to amend his Error; Theſe are to be found *Verbatim* in the *Charter* of King *John* in the Appendix, as any one may ſee who will but take the pains to compare *Matt. Paris*'s Copy with that. But be it as it will, ſince I find this Charter of *Foreſts* in *Matt. Paris* under King *John*'s Name, and reputed to be his, I have publiſhed it here, without determining any thing poſitively in a Matter ſo doubtful and uncertain.

* P. 321.

* *In nullo invenientur diſſimiles.*

I ſhall now only warn the Reader, that the Original Charter of King *John*, which is now in the Cuſtody of the Right Reverend and moſt Learned the Lord Biſhop of *Salisbury*, is not *Magna Charta* properly ſo call'd, but only the firſt Draught, or Heads thereof, under his Great Seal, it not being ſo large and particular as that; as any one may ſee who has the Opportunity to compare them.

THE

THE General History OF ENGLAND BOTH Eccleſiaſtical and Civil.

VOL. II. BOOK VIII.

Containing the Reign of K. Henry III.

KING *John's* unexpected Deceaſe proved a great Advantage to the Young Prince *Henry* his Son, to whom the Affections of moſt of the Nobility, Clergy, and People of the Kingdom then inclined, not only becauſe of the dying Words of the *Viſcount* of *Melun*, already mentioned in the laſt Reign, but alſo becauſe they were weary of the *French* Inſolence; and I am much of Doctor *Brady's* Opinion, that one great motive of the Nobilities then returning to their Duty might be, that they ſaw the King had diſpoſed of the Eſtates of thoſe who held of him *in Capite* to others that had continued his Loyal Subjects; and the Dr. there gives us ſome Examples in his *Appendix, of ſuch Grants which are upon Record in the *Tower*; yet whether they might not have had a contrary effect upon thoſe whoſe Lands were already diſpoſed of, is not worth diſputing: But to proceed;

Anno Dom. MCCXVI.

The Reaſons why the greateſt Part of the Nation after the Death of K. *John* joined with *Henry* his Son, tho' a Child.

*N. 138.

[1] So ſoon as the Death of King *John* was publickly known, and that the Earls, Biſhops, and Barons who remained firm to the late King, could agree where to meet, (which was by the Summons of the Earl-Mareſchal) they all aſſembled at *Gloceſter*, whether the Earl had brought *Henry*, Eldeſt Son to the late King; being but then in the Tenth Year of his Age, and having placed him in the midſt of the Aſſembly, he made a Speech to them, beginning with, *Behold our King*; and after a ſhort Pauſe went on thus; *My dear Friends*,

[1] Cron. *Wal. Hemingford.* L. 3.

The Earls, Biſhops, and Barons, are ſummoned to *Gloceſter* to the Coronation of the Young King.

Anno. Dom. MCCXVI. The Earl-Mareſchal's Speech to perſuade them to make young *Henry* their K.

Friends, altho' we have perſecuted the Father of this Child, and that perhaps Juſtly, for his Evil deeds, yet ſince his Son is Innocent from his Father's Faults, and that for every offence none ought to be anſwerable but he that commits it, ſince the Lord hath ſaid, That the Son ſhall not bear the Iniquity of the Father, *we ought therefore to have pity upon the tender Age of this Innocent Prince; now inaſmuch as he is the King's Son, and is to be our Lord and Succeſſor of the Kingdom,* Come, Let us make him King over us, and let us expell *Lewis*, Son to the King of *France*, and his People out of our Country, *and ſo let us take away the Reproach of our Nation, by breaking the Yoke of ſo unjuſt a Servitude.* This Propoſal (ſays my Author) was at firſt oppoſed by the Earl of *Gloceſter*, or rather *Cheſter*, (for the Earldom of *Gloceſter* was then in the Crown;) but at laſt they agreed, as if they had been divinely inſpir'd, crying, *Let him,* * *Let him be made King:* And upon this, they appointed *St. Simon and Jude's Day* for his Coronation; in which Relation, tho' this Author be out in the Place of this Solemnity, making it to be at *London* inſtead of *Gloceſter*, yet he is the only Writer who gives us an Account of the Manner of this King's *Election*, ſome days preceding his Coronation, which was perform'd in the manner following.

Which is at laſt agreed to by all there preſent.

* *Fiat Rex, fiat Rex.*

[2] *M. Paris*, p. 289 A large Account of his Coronation.

[2] On the Eve of St. *Simon* and *Jude*, (Eight days after the Death of King *John*) *Guallo* the Pope's Legate, *Peter* Biſhop of *Wincheſter*, *Jocelin* Biſhop of *Bath*, *Silveſter* Biſhop of *Worceſter*, *Ranulph* Earl of *Cheſter*, *William Mareſchal* Earl of *Pembroke*, *William* Earl of *Ferrars*, *John Mareſchal*, and *Philip de Albiney*, with the Abbots, Priors, and a great Multitude of others, aſſembled at *Gloceſter*, to advance *Henry* the Eldeſt Son of King *John* to the Crown of *England*. From whence you may obſerve, that *Roger* of *Wendover* (from whom *Matt. Paris* tranſcribed this Relation) did then ſuppoſe, that this Prince was not a compleat King till his actual Coronation, nor could he indeed pretend to any better Title to the Crown than his Father had before, *(viz.)* the *Election* of the Clergy and People: for as *Arthur* Duke of *Bretaigne* claimed a Right to ſucceed before his Uncle, ſo might his Siſter *Eleanor* likewiſe have done, had ſhe not been now kept cloſe Priſoner in the Caſtle of *Briſtol*.

[3] *Id. Ib.*

[3] But to proceed, the Day after, all neceſſary Preparations being made for his Coronation, *Guallo*, the Pope's Legate, who highly eſpouſed his Intereſt, accompanied with the afore-mentioned Biſhops and Earls, brought him in ſolemn Proceſſion into the Cathedral Church of *Gloceſter*, who being then placed before the High-Altar, in the preſence of the *Clergy* and *Laiety*, laying his Hand upon the Holy Goſpels and Reliques of Saints, (*Jocelin* of *Bath* dictating the Oath) he ſwore, *That he would Honour God, and yield Peace and Reverence to Holy Church, and all its Clerks, all the days of his Life; That he would adminiſter due Juſtice to the People; That he would aboliſh all bad Laws and ill Cuſtoms, if any were in his Kingdom, and would obſerve, and cauſe to be obſerved, all good Ones:* Then he did Homage to the Church of *Rome*, and to Pope *Innocent*, for the Kingdoms of *England* and *Ireland*, and alſo engaged faithfully to pay the *Thouſand Marks* yearly to the See of *Rome*, which his Father King *John* had granted to it: After which *Peter* Biſhop of *Wincheſter*, and *Jocelin* Biſhop of *Bath*, Anointed and Crown'd him King, with the uſual Solemnities

The Coronation-Oath.

He does Homage to the See of *Rome*, and engages to pay the Pope's Tribute.

nities. The Day after he received the Homages and Fealties of all the Biſhops, Earls, and Barons, and all others who were preſent, they all promiſing him moſt faithful Obedience. *Anno Dom.* MCCXVI.

But I cannot omit one Circumſtance at this King's Coronation, (which is this;) That [4] for want of a Crown, (which could not be made upon ſo ſhort warning) he was forced to be Crown'd with only a plain Circle, or Chaplet of Gold: But the Reaſon why this King was Crown'd by the Pope's Legate, and not by the Archbiſhop of *Canterbury*, was, becauſe (as *Walter* of *Coventry* obſerves) *Stephen* Archbiſhop of *Canterbury* was then at *Rome*, ſolliciting the taking off his Suſpenſion, and the Legate did not think it ſafe to defer the King's Coronation, till his Return; but whilſt the Biſhops and Lords at *Worceſter* ſwore Fealty to King *Henry*, thoſe Barons who ſided with Prince *Lewis* (to take away all hopes of making their Peace with the Young King) took a ſolemn Oath on the Goſpels never to receive any of the Sons of the late King *John*; however, this Oath of *Abjuration* came to nothing, as you will find hereafter.

[4] *M. P. Ib.* Chron. *T. W.*

The K. was firſt Crown'd with a Chaplet of Gold, inſtead of a Crown.

The Barons of *Lewis*'s Party take an Oath of *Abjuration*, not to admit of any of K. *John*'s Sons.

[5] After this Coronation, the Young King (who then wanted One Month of being Ten Years of Age) remain'd under the Protection of *William Mareſchal* Earl of *Pembroke*, who being by the common Aſſent of the Prelates and Nobility, choſen to that great Truſt, forthwith ſent Letters to all Sheriffs and Caſtellans of the Kingdom of *England*, Commanding Obedience to the New King, and promiſing great Rewards to all ſuch as would faithfully adhere to him; whereupon all thoſe Noblemen and Governors of Caſtles, who had continued firm to the Father, ſtuck more Cloſe and Faithful to him, and every one prepared to fortifie their Caſtles as well as they could, and they were the more encouraged to this, when they ſaw that Prince *Lewis* and all the Barons and others of his Party were every Sunday and Holiday declared *Excommunicated* by the Pope's Legate.

[5] *M. P. Ib.*

The King is committed to the Protection of the Earl-Mareſchal.

[1] Then the Protector, together with the Biſhop of *Wincheſter*, and others of the Council, did all they could to bring over the Rebellious Barons to their Duty to the King; in whoſe name they wrote Letters to ſeveral of them, and (amongſt others) to *Hugh de Lacy*, a Baron of Note, containing a Safe-Conduct, leaving it to his free choice, if he would come in Perſon, and treat with the King, either to go back again in ſafety if they could not agree, or elſe to ſtay and return to his former Allegiance; which if he did, he was then promiſed the Reſtitution and Enjoyment of all his Eſtate and Privileges: To this Letter the Earl of *Pembroke*'s Name is affixed, as the only Witneſs, and is dated *November* the Eighteenth, in the Firſt Year of this King's Reign, being upon *Record in the *Tower*, and we are obliged to Dr. *Brady* for this Account of it, ſince I doubt not but the like Letters were written to others as well as to this Nobleman.

[1] *Id. ib.*

The Protector writes in the King's Name to the Barons of *Lewis*'s Party to invite them to return to their Allegiance.

Rot. Pat. 1 H 3. M. 16. *Vid.* Append. N. 143.

[2] When Prince *Lewis*, and the Barons who then Beſieged *Dover*-Caſtle, heard that King *John* was dead, they were at firſt poſſeſſed with a fallacious Satisfaction, that all *England* would ſoon be ſubdued; and upon this *Lewis* ſummoned *Hubert de Burgh*, Conſtable of the Caſtle, to ſurrender it; telling him, King *John* was dead, and that he could not defend it much longer; Therefore if he would ſur-

[2] *Id. Ib.*

Upon the News of King *John*'s Death, *Lewis* again ſummons *Hubert de Burgh* to ſurrender *Dover*-Caſtle.

Anno Dom MCCXVI.

surrender the Caſtle, and ſwear Fealty to him, he would not only reward him with Great Honours, but alſo make him one of his Chief Councellors; To whom *Hubert* gave this Reſolute Anſwer, *That although his Maſter was dead, yet he had left Sons who ought to ſucceed him:* Nor would he hear of ſurrendring the Caſtle, till he had conſulted his Knights. Theſe all Unanimouſly perſiſted in the Negative, leſt by a ſhamefull ſurrender they ſhould be branded for *Traytors*; of which when Prince *Lewis* and the Barons had notice, they reſolved to take in the ſmaller Caſtles firſt, and then to proceed to the Greater; therefore raiſing the Siege, he marched towards *London*, whereupon the Soldiers that were in that Caſtle ſallied out, and burnt all the Huts and Wooden Fortifications which Prince *Lewis* had ordered to be made before it.

Which he reſolutely refuſes, with a handſome Anſwer.

[3] *Id.* p. 290. *Lewis* beſieges the Caſtle of *Hertford*, which is at laſt forced to ſurrender.

[3] Wherefore on the Twelfth of *November* following, he came to *Hertford*, and beſieged it, which at firſt was well defended by *Walter de Godardvill*, and many *French* were ſlain before it; but at laſt it was yielded unto *Lewis* upon condition, that they might be ſecured of their Goods, their Horſes, and their Arms. *Robert Fitz-Walter* claimed the Cuſtody of this Town, as belonging unto him by Antient Right; to whom Prince *Lewis*, by advice of the *Frenchmen* about him, replied, that *Thoſe* Engliſh *were never to be truſted, who had been* Traytors *to their own Maſter*; However, he promiſed him, that when he had wholly ſubdued the Kingdom, every one ſhould have their Rights reſtored, which they had enjoyed before.

[4] *Id. ib.* He then beſieges *Berkhamſted*, and is at firſt repul'ſed.

[4] From thence Prince *Lewis* advanced to *Berkhamſted*-Caſtle, and beſieged it; but whilſt the Barons of his Party were pitching their Tents on the North-ſide of the Caſtle towards the Foreſt, thoſe that were in Gariſon ſallied out with great fury upon their Baggage and Carriages, and ſnatching up the Banner of *William de Mandevill* carried it away with them into the Caſtle; but the ſame Men ſallying out again the next Day, and bearing the ſame Banner before them, were forced to retreat; and ſome days after, (notwithſtanding all the Reſiſtance that *Waleran* a *German*, and thoſe that were with him could make) the Caſtle was ſurrender'd about the middle of *December*, upon condition, that the Beſieged might march out with their Horſes and Arms.

Yet at laſt it is forced to ſurrender upon Conditions.

[5] *Id. ib.* *Lewis* comes to St. *Albans*, and demands Homage of the Abbot, but he refuſing it, he threatens to burn the Abbey, and Town, yet is pacified with Money.

[5] After this, Prince *Lewis* putting a ſtrong Gariſon in the Caſtle of *Berkhamſted*) marched forward, ſpoiling the Country, and coming to *St. Albans* required the Abbot thereof to do him Homage, which he refuſed, unleſs he were firſt releaſed from his Homage to King *Henry*. *Lewis*, enraged at this Anſwer, ſwore he would burn both the Abbey and Town, unleſs he did what he required of him; whereupon the Abbot (by the Mediation of *Saher* Earl of *Winton*) made a Compoſition for himſelf and the Town, and gave that Prince Fourſcore Marks of Silver to ſpare that Noble Pile, together with the Town, untill *Candlemas*; then the Prince returned to *London:* And thus ended the Military Affairs of this Year.

* *Memoriale Hiſt. MS. in Bib. Cotton.*

As for the Eccleſiaſtical, **Walter* of *Coventry* informs us, that the Pope's Legate having done his utmoſt to confirm thoſe of the King's Party in their Allegiance, and to bring over the reſt that yet ſtood out againſt him, gave all the ſpeedy notice he could to the Pope, of the Death of the late King, and the Coronation of his Son; whereupon

upon the Court of *Rome* reſolved to ſtand by him with all their might, thereby the better to defend the Patrimony of St. *Peter*, (as they then accounted *England* to be) and ſo the Legate was not only eſtabliſhed a-new in his Power, but commanded to compel all Prelates and Eccleſiaſtical Perſons, under pain of *Excommunication* to return to their Duty to the King, putting all the Countries that owned Prince *Lewis* under an *Interdict*: But the Prince proteſted againſt the Legate's Authority, prohibiting all Perſons, under great Penalties, to obey his Commands, or own the New King; and required all both Clergy and Laiety to do Fealty to him, as Lord of the Kingdom at a certain ſtated day. But for all this the Legate prevail'd, and holding a Synod of the Prelates and Clergy at *Briſtol*, he not only confirmed thoſe to the King's Party who were already in it, but alſo hinder'd all others from doing any Homage to Prince *Lewis*; and he to be revenged of them, ſpoiled and plundered their Goods and Eſtates: Yet this Author relates, that *Chriſtmas* now approaching, there was a Truce agreed upon during the Holidays, which was to laſt till the Octaves of *Epiphany*.

Anno Dom. MCCXVI.

The Pope, upon the News of King *John's* Death, reſolves to ſtand by the young King.

And ſends freſh orders to his Legate to compell all Clergy-men by *Excommunication* to return to their Allegiance: Whereupon *Lewis* proteſts againſt his Authority.

The Legate calls a Synod at *Briſtol*; and what done there.

A Truce agreed on for a few Days.

[1] This Year the Young King kept his *Chriſtmas* at *Briſtol*, with *Guallo* the Legate, and *William* Earl-Mareſchal the Protector; and about the ſame time there was a great Fluctuation in the Nobility, whether they ſhould ſubmit to Young *Henry*, or to Prince *Lewis*, whom they ſecretly hated and deſpiſed, and that chiefly, becauſe contrary to his Oath he had entered upon their Lands and Caſtles, and had filled them with Mercenary Foreign Soldiers; yet at the ſame time they were aſhamed to return to the King, whom they had ſo pittifully deſerted; and being thus perplexed, they could not for a good while tell which Courſe to ſteer.

Anno Dom. MCCXVII.

[1] *M. P.* p. 292. The Nobility hate *Lewis*, and the Reaſon why.

But *Walter* of *Coventry* gives us a more exact Account than *Matt. Paris* concerning the Poſture of Affairs in the beginning of this Year; for he tells us, that preſently after *Chriſtmas*, whilſt the Truce laſted, Prince *Lewis* and his Adherents held a Council at *Grantbridge*, (now *Cambridge*) and the Guardians or Protectors of the King did the like at *Oxford*; and it was there propoſed, that the Truce ſhould be prolonged; but it being refuſed by Prince *Lewis*, he preſently fell to beſiege the Caſtle of *Odingham*, now *Odiam* in *Hampſhire*, which was ſhortly render'd to him, as were alſo the Caſtles of *Sleford*, *Norwich*, and *Colcheſter*.

Each Party hold their great Councils, where the Truce being offered to be prolonged, it is by *Lewis* refuſed.

[2] And about the ſame time, (*viz.*) the latter end of *January*, ſeveral Knights and Eſquires went out of *Mont-Sorel*-Caſtle to plunder the County, but the Gariſon in *Nottingham*-Caſtle having notice of it, ſent out a Party that engaged them, killed Three of their number, and took Ten Knights and Twenty Four Eſquires, and ſo returned Victorious.

[2] *M. P. ib.* Several Kts ſallying out of *Mount-ſorel*-Caſtle, are either killed, or made Priſoners.

[3] About the ſame time alſo, *Faukes de Brent*, (that old Plunderer) gathering great numbers of Mercenaries from *Oxford*, *Northampton*, and other Places, came to *St. Albans* in the Evening, and falling upon the Town, plundered it, and took many of the Inhabitants Priſoners; and then ſent the Abbot word, that unleſs he would redeem it and his Monaſtery, by paying down an Hundred Pounds, he would burn the whole Town, Abbey and all; which the Abbot being forced

[3] *Id. ib.* *Faukes de Brent* with his Mercenaries plunders *St. Albans*; and makes the Abbot redeem his Monaſtery from burning

Anno Dom. MCCXVII

forced to do, *Fawkes* return'd with his Priſoners and Spoils to his Caſtle of *Bedford*; yet being afterwards (it ſeems) frighted by a Dream of a great Stone falling upon him from the Tower of *St. Alban*'s Church, he thereupon, by the advice of his Wife, went back to that Abbey, and then asked Pardon of the Monks for the Injury he had done them, and ſo obtained Abſolution, tho' without reſtoring any thing of what he had taken away.

This I have inſerted to let the Reader ſee, that *Mercenary ſtanding Armies* are ſtill the ſame things whomſoever they ſerve; ſo it ſeems this Monaſtery ſuffer'd ſufficiently (as Neuters commonly do) from both Parties.

K. *Henry* grants the ſame Charter of Liberties to *Ireland*, which he and his Father had already granted to *England*.

But to intermix ſomewhat of Civil Concerns among ſo many Military Exploits; King *Henry*, (together with the Pope's Legate, and the Earl-Mareſchal) being ſtill at *Gloceſter*, he, by the Advice of his Councellors, as well as to teſtify his own Thankfulneſs to his Loyal Subjects of *Ireland* for their Fidelity to his Father and himſelf, there granted them the ſame Liberties, which had been done already to the Kingdom of *England* by his Father and Himſelf, and which being now reduc'd into Writing, were ſent to *Ireland*, under the Seals of *Gualo* the Legate, and the Earl-Mareſchal Protector, becauſe the King was then under Age, and had as yet no Seal of his own: All which appears by the Writ ſent over with this Charter ſtill on *Record in the *Tower* of *London*. But if the Charter it ſelf was entred upon the ſame Roll, it is now loſt, †as is alſo that to *England*, which is here ſaid to have been granted at the ſame time, *viz. Sexto Februarii*. But how the Copy of this Charter, which is entred in the *Red Book* of the *Exchequer* at *Dublin*, (and is *Mutatis Mutandis*, the ſame with our *Engliſh Magna-Charta*) comes to bear date at *Briſtol* the 12th of *November* precedent to this Writ, I do not underſtand, unleſs it be an Error in that Copy, the Original of which is not now Extant: But that King *Henry* Granted and Confirmed the ſame Charter of Liberties this Year alſo to his Subjects of *England*, appears from a *Writ upon Record in the *Tower*, to the Sheriff of *Worceſterſhire*; commanding him to proclaim the Charters of Liberties granted by the King to the Barons, and all others of *England*, with the Advice (or Conſent) of the Common Council of the Kingdom, and which the Pope's Legate had alſo confirmed by his Seal; with the ſame Clauſe about the King's not having a Seal of his own, as in the aboveſaid Writ concerning *Ireland*.

Rot. Pat. 1 H. 3 *M.* 13. *intus.* Printed in *Pryn*, upon the 4th Inſt. p. 250.

† *Libertatibus Regno noſtro Angliæ a Patre noſtro, & nobis conceſſis.*

The K. alſo granted the ſame Charter to *England*.

* *Rot. Clauſ.* 1 H. 3. *M.* 10. *Dorſ.* My Append. N. 7.

Another confirmation of it in the ſecond Year of this King's Reign.

But tho' the Originals as well as Copies of this firſt Charter be now loſt, yet that the King alſo confirmed theſe Charters in the *Second* Year of his Reign, appears from ſeveral antient Copies of them ſtill preſerved in private Hands, which are particularly mentioned among the Laws at the end of this King's Reign: And this is alſo farther confirmed by the antient *Manuſcript Chronicle of the City of *London*, already cited; which ſays expreſly, that this King in the Second Year of his Reign, by his Charter granted and confirmed all the Liberties that had been granted by his Predeceſſors; and then mentions, that becauſe the King was then under Age, and had no Seal of his own, they were Sealed with the Seals of the Pope's Legate, and the Earl-Mareſchal; but that in his *Ninth* Year he

* *In Libro de Antiq. Leg.*

he again confirmed the ſame Charter, and Seal'd it with his own Seal; and at the ſame Time alſo granted the *Charter* of *Foreſts*; which was not mention'd before. *Anno Dom.* MCCXVII.

[4] About this time Prince *Lewis* had notice from his Envoys at *Rome*, that unleſs he departed out of *England*, the Sentence of *Excommunication* pronounced againſt him by *Guallo* the Legate would be confirmed by the Pope himſelf; whereupon a Truce was agreed on between King *Henry* and *Lewis*, until a Month after *Eaſter*; and all things were (till then) to remain in the ſame ſtate as they were at the time when it was made. [4] *Id. Ib.* *Lewis* upon notice that the Legate's *Excommunication* of him would be confirmed by the Pope, agrees to a Truce.

Walter of *Coventry* is more particular in his Account of the occaſion of this Truce, for tho' divers other Writers impute it only to Prince *Lewis*'s earneſt deſire to go over to ſollicite his Father for freſh Recruits; yet this Author gives us a better Reaſon for it, which is, That about this time a Great Council or Synod was held at *Melun* in *France*, by the Pope's Nuncios, who threaten'd to put that Kingdom under an *Interdict*, unleſs King *Philip* would recall his Son out of *England*; upon which the King preſently ſummon'd him to come over, and be himſelf in Perſon at that Council: [5] Wherefore the Prince having declared the Neceſſity of his Abſence for a ſhort time, and ſworn to return before the Expiration of the Truce, he in the beginning of *Lent* ſet ſail for *France*. *Walter* of *Coventry*'s Account of the true Reaſons of this Truce. [5] *Id. Ib.* *Lewis* during the Truce goes over into *France*.

[1] But his Abſence was ill reſented by thoſe *Engliſh* Noblemen who took his part; for almoſt ſo ſoon as his Back was turn'd, many of them both Earls and Barons, (as *William Longeſpee* Earl of *Salisbury*, *William* Earl of *Arundel*, *William* Earl of *Warren*, and *William*, Son of the Earl-Mareſchal,) deſerting him, return'd to their Allegiance, and afterwards firmly adhered to King *Henry*, which very much weakned the *French* Prince's Party. [1] *Id. Ib.* As ſoon as he is gone over, the Earl of *Salisbury* and divers other Noblemen, return to their Allegiance.

The ſame Author further adds, That theſe Noblemen were chiefly brought over by the Legate's perſuaſions, who promiſed them Remiſſion of all their Sins, if they would now engage for the King; and that thoſe that fought in his Quarrel, ſhould have the ſame Privileges, as thoſe that made War in the *Holy Land* againſt Infidels; whereupon the Legate not only took the Sign of the *Croſs* upon his Habit, (as it was the manner of thoſe who went to *Jeruſalem*,) but alſo the Biſhops and Abbots did the like, and preſently marched out with him to the War; the Legate likewiſe again *Excommunicated* all thoſe who ſtill held with the Barons; moſt of whom deſpiſed the Sentence, ſaying, *That the Pope being blinded with Avarice and Ambition, perverted all Right; That his Legate contrary to his Character marched out to War, and under colour of Abſolutions exacted great Sums of Money from thoſe Churches and Monaſteries, which he had never viſited*; a great deal of which was indeed too true, yet we may obſerve how deplorable the Eſtate of *England* was at this time, whilſt it was ſo divided againſt it ſelf. And that upon Religious, as well as Secular Motives.

[2] The Abſence of Prince *Lewis* highly encouraged and ſtrengthened the Royal Party, ſo that during that time, they recovered the ſtrong Caſtles of *Marlbridge*, *Farnham*, *Wincheſter*, *Chicheſter*, and other Places, which were many of them demoliſhed; but on the very day whereon the Truce was to expire, Prince *Lewis* arrived at *Sandwich*, bringing over with him the Young Earl of *Perche*, and many [2] *Id. Ib.* *Lewis* during his Abſence loſes many Caſtles.

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many other Noblemen, beſides Common Soldiers; but he ſuffer'd a great Loſs and Damage in his Paſſage over, for the Mariners of the *Cinque-Ports* having now declared for the King, ſet upon him, and at Sea took divers of his Ships; wherefore the Prince, as ſoon as he landed, burnt *Sandwich* in Revenge, and going to *London*, was received with great ſatisfaction, by thoſe that ſtill continued firm to his Intereſt; and they put him upon undertaking a conſiderable Enterprize, for the doing of which a fair Opportunity now offer'd it ſelf.

He arrives at *Sandwich*, attended by the Earl of *Perche*, *&c.*

But being aſſaulted by the Mariners of the *Cinque-Ports*, he burns *Sandwich*, as ſoon as he Landed.

[3] For ſome time after the Feaſt of *Eaſter* was over, at the Inſtigation of *William* Earl-Mareſchal the Protector; *Randulph* Earl of *Cheſter*, *William* Earl of *Albemarle*, *William* Earl of *Ferrars*, *Robert de Vipont*, *Brian de Liſle*, *William de Cantelupe*, *Philip Marc*, *Robert de Gaugi*, *Faukes de Brent*, and his Caſtellans, with many other Gariſon Soldiers, muſter'd their Forces to beſiege the Caſtle of *Mont-ſorel*, whereof *Henry Braibroc* was Governor, and with whom were Ten ſtout Knights, and many common Soldiers. During the Siege there were ſeveral vigorous Aſſaults made and briskly return'd, but the Beſieged being very hard preſſed, ſent to *Saher* Earl of *Winton*, Lord of the Caſtle, who was then at *London*, for Relief; He applied himſelf to Prince *Lewis* (now lately return'd) deſiring his immediate aſſiſtance to raiſe the Siege; whereupon they agreed to ſend ſuch a Force, as might not only Relieve the Caſtle, but alſo ſubdue the adjacent Country; and ſtraight there went out of *London* Six hundred Knights, and above Twenty thouſand Men well arm'd, who were all greedy of Plunder; the Chief of them were the Earl of *Perche*, Mareſchal of *France*, (a young Man of great Courage) *Saher* Earl of *Winton*, *Robert Fitz-Walter*, and many others, that were look'd upon as moſt fit for that Expedition; they ſet forth the Laſt of *April*, and marched firſt towards *St. Albans*, Burning and Robbing both Towns and Churches, ſpoiling Men of all Ranks and Conditions, and cruelly tormenting them, on purpoſe to force from them exceſſive Ranſoms; [4] Neither did they ſpare the Abbey of *St. Albans*, notwithſtanding a little before the Abbot had ſatisfied Prince *Lewis*, as you have heard already. From thence they marched to *Dunſtable*, where they plunder'd the poor Monks, and with their polluted Hands ſnatched away the Holy Reliques from the Altar; and then after many Spoils and much Rapine, they marched to the Caſtle of *Mont-ſorel*, and raiſed the Siege without any Oppoſition; and the Earl of *Cheſter* who commanded there in chief, drew off his Forces to *Nottingham*; from *Mont-ſorel* the Barons marched to *Lincoln*, and ſet down before the Caſtle, which *Gilbert de Gant* had a long time in vain beſieged, and made many Aſſaults, but was vigorouſly repulſed. [5] In the mean time Prince *Lewis* took his opportunity again to beſiege the Caſtle of *Dover*, but he could not take it, becauſe the main ſtrength of his Army was then in the *North*, employed in the Siege of the Places already mention'd.

[3] *M. P.* p. 293. The Earl of *Cheſter* and other Noblemen beſiege *Mount-ſorel*.

The Gariſon being put hard to it, ſend to *Lewis* for Relief.

Who thereupon ſends down a conſiderable Army, which commits great diſorder in their march.

[4] *Id. ib.* p. 294.

The Siege of *Mont-ſorel* raiſed; and *Lincoln*-Caſtle beſieged by the Confederate Barons.

[5] *Wal. Cov. ib.* Prince *Lewis* again beſieges *Dover*-Caſtle, but in vain.

[1] While theſe things were tranſacting, thoſe of the King's Party foreſaw the great Loſs they muſt ſuſtain, if *Lincoln*-Caſtle ſhould be taken by the Confederate Barons; and therefore *William* Earl-Mareſchal, by the Advice of *Guallo* the Legate, and *Peter* Biſhop of *Wincheſter*, and others who then managed the Affairs of the King-

[1] *W. C. M. P. ib.*

dom,

dom, ſummon'd all the King's Caſtellans and Knights, with thoſe that were in Garriſon in divers parts, to meet at *Newark* on *Whitſun-Tueſday*, and go along with them to raiſe the Siege of *Lincoln*-Caſtle; they all ſhewed a great readineſs to fight with the *Excommunicated French* (as they call'd them) and very joyfully met at the Place and Day appointed; with them went alſo the Legate, and many other Prelates in Perſon, to ſubdue with their Prayers as well as their Arms, all thoſe that were diſobedient to the King, and Rebels to the Pope; when they were all come together, they made up Four hundred Knights, and Two hundred and Fifty Croſs-bow-men, but Eſquires or Horſemen without number, who if neceſſity required, were able to ſupply the Place of Knights; the Chief were *William* Earl-Mareſchal, and *William* his Son, *Peter* Biſhop of *Wincheſter*, a Prelate well ſkill'd in Martial Affairs, *Ranulph* Earl of *Cheſter*, (and the reſt of thoſe Knights who went with him to *Nottingham*) *William* Earl of *Salisbury*, with many other Earls and Barons, moſt of whom being already named, it would be tedious to repeat them; all theſe with divers Governors of Caſtles, well Exerciſed and Experienced in Military Diſcipline, ſtayed Three days at *Newark* for the refreſhment of their Men and Horſes, where they were Confeſſed, and (as they ſuppoſed) very well fortify'd themſelves by the receiving of the *Euchariſt*, as a Guard againſt the Aſſaults of their Enemies.

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The Earl-Mareſchal ſummons all the Gariſons to unite their Forces to raiſe the Siege of *Lincoln*.

Whereupon a great Army is aſſembled at *Newark*; with the Names of the chief Commanders.

[2] Then on *Friday* in *Whitſun-week* the Legate declared to them, the Injuſtice of the Cauſe, in which *Lewis* and the Barons his Adherents were now engaged, for which they had been *Excommunicated*, and ſeparated from the Unity of the Church, and at the ſame time he *Excommunicated Lewis* and all his Accomplices and Favourers by Name, eſpecially all thoſe that then beſieged *Lincoln*-Caſtle; but to thoſe who had undertaken this Expedition, he gave a full Pardon of all their Sins, with promiſe of *Eternal Salvation* if they died in this Service, which ſo animated the Army, that they joyfully marched towards *Lincoln* fearing nothing, but the Enemies flight before they came thither; when the Barons and *Frenchmen* that were in the City heard of their approach, they received the News with Scoffs and Laughter, thinking themſelves very ſafe; however *Robert Fitz-Walter*, and *Saher* Earl of *Winton*, went out of the City to obſerve the Motions, and Number of the King's Forces; and when they returned, they reported their march to be very orderly, and that they exceeded their own Army in Number, tho' they were indeed miſtaken in their Reckoning, taking thoſe that came up with the Baggage, and thoſe that follow'd the Camp to be all Soldiers; yet this Account gave no ſatisfaction to the Earl of *Perch*, and the reſt of the *French* Commanders, who would not believe them to be ſo many; wherefore they ſent out again to take a review of the King's Army, which marched in ſuch cloſe order, that the Scouts were miſtaken in their Obſervation, and returned back alike deceived and uncertain. The Conſults upon this were various, but at laſt it was agreed, that the Gates ſhould be lock'd up, and ſtrict Guards ſet to keep out the Enemy, and every one to be in readineſs to defend it, and in the mean time to Batter and Aſſault the Caſtle, which they thought could not long hold out.

[2] *Id.* p. 295. The Legate ſhews the Injuſtice of their Adverſaries cauſe, and declares them *Excommunicated*.

And grants a full Abſolution to all thoſe who undertook this Expedition.

Upon their approach to *Lincoln* the Confederate Barons ſend out the Earl of *Wincheſter* to obſerve their Strength.

The *French* not ſatisfied with his Account, ſend out other Scours; upon whoſe return they reſolve not to leave the Town.

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[3] *Id. Ib.* *Faukes de Brent* enters *Lincoln*-Caſtle by a Poſtern, and aſſiſts the Beſieged.

[3] When the King's Army was come before that Quarter of the City where the Caſtle ſtands, the Governor within preſently by a private Meſſenger gave the chief Commanders an account of the State of the Place; and moreover told them, That if they would, they might enter at the *Poſtern-Gate* of the Caſtle, which was left open on purpoſe for them; *Faukes de Brent* accepted the Offer, and entered with his Croſs-bow-men, and the reſt that were under his Command, with their Bows, Arrows, and other Weapons, having firſt from the Caſtle wounded and unhorſed ſome of the moſt forward and valiant Barons that aſſaulted it, and thereby put them into ſome Diſorder; but *Faukes* thinking to take advantage of this, ſuddenly ſallying out upon the Enemies in the Town, narrowly eſcaped being taken Priſoner: During this Skirmiſh the reſt of the Army ſtormed the City in another Place, and the Beſieged not having the Courage ſo much as to make a Sally, the King's Forces ſeized the next Gate, and ſo got into the Town, though not without great loſs of Men. So ſoon as they were entred, there began a very ſharp Engagement in the Streets, but thoſe of the Baron's Party being ſoon overpower'd, they were all kill'd, or elſe taken Priſoners, ſo that the whole Burthen now lay upon the Earl of *Perch* and the *Frenchmen*, who being overcome by Numbers, and refuſing to take quarter of any *Engliſh Traytor* (as he call'd them) was there ſlain, and a great many were kill'd, by reaſon that the *Southern* Gate, by which they were to make their Eſcape, was kept ſhut with a great Bar, that but one Man could go out at once, ſo that few eſcaped by flight, and the far greater number were forced to yield themſelves Priſoners at diſcretion, of whom the chiefeſt were, *Saher* Earl of *Winton*, *Henry de Bohun* Earl of *Hereford*, *Gilbert de Gant*, (whom Prince *Lewis* had lately made Earl of *Lincoln*,) *Robert Fitz-Walter*, with divers others, for whoſe Names I refer you to my Author; and beſides theſe there were alſo taken near Four hundred Knights, not to mention Eſquires and ordinary Soldiers, and Townſmen of a vaſt Number; this Victory was obtained on the Nineteenth of *May*, being *Saturday* in *Whitſun-Week*.

The reſt of the Army ſtorm the City, and enter, upon which follows a ſharp Engagement for a time; till at laſt the Confederate *French* Forces being utterly routed, the City is taken.

[4] *Id. Ib.* The Town is plunder'd, and the K's Soldiers get a great Booty.

[4] The King's Soldiers here found great ſtore of rich Booty, both in Plate and Goods belonging to the Barons and Townſmen, all which fell to their ſhare; for the City being taken by Storm it was totally plundered, not ſparing the very Churches, nor ſo much as the Cathedral, becauſe the Chanons thereof were *Excommunicated*, for a ſmall Pretence would ſerve turn for *Sacrilege*, eſpecially when it was allowed of by the Pope's Legate, who was there in Perſon; and you may gueſs at the vaſt Riches of that Church, when one *Geoffrey de Dreping* the *Precentor* thereof, complain'd, that he had loſt Eleven thouſand Marks in Silver for his own ſhare.

Now when they had made an end of Plundering the Town, the Earl-Mareſchal commanded all his Caſtellans to return home with their Priſoners, and to keep them under a ſtrict Guard, till they knew the King's Pleaſure, who remain'd during all this Action with the Legate and a ſtrong Guard at *Stow*, about eight Miles ſhort of *Lincoln*: The next day the Earl went to give him notice of the Victory, which he received with great Joy, and the day following there came Meſſengers, who alſo brought him News, that the Enemies

The King receives the News with great Joy.

mies Garison had voluntarily quitted *Mont-forel*-Castle; whereupon the King commanded the Sheriff of that County with the Men thereof to pull it down, and demolish it, and so it remains a heap of Rubbish to this day. *Anno Dom.* MCCXVII. *Vid. Gem. Bri. in Leicestershire.*

[5] Then the King's Party being highly flush'd with this Victory, advanced forward, and subdued those Parts which held out against them, and taking all the Castles and Garisons in their way, marched up to *London* with a design to besiege it. [5] *W. C.* The K.'s Army marches towards *London* to besiege it.

[1] Prince *Lewis* hearing of this great Defeat, presently left the Siege of *Dover*-Castle in which he was then engaged, and retreating to *London** forthwith sent Messengers to his Father the King of *France*, and to his Wife the Lady *Blanche*, to send him speedy Succours; but the King fearing to provoke the Pope if he should publickly assist his Son, who was then *Excommunicated*, left it wholly to the Princess his Wife, and she speedily sent away Three hundred valiant Knights, with a great many Soldiers, under the Conduct of *Eustace*, Sirnam'd the *Monk*, who was also appointed Admiral and Commander in Chief over the Fleet, as well as Land-Forces; but these great Preparations were not unknown to King *Henry*, and the Earl-Mareschal his Protector, who thereupon appointed *Philip de Albiney*, and *John* the *Mareschal*, with the Ships belonging to the *Cinque-Ports*, and many other Men of War to guard the Seas, and hinder the landing of the *French*, after whose embarking a brisk Gale of Wind drove their Fleet toward the Coast of *England*; the King's Ships (though fewer in number) met with them, but yet durst not set upon them in the Front, being Fourscore great Ships, besides Galleys and smaller Vessels, whereas the *English* were not above Forty in all; whereupon they resolved to steer another Course, therefore tacking about, and so getting Windward of them, they thereby gain'd a great Advantage; then there began a Bloody Sea-fight on the Coast of *Kent*, not far from the Isle of *Thanet*, when *Philip de Albiney* with his Archers making a great Slaughter of the *French*, and the *English* Vessels having the Wind, with their Bow-sprits armed with Iron, ran upon the *French* Gallies, and pierced them through, whereby many of them were sunk, and the *English* having a great deal of Quick-Lime in Powder on board, cast it up in the Air, which being carried by the Wind into the Eyes of the *French*, blinded them; so that the *English* being more skilful in Sea-Engagements destroyed them all manner of ways; at length the *French* seeing no hopes of Success, or even of Escape, some desperately leaped into the Water, whilst others yielded themselves Prisoners: Nor durst the *French* from that time engage with the *English* in a Sea-fight.

[1] *W. G. M. P.* p. 297. *Lewis* upon this ill News quits *Dover*, and sends to his Father for more Succors; but he not daring, the Princess his Wife sends over *Eustace* the Monk with a numerous Fleet.

Who being met at Sea by the K's Ships there begins a sharp Engagement.

The *French* Fleet is destroyed with most of the Men.

[2] *Eustace* the Monk, their Commander, being taken, offer'd a great Sum of Money for his Life, but *Richard* a Base-Son of King *John* calling him *Wicked Traytor*; told him he should never deceive any Man again with his false Promises, and so cut off his Head: This Man was at first a Monk, and having turned Seaman had been a great Pyrate; yet at last was made Admiral of the *French* Fleet, and having often changed sides according to Success, was for a long time a Terror not only at Sea, but to the adjacent Shores: There was a great deal of Spoil taken by the Seamen on board these Ships in Gold

[2] *Id.* p. 298. *Eustace* the Monk being taken, has his Head struck off by *Richard* base Son to K. *John*.

Much Spoil and a great many Prisoners then taken.

Anno Dom. MCCXVII. Gold and Silver, beſides good ſtore of Arms; and the Priſoners being put under ſtrict Guard, *Philip de Albiney* Commander in Chief in the late Fight, immediately gave the King notice of it, who thereupon return'd ſolemn Thanks to God.

[3] *Id. ib.* *Lewis* is much mortified at the News.

[3] When Prince *Lewis* received the News of this Defeat, it grieved him more than the late Overthrow at *Lincoln*, ſince it deprived him of the means of going off by Sea: So that from this time the King ſtill prevail'd, and Prince *Lewis*'s Party grew weaker and weaker every day.

[4] *Id.* p. 298, 299.

[4] After this, the Earl-Mareſchal muſtering up a great Army of Knights and their Dependants marched to *London*, and began to block it up both by Land and Water; whereupon Prince *Lewis* finding himſelf reduc'd to great ſtreights, ſignified to the Legate and *Mareſchal*, That he would ſubmit to their Advice, and conſent to any thing conſiſtent with his own Honour, and without much prejudice to his Friends: And it happen'd well for him, that they on whom the Management of this Buſineſs lay, though they conſulted the King's Safety, yet did not deſire the entire Ruine of that Prince, but only to get him out of *England*; wherefore they ſent him certain Articles of Peace in Writing, to which if he would conſent, they engaged that he ſhould have free Paſſage and ſafe Conduct out of *England*; but if not, they would endeavour the deſtruction of him and all his Adherents; whereupon Prince *Lewis* and his Councellors accepted the Offer, and ſent to the Mareſchal and Legate to fix upon the Time and Place, that a ſpeedy Peace might be concluded between them; they appointed an Iſland in the River *Thames*, near the Town of *Staines*, where King *Henry*, the Legate, and Mareſchal, with many Others on the one ſide, and *Lewis*, with the Barons on the other ſide, met, and on the Eleventh of *September* agreed upon the Form of Peace following,

And thereupon offers a Treaty of Peace.

Articles of which are ſent him by the Earl-Mareſchal, and are ſo far accepted by the Prince, as that a Place of Treaty is appointed.

[5] *Id. ib.* The Articles which they agreed on.

[5] *Firſt*, Prince *Lewis* ſwore, that he and all with him that were *Excommunicated* would ſtand to the Judgment of *Holy Church*, and for the future would be Obedient to the Pope and Church of *Rome*; That he would forthwith depart the Kingdom of *England*, and never more return with any ill deſign during his Life.

Secondly, That he would endeavour what he could to induce King *Philip* his Father to reſtore to King *Henry* all his Rights beyond the Seas.

Laſtly, If his Father refuſed to do it, he himſelf would perform it if ever he came to the Crown; and that in the mean time he would immediately deliver to the King all thoſe Caſtles and Territories he had poſſeſſed himſelf of in *England* during this War.

[1] *Id. ib.*

[1] And the King of *England* for his part ſwore upon the *Evangeliſts*, together with the Legate, and Earl-Mareſchal, that they would reſtore to the Barons of *England*, and to all others of the Kingdom all their Rights and Inheritances, together with the Liberties they before enjoyed, for which there had aroſe ſo great Diſcord between King *John* and the Barons; neither ſhould it be any Damage or Reproach to thoſe, that had adhered to the one or to the other ſide: That as to all Priſoners, who had redeemed themſelves before this Peace was made, and had paid part of the Money for their Redemption; what was paid already ſhould not be return'd,

turn'd, but what remain'd behind ſhould be remitted; and that all Priſoners either taken at *Lincoln*, or at Sea, whether of the King's or Prince *Lewis*'s ſide, ſhould without any Difficulty or Ranſom be ſet at Liberty: But the *Welſh* Princes who had join'd with him, and the Barons being wholly omitted in theſe Articles, were left to the King's Mercy. Yet ſome of the * *French* Hiſtorians relate, that *Lewis* had a great Sum of Money paid him for reſtoring the Hoſtages he had taken of the Barons, which is certainly falſe, for *Lewis* was ſo far from ſtanding upon Terms, that he was glad to agree upon any Conditions; and as for Hoſtages, there could be nothing due from the King on that Account; but from the Barons his Enemies, whoſe Relations they were; but our Writers do not mention any Money paid for them, and therefore it is moſt likely they were delivered *gratis*, though they are not particularly mention'd.

Anno Dom. MCCXVII.

* *Paul. Æmil. in Phil.* 2.

Theſe are the Principal Articles of this Peace, though indeed there is another Copy of it by way of Charter in * *Dacheries Spicilegium*, ſaid to be publiſh'd from an Original in the Chartulary of *St. Giles*, at *Pont-Audomar*; which differs in ſome things from that here ſpecified by our Author, as particularly in the three Firſt Clauſes, *viz.* of Prince *Lewis*'s ſtanding to the Judgment of the Church; of his quitting the Kingdom, and never to return; of reſtoring to the King of *England* all his Rights beyond the Sea; all which are omitted in that Copy, and ſince this Agreement is no where elſe to be found, and that the Book in which it is printed is very ſcarce in *England*, I have added it at large at the end of this Work, for the benefit of the Diligent and Inquiſitive Reader.

* Tom 9. p. 171.

Another Copy of theſe Articles, which differ ſomewhat from the former.

[2] After this Prince *Lewis* coming Barefoot and Ungirt from his own Pavillion to that of the Legate, he and all his Followers were Abſolved, and ſo he returned to *London*, [3] where having borrowed Five thouſand Pounds *Sterling* of the Citizens to diſcharge his Debts, (the Poverty of the City being then ſo great, that it could not afford him any more) he was by the Earl-Mareſchal ſafely conducted to the Sea-ſide, and ſo paſſed over into *France*.

[2] *Chron. Mailroſ.* *Lewis* attends the Pope's Legate Barefoot to obtain his Abſolution.

[3] *M. P. ib.* He returns to *London*, and there borrows 5000 *l.* to pay his Debts, and then departs.

Here I cannot but obſerve with *Walter* of *Coventry*, that it was next to a Miracle, that the Eldeſt Son to the King of *France*, who brought ſo many Men over with him into *England*, and was poſſeſſed of the Capital City, and many of the chief Places thereof, and was alſo aſſiſted by ſo great a Part of the Clergy and Nobility, ſhould be ſo quickly ſent out of *England*; but it will not appear ſo great a wonder, if, beſides Prince *Lewis*'s late ill Succeſs both by Sea and Land, we alſo conſider, *Firſt*, The Hatred and Diſtruſt of the *Engliſh* Nobility againſt the *French* Nation; *Secondly*, The Love and Compaſſion many of them had for young King *Henry*, from whom they hoped better things than from his Father; and *Laſtly*, The Fear and Terror of the Pope's *Excommunication*, which not only hinder'd moſt of the Clergy from joining with *Lewis*, but brought over ſeveral of the Great Earls and Barons to the King's Party; tho' this were indeed a good Effect of a bad Cauſe, the King being then looked upon as the Pope's Vaſſal.

The Reaſons of *Lewis*'s making this Peace.

[4] *Id. ib.* The King returns to *London*, and is received with great Joy.

The ſame [4] Author likewiſe tells us, that immediately after Prince *Lewis*'s departure, the King came to *London*, and was received with as much Pomp, as the State of Affairs would at that time

Anno Dom. MCCXVII. time afford, and then also the Homages and Fealties of the Kingdom were again renewed, and there the King's Guardians, with the Chief Men of the Nation, held frequent Consultations concerning the Settling and Reforming the Kingdom; for it was no easie matter to satisfy so many Men's Desires and Expectations, as also to appease the Rancour and Animosities of different Parties against each other, the remainder of which they now vented in frequent Tornements, wherein between Jest and Earnest they expressed their former Animosities.

[5] *M.P. ib.* The Clergy, notwithstanding the K's Pardon, are still left to the Pope's Discretion.

As for Ecclesiastical Affairs, [5] notwithstanding the late General Pardon of all Offences during the War, yet all Bishops, Priors, and other the Clergymen who assisted or favoured *Lewis* and the Barons, and in particular *Simon de Langton*, and *Gervase de Hobrugge*, who caused *Divine Service* to be performed by such as were *Excommunicated*, were all excepted from the Benefit of this Pardon, and being deprived of all their Benefices were forced to trudge to *Rome* to seek for Absolution: But soon after *Lewis*'s Departure the Legate sent Inquisitors all over *England*, and whosoever of the Clergy was found to have been the least engaged, or inclin'd to *Lewis* and his Party, of what Order and Dignity soever they were, they first suspended them, and then sent to the Legate, who deprived them of all their Benefices, and bestowed them on his Clerks. *Hugh* Bishop of *Lincoln* paid to the Pope's use a Thousand Marks, and a Hundred to the Legate, for his Bishoprick; whose Example many of the Bishops and other Religious Persons followed, both of the *Regular* and *Secular* Orders, and empty'd their Purses to obtain the Legate's Favour, who thereby heaped up a vast Sum of Money for the use of the Pope his Master, so that he was always sure to gain, whoever lost.

[1] *C. M.* The King of *Scots* is also absolved, and delivers up *Carlisle* for the King's use.

[1] Also towards the End of this Year the King of *Scots* was Absolved from his *Excommunication* by the Archbishop of *York*, and Bishop of *Durham*, by the Legate's Authority committed to them for that purpose; and then also the Archbishop went to *Carlisle*, and took possession of it for the King of *England*: After this the King of *Scots* going to *Northampton* was there received by King *Henry* and the Legate, with great Honour; and on the *Saturday* before *Christmas-Day*, did his Homage for the Earldom of *Huntington*, and the rest of the Territories which his Predecessors held of the Kings of *England*. And having thus made his Peace with the King and the Legate, he return'd home, though the *Interdict* was not yet taken off his Kingdom, till the Beginning of the Year following.

That King does Homage to K. *Henry*.

As for other Ecclesiastical Affairs this Year affords none, but such as being connected with the Civil, have been already related; only [2] Pope *Innocent* the *Third*, a Prelate of a Great Spirit and Ambition, and who very well knew how to make the best Use of his Spiritual Thunderbolt of *Excommunication* for his own advantage, deceased on the Sixteenth of *July*, and was succeeded by Cardinal *Cinsius*, under the Name of *Honorius* the *Third*.

[2] *M.P.* P. 297. Pope *Innocent* the Third, deceases.

King

King * *Henry* now kept his *Chriſtmaſs* at *Northampton*, where *Faukes de Brent* ſupplied him with all Neceſſaries during that Feſtival; not long after which, ſeveral of the Nobility and others, (the chief of whom were *William* Earl of *Albemarle*, *Robert de Vipont*, *Brian de Liſle*, *Hugo de Bailliol*, *Philip Marc*, and *Robert de Gaugy*,) having in the time of War accuſtomed themſelves to Rapine, could not forbear Exerciſing the ſame in time of Peace; and therefore forcibly held divers Caſtles with the Lands and Poſſeſſions belonging to ſome Biſhops and Great Men, contrary to the King's Will and Command; but eſpecially *Robert de Gaugy* (though admoniſhed of it ſeveral times by the King) refuſed to yield up the Caſtle and Town of *Newark* to *Hugh* Biſhop of *Lincoln*; whereupon the Earl-Mareſchal at the King's Command, raiſed an Army, and beſieged the Caſtle; and after eight days Siege, *Robert de Gaugy* capitulated with the Biſhop to deliver the Caſtle to him, upon payment of an Hundred Pounds *Sterling* for the Victuals that were in it; hereupon the Biſhop with the King's conſent accepted the Terms, and ſo the Siege was raiſed, and every one went to their own Homes.

Anno. Dom. MCCXVIII.

* *Id.* p. 300. Several of the Nobility having poſſeſs'd themſelves of other Men's Caſtles and Eſtates, would keep them, notwithſtanding the King's Commands to the contrary.

But the Earl-Mareſchal raiſing an Army makes *Robert de Gaugy* ſurrender the Caſtle of *Newark*.

This Year [3] on the Eighteenth of *February* the Protector wrote in the King's Name to all Sheriffs to make Proclamations in their ſeveral Counties, that all Clerks that had adhered to Prince *Lewis* and were therefore *Excommunicated*, and not Abſolved, ſhould be Baniſhed, and if they departed not the Realm before *Mid-Lent*, they were to be impriſon'd; and ſuch as were Abſolved, if they ſtill remain'd Friends to *Lewis*, they were however to be impriſon'd: The King alſo wrote on the Two and twentieth of the ſame Month to the Sheriffs of the ſeveral Counties, for the better ſatisfying Mens Minds, that they ſhould look to the Obſervation of the Charters of Liberties and the Foreſts, and ſee all Lawful Caſtles rebuilt that were demoliſhed during the War. Theſe Letters are not to be found in our Hiſtories, but remain upon Record in the *Tower* on the *Clauſe* * *Roll* of this Year.

[3] *Vid.* D *Brady's* Appendix, N. 144.

All Clerks who had adher'd to P. *Lewis*, and not Abſolved, are Baniſhed the Kingdom.

The K. writes to the Sheriffs to ſee the Charters of Liberties and Foreſts ſtrictly obſerved.

Alſo [4] by another * *Clauſe Roll* of this Year it appears, that on the Sixteenth of *March*, there was a Treaty of Peace between the King's Commiſſioners, and *Llewellyn* Prince of *North-Wales*, who then received into his Cuſtody from *Gualo* the Pope's Legate, the King's Caſtles of *Caermarthen* and *Caerdigan*, with their Lands and all Appurtenances, in the Preſence of *Peter* Biſhop of *Wincheſter*, *William Mareſchal* Earl of *Pembroke*, and many other Biſhops, Earls, and Barons there named, and others not named, to hold and keep them for the King's uſe, until he came of Age, and then they were freely to be delivered to him: He was alſo to hold the King's Courts in theſe Caſtles and Lands, as the King's Bailiff or Deputy, and do Right to the *Engliſh* according to the *Engliſh* Law, and to the *Welſh* according to their own Laws: And for the Performance of theſe things, he gave Pledges or Hoſtages, *Mailgon* the Son of *Rees*, and *Rees* the Son of *Griffin*, and *Maredue* the Son of *Ren*.

* *Clauſ.* 2. *H.* 3. *P.* 1. *M.* 6. *Dorſ.*

[4] *Vid.* Dr. B's Ap. N. 145. * *Clauſ.* 2. *H.* 3. *M.* 4.

A Treaty of Peace concluded between the K and the P. of *Wales*, and on what Terms.

This Record is the more Remarkable, becauſe it gives us a greater Light into the Affairs of *Wales*, than [5] the Chronicles themſelves of that Country, which now ſuppoſe that Prince *Llewellyn* having taken the Part of the Barons againſt King *John*, and carrying on the War againſt King *Henry*, his Son, was left out of the Peace lately made,

[5] Dr. *Powel's* Chron.

A ſhort Account of the *Welſh* Affairs.

Anno Dom. MCCXVIII. made, and remain'd ſtill *Excommunicated* by the Pope, which tho' it be in great part true, (for this Prince had been *Excommunicated* with the Barons of *England*) yet he had managed his Affairs ſo cunningly, that having had mighty ſucceſs in *South-Wales*, and reduced great part of the Country under his Obedience, he obtain'd what Terms he pleaſed, ſo that by the laſt Articles of Peace made by the Mediation of the Biſhop of *St. Davids* on behalf of the *Flemmings* in *Pembrokeſhire*, all the Inhabitants of that Country, as well as of *Ros*, were to remain that Prince his Subjects; and tho' *William Mareſchal* Earl of *Pembroke*, had ſometime before got the Town of *Caerleon*, and made War againſt the *Welſh*, yet that Prince continuing ſtill Succeſsful, and winning divers Caſtles, and expelling the *Engliſh* that dwelt thereabouts, it is certain, that at this time Prince *Llewellyn* was not only Abſolved from his *Excommunication*, but alſo made his Peace with the King, and that upon very advantageous Terms, as we may obſerve from this Record, as well as the *Welſh* Chronicles.

[1] *Id. ib.*

The ſame Year was held a Common Council of the whole Kingdom, (tho' the exact time is not mentioned) as appears by a [2] Charter ſtill upon * Record in the *Tower*, commanding that no Letters Patents containing the Confirmation, Alienation, Sale, or Donation of any thing in perpetuity, ſhould be ſealed with the King's Great Seal, untill he were of full Age; and if any ſuch Charter or Letters Patents were ſo made and ſealed, they were notwithſtanding to be void. This Ordinance is witneſſed by *Guallo* the Pope's Legate, the Archbiſhops of *Canterbury* and *York*, the Earl of *Pembroke* Protector, and *Hubert de Burgh*, with Thirteen Biſhops, Nine great Abbots, Eight other Earls, and Fifteen Barons; which by the way ſhews the Reaſon why it is particularly mention'd in ſeveral Charters made in the beginning of this King's Reign, that by reaſon of his being under Age, and not having a Seal of his own, he had Seal'd with that of the Earl-Mareſchal his Protector, as may appear by the Records laſt cited.

[2] Dr. Bs Ap. N. 146. *P. 3. H. 3. M. 6.

A Common Council of the Kingdom, wherein it is ordain'd, that no Charter ſhall be Seal'd with the K's own Seal till he comes of Age.

[3] About the ſame time alſo the new Pope *Honorius* ſent King *Henry* a very kind and pious Letter, wherein he exhorts him to fear God in his Youth, that he may thereby encreaſe in all Virtue, and that he may eſpecially reverence *Holy Church*, and all its Miniſters; and then concludes with wiſhes for the good Government of his Subjects in Peace and Plenty, but eſpecially that he would keep none but Prudent and Virtuous Men about him; the reſt being only matter of Complement, I omit: This Advice is very Good, and it had been well for this Prince if he had always follow'd it.

[3] *M. P.* p. 301.

The Pope writes the K. a very kind and inſtructive Letter.

[4] This Year *Guallo* the Pope's Legate left *England*, and returned to *Rome* in *Auguſt* or *September*, with a Great Sum of Money; and *Pandulph* Elect of *Norwich* ſucceeded him as Legate, and came to *St. Pauls* in *London* on the *Monday* after the Feaſt of *St. Andrew* next following: Alſo *Stephen* Archbiſhop of *Canterbury* having ſtayed beyond Sea till now, return'd into *England*.

[4] *Matt. Weſt.* *Guallo* the Pope's Legate leaves *Engl.* and returns to *Rome*, and *Pandulph* ſucceeds him.

[5] The

[5] The King kept his *Chriſtmaſs* at *Wincheſter*, where he was provided with all things neceſſary for that Solemnity by the Biſhop of that See; not long after (Peace being now throughly reſtored and eſtabliſhed in *England*) Itinerant Juſtices were ſent through all Counties to revive the antient Laws, and to cauſe the late Charter of King *John* to be ſtrictly obſerved, and then *Hubert de Burgh* was made Juſtitiary of *England*: About the middle of *May* following, *William Mareſchal* Earl of *Pembroke*, deceaſed at *London*, whoſe Body was buried in the Church of the *Knight's-Templars* (now the *Temple* Church) where his Portraiture in a Coat of Mail is ſtill to be ſeen in the middle of the Round. He was a great Commander in War, which was ſufficiently teſtified by his Valour and Conduct in *Ireland* and *Normandy*, but eſpecially in the late Civil Wars in *England*; and that he was alſo as prudent a Councellor in Peace, the late good Succeſs of the King's Affairs, which was chiefly owing to his Conduct, ſufficiently declares; after his Death *Peter* Biſhop of *Wincheſter* was made Protector, and Govern'd with the ſame Moderation for a time.

Anno Dom. MCCXIX

[5] *M.P.* p. 304. *Annal. de Waverly*

Itinerant Juſtices ſent out to revive the ancient Laws, and cauſe K. *John*'s Charter to be obſerv'd.

William Earl-Mareſchal deceaſes, and is buried in the *Temple-Church*.

His Character.

[1] As for the Foreign Affairs, *Europe* affords little, only Prince *Lewis*, Son to the King of *France*, after his Return home (to make the Pope ſome amends for his late Undutifulneſs in *England*) reſolved to undertake a *Holy War* againſt the *Albigenſes* of *Tholouſe*, and ſetting down before the City with a great Army, he beſieged it a long time, but all to no purpoſe, for after divers Aſſaults the *French* Army growing weaker and weaker, as well by Famine as a great Mortality of Men and Horſes, and having alſo loſt *Simon* Earl of *Montfort* their General, by the Blow of a Stone from an Engine, which ſtruck him on the Head, the Prince was at laſt forced to raiſe the Siege, and ſo return home with no great Reputation.

[1] *M.P.* p. 309. *Lewis*, Son to the K. of *Fr.* makes War againſt the *Albigenſes* of *Thouſe*, but returns with Diſhonour.

[2] Nor can I omit giving you ſome account of what was done in the *Cruſado*, or Holy War, agreed upon near two years ſince in the late *Lateran* Council. For *John* King of *Jeruſalem*, and the Duke of *Auſtria*, with a great Multitude of People, having the Year before invaded *Egypt*, and beſieged the Caſtle of *Damiata*, lying in the Mouth of the River *Nile*, they at laſt took it, tho' not without much difficulty; then carrying on the Siege to the City it ſelf (notwithſtanding divers endeavours of the *Saracens* to relieve it) it was taken at laſt in the Month of *November* by Storm, with a vaſt Plunder of Gold, Jewels, and other rich Commodities, which were all divided among the Soldiers; but the *Chriſtians* had but a ſmall time to rejoice for this Victory, as you will hear anon.

[2] *Id.* p. 300. *& dein* A ſhort Account of what was done this Year againſt the *Saracens* in *Egypt*.

I have nothing more to note at preſent concerning this *Holy War*, [3] but that *Saher de Quincie* Earl of *Wincheſter*, *Ranulph* Earl of *Cheſter*, *William* Earl of *Arundel*, and *Robert Fitz-Walter*, with divers other Barons, now took upon them the *Croſs*, and went this Year towards the *Holy-Land*; the firſt of whom died there, and few of the reſt ever return'd again alive.

[3] *Id.* p. 303. Many *Engliſh* Noblemen undertake the *Cruſado*.

Anno Dom. MCCXX.

[4] King *Henry* kept his *Chriſtmaſs* at *Marleburgh*, being ſtill under the Protection of *Peter* Biſhop of *Wincheſter*; and at *Whitſuntide* following (being the Seventeenth of *May*, and the Fifth Year of his Reign) he was again ſolemnly Crown'd at *Weſtminſter*, by *Stephen* Archbiſhop of *Canterbury*, in the preſence of the Clergy and Laiety of the whole Kingdom: This Ceremony was renewed, becauſe the former Coronation at *Glouceſter* was not ſo ſolemnly perform'd as it ought to have been, by reaſon of the turbulency of the Times, as alſo for want of a Crown of Gold. But *Walter* of *Coventry* farther informs us, that the King was now Crown'd with St. *Edward*'s Crown, and that the Coronation-Oath for maintaining the Laws and Liberties of the Church and Kingdom was again adminiſter'd; after this, at the Feaſt of St. *Barnabas*, the King went on Progreſs into the *North*, and met *Alexander* King of *Scots* at *York*, where a Marriage was agreed upon between the ſaid King and *Joane*, Siſter to King *Henry*; and ſo a Firm Peace being eſtabliſhed between them, the King of *Scots* return'd home, but the Marriage was not conſummated till the Year after.

[4] *Id.* p. 309. The K. is again ſolemnly Crown'd at *Weſtminſter*.

And for what Cauſe.

The K. meets *Alexander*, K. of *Scots* at *York*.

[5] Alſo King *Henry* this Year by ſurprize ſeized the Caſtles of *Rockingham* and *Sanney*, againſt the Will of *William* Earl of *Albemarle* who then held them: *Walter* of *Coventry* gives us a particular Account of this Action, to this Effect, That the King (with his Governors) now making his Progreſs about the Kingdom, to ſee who would quietly ſurrender the Caſtles which his Father had committed to their cuſtody, found that through all Places of the Kingdom where he went, he was not denied Entrance into any Caſtle, but that of *Rockingham*, which *William*, the late Earl-Mareſchal, had committed to the Cuſtody of this Earl of *Albemarle*; yet the former had repented his doing it, ſince there aroſe ſuch great Complaints before his Death of the Violence done by thoſe that kept that Caſtle, to all ſorts of Men; wherefore the King laid hold of that Opportunity to remove this Grievance: for ſummoning in the Country to his Aſſiſtance, they preſently join'd with him, hoping now to be delivered from their former Oppreſſions; but when thoſe within the Gariſon ſaw themſelves ſtreighten'd, and being unable to hold out long for want of Proviſions, they quietly ſurrender'd it up to the King's uſe. But this, I ſuppoſe, gave the Earl of *Albemarle* a pretence of falling into a freſh Rebellion, as he did not long afterwards.

[5] *Id.* p. 310. The K. takes the Caſtle of *Rockingham* from the Earl of *Albemarle*; and the Reaſon why.

[1] This Year affords nothing conſiderable in Eccleſiaſtical Affairs, but that *Hugh*, late Biſhop of *Lincoln*, who died in the beginning of King *John*'s Reign, was now Canonized for a Saint by the Pope's Bull, in regard of the many Miracles which are ſaid to be done by him.

[1] *Id.* p 309. *Hugh* Biſhop of *Lincoln* Canonized.

[2] Alſo the Body of *Thomas Becket* late Archbiſhop of *Canterbury*, was tranſlated out of its Stone-Coffin in the Vault, (where it was firſt Interr'd) into a rich Shrine made of Gold, and beſet with Precious Stones, at the Charge of *Stephen Langton* his Succeſſor, the King and *Pandulph* the Pope's Legate being preſent, with almoſt all the Biſhops, Abbots, Priors, Earls, Barons, and Clergy of the Kingdom, as likewiſe a vaſt Multitude of Common People, from *France* and other Foreign Parts.

[2] *Id.* p 310. The Body of *John Becket* tranſlated into a Shrine of Gold.

[3] Some-

[3] Sometime after this, the New Building of the Abbey-Church of *Weſtminſter*, then called the Chapel of St. *Mary*, was began, the King himſelf Laying the First Stone, which has continued ever ſince to our times. *Anno Dom.* MCCXX. [3] *Ib. M. P. Matt. Weſt.*

The Abbey-Church at *Weſtminſter* began to be new Built.

King *Henry* at *Chriſtmaſs* kept his Court at *Oxford*, with the Earls and Barons in great Solemnity; [4] when *William de Forz*, Earl of *Albemarle*, ſeeking to diſturb the Peace of the Kingdom, without the King's knowledge, left the Court, and retired to his Caſtle of *Biham* in *Lincolnſhire*; where after ſome few days, having gather'd together many armed Men, he came in a Hoſtile manner to the Town of *Tenham* and plundered it, and cauſed the Grain of the Chanons of *Bridlington* to be carried into the Caſtle of *Biham*; he likewiſe Plundered the Town of *Deeping*, as alſo ſeveral other Towns in thoſe Parts, and by grievous Torments forced the Inhabitants to redeem themſelves: It was ſaid, That *Faukes de Brent*, *Philip Marc*, *Peter de Maſon*, and *Engelard de Athie*, were the chief Encouragers of this Action; and privately ſent him Men to diſturb the Publick Peace. *Anno Dom.* MCCXXI. [4] *M. P. Ib.*

The Earl of *Albemarle* fortifies himſelf in the Caſtle of *Biham*, and does a great deal of Miſchief in the Countrey adjacent.

Faukes de Brent and others ſuppoſed to have excited him to this Action.

[5] In the mean time, the Great Men of *England* having met the King at *Weſtminſter* to treat of the Affairs of the Kingdom, the Earl of *Albemarle* was ſummoned to appear, and pretending to come, he went privately to the Caſtle of *Fortheringay* in *Northamptonſhire*, which was then held by the Chief Juſtitiary, and having took it, Gariſon'd it with Soldiers, and then return'd to *Biham*-Caſtle, which he new Fortified. But ſo ſoon as the King and Council had heard of this Inſolence, a Great Army was raiſed, and preſently ſent to beſiege the Caſtle; and after ſome time, the Beſieged ſeeing no hopes of Relief or Eſcape, ſubmitted themſelves to the King's Mercy on the Eighth of *February*, who commanded that they ſhould be all kept Priſoners till further Order; at laſt the Earl of *Albemarle* having before eſcaped out of the Caſtle, and withdrawn himſelf ſomewhere elſe, (being now ſenſible of his Folly) was introduced to the King's Preſence by the Archbiſhop of *York*, and at the Interceſſion of *Pandulf* the Legate, the King was reconciled to him, becauſe he had formerly been faithful both to the King his Father and Himſelf; then all the Knights, and other Horſemen or Servants were ſet at Liberty, which afterwards gave Encouragement to others to Rebel, and ſo expect the ſame favour. [5] *Id. ib.*

The E. of *Albemarl* is ſummon'd to appear before the K. but inſtead of that, he ſeizes *Fotheringay*-Caſtle.

The K. raiſes an Army, and beſieges *Biham*-Caſtle, which is ſurrender'd to Mercy.

The E. of *Albemarle* ſubmits himſelf, and is reconciled to the K.

Walter of *Coventry* is ſomewhat more Particular in the Relation of this Rebellion, and ſays, that the Earl had the Confidence upon his Fortifying theſe Caſtles, to ſend his Letters of Safe-Conduct to the Mayors of moſt of the Cities of *England*, whereby he gave them notice, that all Merchants and Tradeſmen might have free Liberty of paſſing by his Caſtles, and of Buying and Selling at them; but GOD diſappointed his Deſign, for the Legate immediately *Excommunicated* the Earl and all his Accomplices, which caſt ſuch a Terror, that none of the Diſcontented Nobility durſt join with him; and thereupon the Earl of *Cheſter*, and other Noblemen, did all they could to mediate a Reconciliation between the King and the Earl, tho' in vain; yet ſeeing himſelf like to be Beſieged, he quitted *Biham-*

Walter of *Coventry*'s more particular Account of this Affair.

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ham-Caſtle, and fled into the *North*, where he lay private, till his Peace was made with the King; as is already related.

[1] *M. P.* p. 312. The Prince of *Wales* beſieges the Caſtle of *Buelt*; but raiſes the Siege upon the K's approach. The Great Men grant the K. a Scutage of two Marks every Knight's Fee.

[1] The ſame Year about the Eighth of *September*, *Llewellyn* King of *Wales* with a great Army beſieged the Caſtle of *Buelt*, which belonged to *Reginald de Braouſe*, who ſent to the King, earneſtly craving his Aſſiſtance; and he having got together an Army marched immediately thither, but the *Welſh* raiſed the Siege, and fled at his Approach; then he went onwards towards *Montgomery*, where after he had plundered the *Welſh* and got Forage for his Army, he built *Montgomery*-Caſtle to hinder their Incurſions; for which Expedition the Great Men of the Kingdom granted him a *Scutage* of Two Marks of Silver out of every Knight's-Fee.

[2] *Ib.* p. 313. *Joane* the K's Siſter is married to the K. of *Scots*.

[2] Some time after, *Joane* the King's Siſter was married to *Alexander* King of *Scots*, as it had been lately agreed on at *York*, and not long after *Hubert de Burgh*, Juſticiary of *England*, married the King of *Scot*'s Siſter, by the conſent of both Kings, and the Advice of each Kingdom, as the Chronicle of *Mailroſs* obſerves.

[3] *M. P. Ib. William* Biſhop of *London* reſigns his Biſhoprick, and *Euſtace de Faukenbrege* ſucceeds him.

[3] This Year affords very few Eccleſiaſtical Affairs, only *William* Biſhop of *London* reſigning his Biſhoprick, *Euſtace de Faukenbrege*, Treaſurer of the Exchequer, was choſen Biſhop of that See, on the Twenty Seventh of *April*. I take notice of this, to let the Reader obſerve, That all the Great Offices of the King's Revenue were now executed by Churchmen.

[4] *Id. Ib.* p. 313. *M. W.* *Pandulph* the Legate reſigns his Legatine Power.

[4] Alſo *Pandulph* the Legate (his Legatine Commiſſion now expiring) laid down the Enſigns of his Power at *Weſtminſter*, having been firſt Elected Biſhop of *Norwich* at the Pope's Recommendation: Thus the Pope had learned how to reward his Favourites with Fat *Engliſh* Biſhopricks, without any Expence to himſelf.

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[5] *Id. Ib.* A Council held at *London* to compoſe the Differences between *Hubert de Burgh* and the Earl of *Cheſter*.

[5] This Year the King kept his *Chriſtmaſs* at *Wincheſter*, where *Peter* Biſhop of that City entertain'd him during that Feſtival. Immediately after the Octaves of *Epiphany*, (as *Walter* of *Coventry* informs us) *Stephen* Archbiſhop of *Canterbury* ſummon'd moſt of the Biſhops and Great Men of *England* to a Council at *London*, to compoſe ſome Differences between *Hubert de Burgh* the King's Juſticiary, and *William* Earl of *Salisbury* on the one Part, and *Ranulph* Earl of *Cheſter* on the other; for it was much ſuſpected, that ſome Foreigners who loved Civil Diſſentions more than Peace, endeavoured to perſuade the Earls laſt mentioned to diſturb it: Wherefore the Archbiſhop pitying the King's tender Years, and Inexperience, with the Conſent of his Suffragan Biſhops threatned to *Excommunicate* all thoſe that ſhould offer to break the Peace of the Kingdom; ſo that by his Mediation both Parties were reconciled. I take notice of this, becauſe it ſhews the great Power of the Archbiſhop of *Canterbury* at that time, who not only took upon him to ſummon the Biſhops, but the Temporal Lords likewiſe to a Council.

[1] *M. P.* p. 315. A notorious Riot happen'd at *London* on a ſlight Occaſion.

[1] This Summer a Notorious *Riot* happen'd in the City of *London*, upon a very ſlight Occaſion; a great Wreſtling Match was appointed between the Citizens and the Country-People near adjoining, on St. *James*'s Day, wherein the Citizens were Conquerors, which was much ſtomached by the Steward of the Abbot of *Weſtminſter*; he therefore appoints another Meeting at *Weſtminſter* on the

the First of *August* following, where they that got the Better were to have a *Ram* for their Prize, to which the Citizens flocked in great numbers; but soon found they had somewhat else besides Naked Men to contend with, for the Steward and his Assistants being armed, came upon them unawares, wounded many, and put the rest to flight. *Anno Dom.* MCCXXII.

[2] Upon this the Citizens returned into the City meditating a Revenge, and met in great Numbers; *Serlo*, the Mayor, hearing of these Tumultuous Proceedings, came to them, and advised them to make their Complaint of the Injury they had received to the Abbot of *Westminster*, and if he would punish the Offenders, to take that for sufficient Satisfaction; but one *Constantine*, Sirnam'd *Fitz-Arnulf*, a Popular Citizen, opposed this Method, telling them, the Abbot and his Steward deserved to have their Houses pulled down, and levelled with the Ground; this Council was approved of, and endeavoured to be executed by the Rabble, many Houses being pull'd down, which I take the more notice of, because Dr. *Brady* in his History (misunderstanding this Passage in our Author) writes, as if the Dwelling-House of the Abbot of *Westminster*, had been destroy'd; whereas our Author (as also *Matt. Westminster*) only says, *they did the Abbot great damage* in destroying some of his Houses, or Tenements.

[2] *Id. Ib.* The Mayor strives to quiet the Tumult, but is opposed by one *Constantine* a Citizen.

But since the Doctor here omits something I think very material, I shall add what our Author farther relates of this Story, *viz.* That this *Constantine* as he led the *Mob*, cryed with a loud Voice, *Mount-joy, Mount-joy, God help us, and our Lord* Lewis; which Trayterous Speech very much exasperated the King's Officers, and provoked them to a more severe Punishment of this Offence: For when *Hubert de Burgh* the Justitiary had notice of these Riotous Proceedings, he came to the *Tower* with some Troops of Soldiers, and Commanded the Principal Citizens immediately there to appear before him, and inquired who were the Authors of this Sedition, and who they were that durst presume to break the King's Peace; *Constantine* answered, *They had done no less than they ought, and that they would stand by it*; it seems he trusted too much to the Oath which had been mutually sworn by King *Henry* and Prince *Lewis*, that the Partakers on both sides should be indemnified; but when the Justitiary had heard this insolent Speech of his, he dismissed all the rest besides *Constantine* and his Nephew, and one *Geoffrey*, that join'd in *Constantine*'s Proclamation, and these Three he order'd to be hang'd the next Morning; then *Faukes de Brent* with a strong Guard carried them by Water to the Place of Execution; but when the Rope was about *Constantine*'s Neck, he offer'd Fifteen Thousand Marks of Silver for his Pardon, (for it seems he was very rich) tho' it was to no purpose, the Execution being perform'd without any Noise, or knowledge of the Citizens.

[3] *Id. Ib.* *Constantine* makes a Trayterous Proclamation to stir up the Mob.

Hugh de Burgh goes into the *Tower*, and there enquires into the late Riot.

* *Reg. Wen. MS in Bib. Cotton.*

Constantine justifying what he had done is ordered to be Hang'd, together with *Geoffrey* his Nephew, and another Person.

Constantine at his Execution offers 15000 Marks for a Pardon.

Then the Justitiary and *Faukes* (above-mentioned) with a strong Guard of armed Men went into the City, and whomsoever they found guilty of the late Sedition were clapp'd up in Prison, some of them having either their Hands or Feet cut off, were let go; wherefore many being afraid of the like Punishments, fled out of the City, and never return'd thither any more: Yet the King was not satisfied with all this, but to be revenged upon the Citizens, he turn'd

[4] *Id. ib.* Many others are clapt up in Prison, and lose their Hands, or Feet

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turn'd out all the Magiſtrates, and put in new ones; *Matt. Weſtminſter* adds, that this over great Severity, and ſudden Execution of ſo many conſiderable Perſons without due form of Law, (though they really deſerved the Puniſhment inflicted on them) render'd the Juſticiary and *Faukes* juſtly odious to the Citizens ever after.

[5] *Id. ib.* This Execution is afterwards alledged by King *Lewis* as a Pretence, why he would not obſerve the Oath he had made to K. *Henry*.

Nor can I omit, what [5] *Matt. Paris* further inſerts in this Relation, that *Lewis*, when afterwards King of *France*, made the Execution of theſe Traytors a Pretence, why he would not obſerve his Oath to reſtore to King *Henry* his Rights in *France*, alledging, That by the Articles of Peace, the Partakers of *Lewis* (among whom he would have had this *Conſtantine* and his Accomplices included) were to be indemnified, which was a very frivolous Pretence, ſince that Indemnity was intended only to include thoſe who had then taken up Arms againſt King *Henry*, not whoſoever ſhould Rebel againſt him, or raiſe Sedition for the future.

The K. makes Thirty Perſons to become bound for the good Behaviour of the City of *London*.

Immediately after this Riot, and Execution of theſe Incendiaries, the King named Thirty Perſons to be Security or Pledges for the Good Behaviour, Peace, and Faithful Service of the City of *London*, the Community (or Body-Corporate) whereof bound themſelves to the King by Charter, Sealed with their Common Seal, to deliver up thoſe Sureties to the King or Juſticiary, whenever they were called for; and if any of them died, to add others in their ſtead; ſo Arbitrary was the King's Power over the City of *London* in thoſe times. This is mention'd by no Hiſtorian, but the Recognizance is found upon *Record in the *Tower*, and is printed at large in the †Doctor's *Appendix*.

**Rot. Pat. 7. H. 3. M. 5.*
† No. 147.

[1] *M P. Ib.* A Synod held at *Oxford*, and what was done there.

[1] As for Eccleſiaſtical Matters, *Stephen*, Archbiſhop of *Canterbury*, held this Year a General Synod of the Clergy at *Oxford*, in which many things were decreed for the Reformation of the *Engliſh* Church and Monaſtick Diſcipline, which being wholly Eccleſiaſtical, I refer the Reader to Sir *Henry Spelman*'s Second Volume of Councils.

[2] *Id. ib.* Two Impoſtors condemn'd to be immur'd between four Walls.

[2] At this Synod a Man was ſeized and conven'd before them, who had made upon his Body certain Marks or Wounds like thoſe of *Jeſus Chriſt*, whom he alſo pretended to be; This wicked Impoſtor, being brought before the Biſhops aſſembled in this Council at *Oxford*, (according to *Matt. Weſtminſter*, or as *Matt. Paris* ſays, tho' not ſo likely, at *Canterbury*) was by them condemn'd to be immur'd till Death between four Walls; as was alſo a Woman who called her ſelf *Mary* his Mother.

[3] *Id.* p. 313. An Account of the Defeat of the Chriſtian Army in *Egypt*.

If we look into Foreign Parts, we find [3] from a Letter which *Philip de Albiney* (being then in the *Holy-Land*) wrote this Year to *Ranulph* Earl of *Cheſter*, who was now return'd from thence, that after the taking of the City of *Damiata*, the Chriſtian Army, under the King of *Jeruſalem* and Duke of *Auſtria*, would needs go from thence to find out the Sultan of *Babylon*, who lay Encamped a Day's march up the River *Nile*, which there divided it ſelf into two Branches, (and was then upon its Increaſe) whereupon the Sultan opening a Chanel that join'd the two Rivers, let the Waters in upon them, inſomuch that they ſtood up above the Knees, whereby their Proviſions were all ſpoiled; and this reducing them to almoſt a ſtarving Condition, the Chriſtian Princes were forced to make a Truce with the Sultan for Eight Years, and to ſet at Liberty all the Slaves

Slaves they had taken; and all the Advantage they received by it, was, that the *Sarazens* were likewiſe to ſet free their *Chriſtian* Slaves, and to deliver up that which was ſuppoſed to be part of the True Croſs, into the hands of the *Chriſtians*; as does further appear by [4] another Letter from *P. de Mountacute*, Maſter of the *Templars*, to the Prior of the ſame Order in *England*. *Anno Dom.* MCCXXII. [4] *Id.* p. 312.

[5] This Year the King kept his *Chriſtmaſs* at *Oxford*, and on the Thirteenth of *January* met his Barons in a Council or *Parliament at *London*; where the Archbiſhop of *Canterbury* and other Great Men requeſted, That he would be pleaſed to confirm the Liberties and Free Cuſtoms, for which the War was begun with his Father; urging moreover, that when Prince *Lewis* departed from *England*, both He and all the Nobility of the Kingdom had ſworn to obſerve, and cauſe to be obſerved all thoſe Liberties, and therefore the King could not in Reaſon and Juſtice refuſe to do it; whereupon *William Briwere*, one of the King's Councellors, replied, *That the Liberties they deſired were violently extorted, and therefore ought not to be obſerved*; but the Archbiſhop being much provoked at this reproved him, ſaying, *If he loved the King, he would not hinder the Peace of the Kingdom:* The King ſeeing the Archbiſhop ſo moved, aſſured him, that he had bound himſelf by Oath to preſerve their Liberties, and what he had ſworn to ſhould be obſerved; and having called his Council, he forthwith ſent his Letters to all the Sheriffs of the Kingdom, to make Enquiry by the Oath of Twelve Knights, or Legal Men in every County, what were the Liberties of *England*, in the time of King *Henry* his Grandfather, and to ſend a return thereof to *London* Fifteen Days after *Eaſter*; So that if the King had been as Obſtinate and Unadviſed as his Father, this Man's Advice might have produced another Civil War; but ſo long as he hearkned to the Council of this Archbiſhop, all things went well with him: yet when he began to give Ear to ſtrangers, (as he did ſome years after) nothing followed but perpetual Quarrels, which at laſt produced Civil Wars and Confuſion, as you will hear in due time. *Anno Dom.* MCCXXIII. [5] *Id. Ib.* *Colloquium. A Council, or Parliament, where the Great Men demand a Confirmation of the Liberties granted by the King's Father. The K. conſents to do it, notwithſtanding the Oppoſition of *William Briwere*, and thereupon iſſues his Writs to all the Sheriffs of *England*, to inquire and certifie what they were.

Yet the Contents of the Writ it ſelf (which directs this Inquiſition) do in ſome things differ from this Report of *Matt. Paris*; for according to this Writ, the Sheriffs were commanded to make Enquiry by the Oath of Twelve of the moſt Legal and Diſcreet Knights of their Counties, in a full County-Court, what Cuſtoms and Liberties King *John* his Father had granted the day in which the War began between him and his Barons, concerning Lands and other Things, within Burghs and without, and to cauſe them to be proclaimed, and obſerved in their Counties; and ordered this Inquiſition and Writ to be return'd to the King at *Weſtminſter*, on the Morrow of the cloſe of *Eaſter*; which Writ is ſtill upon *Record in the Tower. The Writ ſtill extant upon Record gives light to, and confirms the Hiſtory, though it d fer ſomewh from it. *Rot. Clauſ. 7 H. 3. M. 14. Dorſ.

This Year alſo (as *Walter* of *Coventry* informs us) there was a *Poll-Tax* granted in a Common-Council of the whole Kingdom, for the Succours of the *Holy-Land*; for every Earl Three Marks, for every Baron One Mark, for every Knight Twelve Pence, and from all that had Houſes One Penny. I take the more notice of this, *Vid. Dr. B's App nd. N. 149. The Common Council grant a General Tax for the Relief of the *Holy-Land*.

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this, becauſe it is mention'd in no other Author; but whether this Council were the ſame in which there happen'd that Diſpute about the Confirmation of the Great Charter, I ſhall not determine; though it ſeems more likely to be another more General, and to which the Commons were likewiſe ſummon'd, as appears by thoſe who gave this Benevolence, being all ſorts and degrees of Perſons in *England*.

[1] *M.P.* p. 317. *Llewellyn* Pr. of *Wales* takes the Caſtles of the Earl-Mareſchal, and uſes great Cruelty to the *Engliſh*.

[1] Sometime after, whilſt *William Mareſchal* Earl of *Pembroke*, (Eldeſt Son of the former, deceaſed) was taken up in making War in *Ireland*, and ſubduing *Hugh de Lacy* and others to the King's Obedience, *Llewellyn* Prince of *Wales* laying hold of this Opportunity, took two of his Caſtles, and cutting off the Heads of all the *Engliſh* put *Welſhmen* into their Places: The Mareſchal having notice of what was done, return'd with great ſpeed into *England*, and forthwith Beſieged thoſe Caſtles, and retook them, and ſerved the *Welſh* in the ſame manner as had been done to the *Engliſh* before, and then marched into *Llewellyn*'s Country, waſting all with Fire and Sword; and totally defeated the *Welſh*, by killing and taking Priſoners about Nine Thouſand, except a few who made their eſcape by flight.

The Mareſchal returns out of *Ireland*, retakes his Caſtles, and revenges the Injuries done by *Llewellyn*.

The *Welſh* Chronicles give a different Account of this War.

But the *Welſh* Chronicle (put forth by Dr. *Powel*) relates this Expedition far otherwiſe, and makes it to have ended much to the advantage of the Prince of *Wales*; for he ſays, That *William* Earl Mareſchal coming from *Ireland*, landed at *St. David*'s with a great Army, and preſently laid Siege to the Caſtles of *Abertivie* and *Caerdigan*, and took them without any Reſiſtance, and from thence marching to *Caermarden*, likewiſe took that; which when Prince *Llewellyn* heard, he was much diſpleaſed at it, and ſent *Griffyth* his Son to put a Stop to the Earl's Succeſs; ſo he paſſing the River *Tivie* at *Caermarden*, was met there by *Griffyth*, who gave him Battel; but this proved very doubtful, for it laſted till Night, and then both Parties retreating, left the River between them; and after they had layn ſo for ſome time, *Griffyth* was fain to return home for want of Proviſions his Army conſiſting of near Nine thouſand Foot; Upon this the Earl went to *Kilgarren*, and there began to build a ſtrong Caſtle; preſently after which, receiving Letters from the King to come to ſpeak with him, he went away by Sea, and left his Army to finiſh the Work he had begun.

Then the King and the Archbiſhop of *Canterbury* being at *Ludlow*, ſent for the Prince of *Wales*, and would fain have brought him and the Earl to a Reconciliation, but that could not be effected, and ſo they parted; but when the Earl would have paſſed to *Pembroke* by Land with the Forces of the Earl of *Derby*, and *Henry Pygot*, Lord of *Ewyas*, the Prince ſent his Son to keep the Paſſage at *Carmwylhion*, and he himſelf came as far as *Mabedryd*.

The Earl Underſtanding this, return'd back to *England*, and the Prince went into *North-Wales*: But I could have wiſhed that ſome of theſe Authors would have told us the Reaſon of Prince *Llewellyn*'s beginning this War, which appears to have been done without any, or but very ſmall Provocation.

But

But it ſeems, for all this relation of the *Welſh-Chronicle*, this Prince was ſometime after ſenſible of the Injury he had done the King, and ſo at length prevail'd to be reconciled to him, as appears by his Charter ſtill upon * Record in the *Tower*, and is cited by Dr. *Brady*, to this Effect, *viz.* That he had ſworn to give ſatisfaction to his Lord *Henry* King of *England*, and his People, within a reaſonable Time, to be prefixed by the Archbiſhop of *Canterbury*, for the Damage done them by his People, from the Day of the taking of the Caſtle of *Kynardeſly* unto the Day of his Abſolution; That is to ſay, *Saturday* the Seventeenth of *October*, in the Seventh Year of King *Henry*'s Reign; and for the Performance hereof there were bound with him *Mareduc* the Son of *Robert*, and ſeveral others; with which Record agrees *Walter Hemingford*'s Chronicle, which ſays, that this Prince *Llewellyn* finding himſelf too weak to maintain a War againſt King *Henry*, now deſired Peace, and it was granted him upon condition, that the Great Men of his Dominion ſhould do the King Homage, and that he ſhould quit his Right for ever in thoſe Caſtles with their Appurtenances which *William* the Earl-Mareſchal had lately taken from him; and alſo he obliged himſelf to make ſatisfaction for the Damage he had done the King's Subjects, and that for the Performance of theſe Articles he gave Hoſtages of the moſt Noble Perſons in his Country.

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The *Welſh* Pr. not long after concludes a Peace with K. *Henry*, and on what Terms.

* *Rot. Pat.* 7 H. 3 M. 2. *Dorſ. Cor.*

* P. 532.

[2] This Year about the Feaſt of St. *Peter ad Vincula*, deceaſed *Philip* II. King of *France*, of a Feaveriſh Diſtemper, after a long Reign of Forty four Years. He was a Prince of great Prudence, Courage and Conduct, and was an equal Match in all thoſe reſpects with *Henry* and *Richard*, late Kings of *England*; and as much Superior to King *John* and his Son the preſent King *Henry*, as a Man perfect in Military and Civil Affairs could be, to the Former that was abſolutely devoted to his own Will and Pleaſure, and to the Other, as he was deſtitute of Prudence, Courage and Power: Therefore it is no great wonder if he extended his Territories farther than any of his Succeſſors were able to do for a long time after.

[2] *M.P.* p. 317. The Death of *Philip* King of *France*: His Character.

For though I grant that divers of them have carried their Conqueſts as far as *Italy*, *Germany*, and the *Low-Countreys*, yet they have for the greateſt part of them proved meer Temporary Acquiſitions, either recovered by Force, or elſe reſtored upon Treaties, to their right Owners, after long and expenſive Wars.

And though the *French* Writers do give this Prince the title of *Auguſtus*, yet it is evident that when the *Lyon*'s Skin alone would not ſerve turn, he knew how to make it out with that of the *Fox*, doing more by Subtilty, Breach of Faith, and taking all manner of Advantages, than by down right Force and Power; which methods of Grandeur have been alſo follow'd by ſome of his Succeſſors, for the truth of which the Reader may conſult the Hiſtories of Antient as well as Modern Times. But to return again to the Subject we were treating of.

[3] *Id. Ib.* The K. ſends to *Lewis* the New King of *France*, to demand Reſtitution of his Dominions there, but receives no ſatisfactory Anſwer.

[3] When the King had notice of *Philip*'s Death, he ſent the Archbiſhop of *Canterbury*, with Three other Biſhops to *Lewis* his Son, to demand the Reſtitution of *Normandy*, with all other his tranſmarine Dominions, according to his Oath when he left *England*; To this the *French* King anſwered, That he was juſtly poſ-

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ſeſſed of *Normandy* and thoſe other Dominions and Territories, and was ready to make it appear in his own Court, if the King of *England* would come thither, and ſtand to the Law; adding, That the King of *England* had alſo violated his Oath in putting thoſe of his Party whom he had taken at *Lincoln* to a grievous Ranſom; and likewiſe that thoſe Liberties, for which the War was begun, and which were granted and ſworn to at his departure, were not obſerved: Upon this, the Archbiſhops and Biſhops perceiving they could obtain no other anſwer, return'd into *England*, and gave the King an account of it.

Rad. de Cog. gives ſomewhat a different Account of this Tranſaction.

But *Rad. de Coggeſhal* gives us ſomewhat a different Account of this Tranſaction; as that upon this Ambaſſy, the King of *France* deſired time to give his Anſwer to theſe demands, till Eight days after the Feaſt of *All Saints*; and then at the time appointed, the King ſent two other Biſhops, (*viz. Pandulph*, the late Legate and now Biſhop of *Norwich*, and the Biſhop of *Ely*,) to receive his final Anſwer; but when they came into King *Lewis*'s Preſence, and renewed their Demands, he ſeemed very much diſpleaſed, and alledged, That King *John*, the Father of *Henry*, had been deprived of all his Dominions in *France* for many juſt Cauſes, by the Sentence of all the Peers and Barons of that Kingdom; and alſo added divers Threats againſt King *Henry* himſelf, if he offer'd to perſiſt in thoſe Demands Which of theſe Two anſwers is neareſt to Truth, I ſhall not diſpute; only it plainly ſhews, that no Oath, though never ſo ſolemnly taken, (particularly when it concerns ſomewhat to be done in a time that ſeems remote) is able to bind Princes to act contrary to their preſent Intereſts, eſpecially when the General Good of their Kingdom is alſo concerned, as it was in this Caſe.

[4] *M. P.* p. 318. Many of the Great Men are highly diſpleaſed with *Hubert de Burgh* the Juſtitiary, and on what Grounds.

[4] This Year many of the Great Men of *England* made mighty Complaints againſt *Hubert de Burgh* the Juſtitiary, alledging, That he exaſperated the King againſt them, and did not duly adminiſter Juſtice; but that which more eſpecially provoked them, was, that thoſe Meſſengers he had ſent to *Rome*, were return'd with a Bull from the Pope, directed to the Archbiſhops of *England*, and their Suffragans, declaring the King to be of full Age, and that all the Affairs of the Kingdom ſhould be managed by Him and his Council; the Bull it ſelf was to this Effect, 'That by the 'Pope's Apoſtolick Authority, they ſhould declare to the Earls, Ba'rons, Knights, and all Others who had the Cuſtody of the King's 'Caſtles, Honours and Towns, that upon ſight of thoſe Letters they 'forthwith ſhould ſurrender them to the King; and whoever refuſed, 'they ſhould compel them by Eccleſiaſtical Cenſures. But notwithſtanding this Bull, the greateſt Part of the Earls and Barons (although admoniſhed by the Biſhops) did not render up their ſeveral Truſts, but conſpired together to put themſelves in Arms, to diſturb the Peace of the Nation, rather than give the King ſatisfaction in the Premiſſes.

Some other Cauſes of the Great Mens Diſpleaſure againſt the Juſtitiary, but chiefly becauſe he had over-reach'd them.

The Abbot of *Coggeſhal* agrees with this for the moſt part, bnt adds further, That *Hubert de Burgh* the Juſtitiary, preſuming too much upon the King's Favour, carried himſelf very ſeverely in his Acts and Judgments toward the other Noblemen of the Kingdom, who being

ing thereupon extremely incenſed againſt him, did all they could to prevail with the King to remove him from his Place; Whereupon to give them ſome ſatisfaction, he took a Politick Courſe, and preſently demanded of his Juſtitiary the Cuſtody of thoſe Caſtles which he had received from him, ſuch as were that of *Dover* and the *Tower* of *London*, yet on this Condition, that the reſt of the Barons and Conſtables of Caſtles, ſhould in like manner deliver up the Cuſtody of their Caſtles into his Hands; which being ſurrender'd by moſt of them, the King reſtored to *Hubert de Burgh* all his ſaid Governments, but left the others deprived of theirs: This cauſed ſuch great Heart-burnings in the Barons againſt Him, that moſt of them forthwith withdrew themſelves from Court; which if it were true, though this Undutifulneſs of the Barons is no ways to be juſtified, yet certainly the King contributed very much toward it, by dealing thus Artificially and Partially with them: But this Method produced the like Effects, as ſuch ſeeming wiſe Councils commonly do, to compoſe things for the preſent, and afterwards make them ten times worſe. This Year does not produce any thing elſe conſiderable in *England*, only that *John de Brenne*, the Titular King of *Jeruſalem*, having had ill ſucceſs in *Egypt*, as you have already heard, came into *England*, to implore the King's aſſiſtance to recover his Territories in the *Holy-Land*.

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[5] The next Year the King kept his *Chriſtmaſs* at *Northampton* together with the Archbiſhop of *Canterbury* and his Suffragans, and a great number of Military Men; but the Earl of *Cheſter* with his Faction kept that Feaſt at *Leiceſter*, ſwelling againſt, and threatning both the King and the Juſtitiary, becauſe he was commanded to deliver up the Caſtles and Lands he held in his Cuſtody: Whereupon the day following, the Archbiſhop and his Suffragans *Excommunicated* in general Terms all Diſturbers of the King and Kingdom, and Invaders of the Church, or its Rights, and then gave notice to the Earl of *Cheſter* and his Accomplices, that unleſs the next Day they reſigned into the King's Hands all the Caſtles and Honours, that belonged to the Crown, they ſhould all be *Excommunicated* by Name, as the Pope had commanded: Then the Earl, and thoſe that were with him, fearing the King's Power, and dreading the Church's Cenſures, came to *Northampton*, ſubmitted themſelves, and render'd the Caſtles and Honours that were in their Cuſtody into the King's Hands; However theſe Barons Indignation was not appeaſed, becauſe the Juſtitiary continued ſtill in his Office.

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[5] *M.P.* p. 319. The Earl of *Cheſter* and divers of his Faction going about to diſturb the publick Peace, the Biſhops threaten to *Excommunicate* him with all his Adherents.

Of which Sentence they being afraid, ſubmit themſelves, and ſurrender their Caſtles.

The chief Authors of this Diſturbance were the Earls of *Cheſter* and *Albemarle*, *John* Conſtable of *Cheſter*, *Faukes de Brent* with his Caſtellans, *Robert de Vipont*, and ſeveral other Barons, who, being unwilling to reſign what they had unjuſtly acquired, endeavour'd to diſturb the Peace of the Kingdom.

[1] *Lewis* King of *France* being encouraged by theſe Domeſtick Diſſentions, declared War againſt King *Henry* on this Pretence, (as [2] the *French* Hiſtorians relate) That whereas *Aquitain* was held of the Crown of *France* by Homage, *Henry* of *England* being not hinder'd by Sickneſs, nor other neceſſary Occaſions, had neither appeared at K. *Lewis*'s Coronation, nor excuſed himſelf

[1] *M.P.* p. 320. The *French* K. makes War upon K. *Henry*.

[2] *Paul. Æmil. in Lud.* 8.

by

Anno Dom. MCCXXIV. by his Ambaſſadors, as he ought in Duty to have done; yet this was but a Pretence to pick a Quarrel, for he made no ſuch Demand when King *Henry*'s Ambaſſadors were lately with him: But finding indeed that he had him now at an Advantage, he refuſed to reſtore what his Father had unjuſtly Conquered, and raiſing a vaſt Army Invaded *Xantoigne*, and Beſieged *Rochel*, offering the Citizens a great Sum of Money to ſurrender the Town, and ſwear Allegiance to him; the *Rochellers* ſeeing themſelves forſaken by the King of *England*, conſented to it, and delivered it up to the *French* King, who placing a Gariſon therein, return'd home without ſhedding one drop of Blood. Thus was that brave City, the Key of that Part of *Poictou*, loſt, for want of a ſufficient and ſpeedy Relief: Yet ſome of our own (as well as the [3] *French*) Hiſtorians alſo relate, that *Savary de Maleon* defended it very gallantly for a long time, and the latter alſo tell us, (what it ſeems ours do not) that he finding himſelf deluded by the Miniſters of the King of *England*, (who inſtead of Money to pay the Gariſon, ſent him a Barrel full of *Old Iron*) was obliged to ſurrender the Town on the Twenty Eighth of *July*, and that afterwards he was like to be queſtion'd, as if he had delivered it by Treachery; but not being willing to anſwer this Accuſation in *England*, where he had ſo many Enemies, he quitted King *Henry*'s Service, and went over to the King of *France*, which is alſo confirm'd by ſome of our own Hiſtorians.

And takes Rochel.

[3] Vid *Hiſt. Anon. Regis Lud. Franc.* Vol. 4. p. 399.

[4] *M. P. ib.* *Colloquium.* A Parliament at *Northampton*, where the K. taking advice to recover his loſt Dominions is diſturbed by the Rebellion of *Faukes de Brent*; with the Occaſion of it.

[4] Then on the *Octaves*, that is, Eight days after *Trinity*, the King at a Council or *Parliament at *Northampton*, met the Archbiſhops, Biſhops, Earls, Barons, and many others, to treat about the Affairs of the Kingdom, as alſo to take the Advice of his Great Men concerning his Dominions beyond Sea, which the King of *France* had ſeized on, but the following Rebellious practice broke thoſe Meaſures; for at that time *Martin de Patteſhulle*, *Thomas de Muleton*, and *Henry de Braibrock* the King's Juſtices Itinerant, ſitting at *Dunſtable* upon Pleas of *Novel-Diſſeiſin*, no leſs than Thirty Verdicts were found againſt *Faukes de Brent*, in Tryals for Lands unjuſtly taken from their Owners, for which Violences he was Fined an Hundred Pounds to the King; which when *Faukes* was informed of he was ſo much Incenſed at it, that immediately he Fortified his Caſtle at *Bedford*, and from thence ſent out his Brother with ſome Armed Men to take the Juſtices, and bring them thither Priſoners; but they having notice of his Deſign, two of them made their Eſcape, only *Henry de Braibrock* was taken in his Flight, and being cruelly handled was kept Priſoner in the ſaid Caſtle, till it was taken. *Matt.* of *Weſtminſter* farther relates, That *Faukes de Brent* was then in ſecret Confederacy with the King of *France*, and raiſed this Diſturbance on purpoſe to hinder King *Henry*'s intended Expedition thither; but this is not likely, ſince that King was ſo far from rewarding him for this Action, that he clapt him up in Priſon, ſo ſoon as he came over, as you will find anon.

[5] *Id. Ib.* The K. and his great Council reſolve to reduce the Caſtle by Force.

[5] But this is certain, That the King and his great Council, being highly Diſpleaſed at this Inſolence and Violence done to his Juſtitiary, unanimouſly reſolved to lay aſide all other Buſineſs, and by force of Arms to reduce the Caſtle; but firſt the King's Meſſengers ſummoned them within to ſurrender it, and were anſwered by

William

William de Brent, (*Faukes* his Brother, *That they did not look upon themſelves obliged to deliver it, unleſs they were Commanded by their Lord ſo to do, becauſe they were not bound by Homage and Fealty to the King*: This Sawcy Anſwer ſo highly exaſperated him, that he ordered the Caſtle to be immediately Beſieged, and threatned (if it was taken by Storm) not to ſpare one Man; whereupon the Archbiſhop and Biſhops *Excommunicated Faukes* and all that were Gariſon'd with him in the Caſtle; but neither the King's Threats, nor the Eccleſiaſtical Cenſures, could for a good while prevail with them to yield: But at laſt after many Attacks and Batteries with Warlike Engines uſed againſt it, and the loſs of a great many Mens Lives on both ſides, the Caſtle was ſurrender'd to diſcretion, after Nine Weeks Siege.

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The beſieged refuſing to deliver it are *Excommunicated*.

The Caſtle is ſurrender'd after nine Weeks Siege, and *Henry de Braibrock* is ſet free.

[1] Upon this *Henry de Braibrock*, who was all this time kept a Priſoner in the Caſtle, was ſet at Liberty; but thoſe that were taken Priſoners, being Four and Twenty in all, both Knights and Eſquires, were hanged for their Rebellion in holding out ſo long, of whom *William de Brent* the Brother of *Faukes* was Chief: and then the King cauſed the Caſtle to be razed to the Ground, ſo that of all that Strong and Noble Structure, no ſign except the Mount remains at this Day; but the Scite and Lands about it were reſtored to *William de Beauchamp*, who lay'd claim to it: As for *Faukes*'s Wife, the Lady *Margaret Rivers*, ſhe together with her young Son *Thomas* having no ways conſented to his Crime, was committed to the Cuſtody of the Earl of *Warren*.

[1] *Id. ib.*

William de Brent, and ſeveral other Perſons of Quality are Executed.

[2] There happen'd nothing elſe worth noting during this Siege; but that at this Great Council held at *Bedford*, the King had granted him for his late great Labour and Expences, as well from the Prelates, as Lay-men, throughout *England*, a *Carucage* of Two Shillings on each Plough-Land, and then the King granted to the Great Men to take *Scutage*, (*viz.*) from every * Knight's-Fee held of them Two Marks; and ſo they all return'd home well enough content.

[2] *Id.* p. 322.

The K. has a Scutage granted him by the Great Council for late Expences.

* *Scuto.*

But *Walter* of *Coventry*, who is more exact in his Account of this Tax, in Relation to the Clergy, tells us, That *Stephen* Archbiſhop of *Canterbury*, and his Suffragans, with all the Abbots, that then appeared, granted out of each Plough-Land of the Biſhops and Abbots that held by Barony, as alſo of their *Tenants, half a Mark; and of each Plough-Land held by Abbots and Priors, who did not hold by Barony, and their *Tenants, Two Shillings; and leſt any undue Cuſtom might ariſe by reaſon of this great Tax, the King granted to them all a Charter under his Seal, wherein he recited the ſaid Grant, and promiſed, That it ſhould not be drawn into Example for the future.

How the Clergy then Taxed themſelves and their Military Tenants.

* *Hominum Suorum.*

I have been the more Exact in this Relation, becauſe it gives us a great Light into the Manner of giving Taxes and Aids in thoſe Days.

But to give you ſome further Account of [3] this *Faukes de Brent*; you muſt underſtand, that he had been encouraged underhand by ſome of the Barons, to run into this Rebellion, upon promiſe that they would fall in and join with him; but they failing him, he was at the beginning of the Siege gone into *Cheſhire* and *Wales*, to raiſe more Men; nor had thoſe in the Caſtle held out ſo long, had not they expected ſpeedy Aſſiſtance from him; but when he

[3] *Id. ib. R. C.*

A farther Account of the Cauſe of *Faukes*'s late Rebellion.

Anno Dom. MCCXXIV. he saw he could raise no Forces, and heard that his Castle was taken, he then by the Intercession of *Alexander* Bishop of *Coventry*, was introduced into the King's Presence at *Northampton*, where falling down at his Feet, he emplored his Mercy, urging his great Services to the King and his Father in the late Wars; and thereupon the King, by the Advice of his Great Council, (having first seized all his Castles, Lands, and Goods) committed him to the Custody of *Eustace* Bishop of *London*, till further Order, where we shall leave him for a time.

Who at last surrenders himself to the King's Mercy.

Anno Dom. MCCXXV. [4] This Year being the Ninth of King *Henry*'s Reign, he kept his *Christmass* at *Westminster*, the Clergy, and *People, with the Great Men of the Kingdom, being all there attending: In this full Assembly *Hugh de Burgh* the King's Justitiary, declared the Damages and Injuries the King sustained in his Dominions beyond Sea, whereby not only He, but also several Earls and Barons were outed of their Possessions, and seeing many were concern'd, the Assistance ought to be proportionable; therefore told them, the King required their Council and Aid, that the Royalties of the Crown, and their antient Rights, might be recovered; for the retrieving of which, he thought the *Fifteenth* Part of all Moveables, both of Ecclesiasticks and Laicks might be sufficient: This being propounded, the Archbishops, and all the Bishops, Earls, Barons, Abbots, and Priors, after some deliberation, return'd the King this Answer, *That they would readily gratifie his Desires, if he would again confirm their long desired Liberties:* Hereupon the King agreeing to the Request of his Great Men, many Charters were forthwith wrote, and Sealed with the King's Seal, and one of them directed to every County in *England*; and to the Counties wherein were Forests, there were sent two; One, concerning their *Common Liberties*, the other concerning the *Liberties of the Forests*. The Tenor of both these Charters (our Author tells us) is to be found in the History of King *John*, both being exactly alike. But that they differ in divers Particulars, I shall shew when I come to speak further of this Charter, at the end of King *Henry*'s Reign.

[4] M. P. p. 321. *Et Populo cum Magnatibus Regionis.

The K. holds a Great Council, wherein he demands an Aid to recover his lost Dominions beyond Sea.

They grant the K. a *Fifteenth* of all their Goods, on condition he would confirm the Great Charter, which he agrees to.

I must here take notice of what the Annals of *Waverly* farther add, *viz.* That for this Grant and Concession the Archbishops, Bishops, Earls, Barons, Knights, and Freeholders of the whole Kingdom, Gave and Granted to the King a *Fifteenth* Part of all their Moveables; and that the Monks of the *Cistercian* Order (of which the Writer of these Annals was) gave the King Two thousand Marks of Silver, as well for the Confirmation of their Liberties, as for his Favour and Good Will; likewise that the *Jews* in *England* presented him with Five thousand Marks at the same time.

A farther Account of the manner of granting this Aid to the K.

Walter of *Coventry* is also very particular in the Relation of this Tax that was now granted in this Council or Parliament, which, was held at *London* at *Candlemass*; where met not only the Great Men, but, as he says, a * Larger Assembly of both Clergy and People, who were then summon'd; wherein the King granted the Liberties both of Church and Kingdom, as also those of Forests, as his Charters sent into the several Counties do testifie more at large; and that there was then granted by the Barons, Clergy, and People there

The Persons that appeared at this Great Council.

* *Tractatu diffusiore, cum Clero & Populo.*

there preſent a *Fifteenth* of all their moveable Goods by their Common Aſſent, beſides thoſe that belonged to Churches. *Anno Dom.* MCCXXV.

[5] This Affair the Pope himſelf very much promoted, writing a Letter or Brief to the Archbiſhops, Biſhops, Abbots, and other Clergy, commanding them to grant a voluntary Competent Aid to the King; but yet with a *Saving Clauſe*, that it ſhould not be drawn into Example. Then our Author proceeds to tell us, what Things were excepted out of this Grant, (*viz.*) their Horſes, Ploughs, Arms, and Houſhold Utenſils; as alſo their Jewels and neceſſary Proviſions for Houſe-keeping; the Clergy alſo excepted their Books, and the Treaſure or Ornaments of their Churches; but that none of any Sex or Condition were excepted from payment, but only the Orders of the *Ciſtercians* aud *Præmonſtrants*, with the *Knights-Templars* and *Hoſpitallers*; alſo that all *Merchants or Tradeſmen gave a *Fifteenth* of all their Merchandiſe or Commodities, (their Houſhold Goods and Proviſions only excepted;) Upon this the Archbiſhop and Biſhops *Excommunicated* all thoſe, who ſhould commit any Fraud in the Raiſing, or Hinderance in Payment of this Fifteenth, the one Moiety of which, was to be paid at the Feaſt of the *Holy Trinity*, and the other Moiety at *Michaelmaſs* following.

[5] *Id. ib.* The Pope himſelf promoted this Grant to the King by the Clergy, with a *Proviſo* that it ſhould not be drawn into Example.

*Mercatores.

But beſides this *Fifteenth*, it ſeems before the Year was out, the King had need of a Subſidy from the Clergy, which they being unwilling to grant, Pope *Honorius* the *Third* ſent over a Bull (at the King's earneſt Deſire) whereby he commands the Biſhops and Clergy to grant him a ſufficient Supply for his preſent Occaſions, as appears by the Bull it ſelf, which is upon *Record in the *Tower*; but whether they did then comply with the Pope's Commands or no, I know not; nor can I find any thing more given by the Clergy till near two Years after.

The K. demands another Subſidy from the Clergy, before the End of the Year.

*Rot. Pat. 1. *H. 3. Pars. 1. Dorſ.* Printed in *Prynn*'s 2d Vol. of Papal Uſurp. *p.* 396.

[1] Then a Day was ſet, being a Month after *Eaſter*, for the Choice of Twelve Knights, (being Legal Men out of each County, that is, ſuch as were fit to be Impanelled on Juries) who upon Oath ſhould diſtinguiſh and ſever the New Foreſts from the Old ones; and whatever Foreſts were found to be made after the firſt Coronation of *Henry* the *Second*, were forthwith to be dis-foreſted: The Council being ended, the Great Charters were carried to every County, by the King's Command, and every one ſworn to obſerve them; the way and manner of Levying this *Fifteenth* was directed by the King; and becauſe it was very particular, and worth noting how *Fifteenths* were Taxed in thoſe times, I refer the Reader to the *Record it ſelf, as it is printed in Dr. *Brady*'s Appendix, ſince it is too prolix to bear any Abridgment.

[1] *M. P.* p. 321. Twelve Kts. appointed to ſet out the New Foreſts from the Old Ones.

*N. 150.

[2] On *Candlemaſs-Day* following the King Knighted his Brother *Richard*, and Ten Noblemen with him, and then made him Earl of *Cornwall* and *Poicton*; in the Spring he ſent him accompanied with *William* Earl of *Saliſbury*, *Philip de Albiney*, and Sixty Knights into *Gaſcoigny*, and he arriving at *Bourdeaux* on *Palm-Sunday*, was honourably received by the Archbiſhop and Citizens there. Then Earl *Richard* opened to them the King's Letters, in which he deſired all thoſe that bore Allegiance to him in thoſe Countries, to give their Aid and Advice to his ſaid Brother, for the Recovery of his loſt Dominions; upon this a great many Knights and Soldiers reſorted to, and received Wages from him,

[2] *Id. ib.* *Richard* the K's Brother is made Earl of *Cornwall*, and ſent over with *William* Earl of *Saliſbury* into *Poictou*, to recover the King's loſt Dominions.

Anno Dom. MCCXXV. him, and then he marched with a great Army through *Gaſcoigny*, and ſeized the Caſtles of ſuch as refuſed to do Homage, and ſwear Fealty to King *Henry*, and when he met with any Oppoſition, he reduced them by Force; ſo that in a ſhort time he ſubdued all that Country, having firſt obtained a great Victory over the Earl of *Marche*, who was ſent by the King of *France* to raiſe the Siege of *La-Reoule*-Caſtle.

He raiſes an Army, and marches into *Gaſcoigny*, and there reduces ſeveral Caſtles to the King's Obedience.

[3] But an Anonymous Author of K. *Lewis* the Eighth's Reign, as alſo *Rigord relates this Expedition much otherwiſe, and the latter *French* Hiſtorians follow them; for they ſay, That *Richard*, Brother to this King of *England*, landing at *Bourdeaux* with Three hundred ſail of Ships, marched out, and beſieged the Caſtle of *St. Marcharius*, which being taken, he went forward to the Town of *La-Reoule*; but that making a long and vigorous Reſiſtance, and the King of *France* being reſolved to raiſe the Siege, he ſent an Army of Mercenary Soldiers, upon whoſe Approach he effected it accordingly, and Earl *Richard* retreated as far as to the other ſide of the River *Dordogne*; but the *French* not being able to paſs any further, becauſe of the River, ſate down, and beſieged the Caſtle of *Limric*, and brought the Lord of *Bragaret* under the Obedience of King *Lewis*; which the *Engliſh* perceiving, and not daring to meet the *French* again, they took Shipping, and together with the Earl paſſed over into *England*.

[3] *Vol. 4. *Script. France* p. 399.

The *French* Hiſtorians relate this Expedition more to the Advantage of their own King.

This is the Sum of the Account of the [4] *French* Authors who lived about that time; but yet they are (for all that) in great part miſtaken as to this Action; for though the Earl of *Cornwall* met with ill Succeſs, notwithſtanding he had certainly the better at firſt, yet, whatever the *French* Hiſtorians ſay to the contrary, he did not then leave *France*; for you will find anon that he remain'd in *Gaſcoigny* till the Year following.

[4] The *French* Hiſtorians greatly miſtaken in their relations of this War.

[5] In *March* the Great Men met the King again at *Weſtminſter* at a Council or *Parliament, where he commanded them to declare what Sentence ſhould be given againſt his Traytor *Faukes de Brent*; whereupon the Nobility agreed with the King in this, That becauſe both his Father and himſelf had done faithful Service to the Crown for ſeveral Years, he ſhould neither loſe Life nor Limb, but ſhould for ever hereafter abjure the Kingdom: Upon this the King commanded *William* Earl of *Warren* ſafely to conduct him to the Sea-ſide; but as he was going on Ship-board, he adjured the Earl with Tears in his Eyes, to let the King know, That whatever he had done, was by the Encouragement of many of the Great Men of *England*.

[5] *M. P. p. 324. *Colloquium.* Another Council or Parliament, wherein *Faukes de Brent* is Sentenced to abjure the Kingdom for ever.

His Meſſage to the King at his departure, laying the Fault on divers Great Men of *England*.

Then he went over into *Normandy*, attended only with Five Servants or Followers, where as ſoon as he was Landed, he was taken Priſoner, and delivered up to the King of *France*; by whoſe order he was Sentenced to be Hanged for the Injuries he had done that Nation; yet upon his purging himſelf by Oath, and having vowed to undertake the *Cruſado*, he was Pardon'd, and ſent forthwith to *Rome*; where notwithſtanding his demoliſhing of St. *Paul*'s Church, which ſtood too near his Caſtle of *Bedford*, and his Sacrilege committed upon the *Monaſtery* of *St. Albans*, and divers other Religious Houſes, yet he was now repreſented to the Pope as One that had took

Faukes is ſeized by the *French*, and ſent Priſoner to King *Lewis*, who diſcharges and ſends him forthwith to *Rome*.

took the *Croſs* and highly merited of the Church, and was then much Injured and Oppreſſed by his Enemies in *England*. *Anno Dom.* MCCXXV.

Walter of *Coventry* has given us a large Complaint that he then preſented an Addreſs to the Pope, which, though it be very long and particular, in relating the State of Affairs in thoſe times, yet being no where elſe to be found, and becauſe it gives us a great deal of Light into this Tranſaction, I ſhall here give you the Subſtance of it, [1] which was chiefly to ſhew, 'That there had been a Conſpiracy framed by the Archbiſhop of *Canterbury*, and *Hubert* the Juſtitiary, to diſpoſſeſs the Faithful Nobility of *England*, (as he calls them) of the Cuſtody of thoſe Caſtles which had been committed to their Truſt by *Guallo* the Pope's Legate; but whilſt the King was yet under Age, they had wreſted ſome of thoſe Caſtles from the Barons by falſe Accuſations, and had alſo by their ſubtle Contrivances procured his *Holineſs*'s Letters to the Barons, commanding the ſurrender of the reſt into their Hands, and that in compliance with theſe Letters, though the Earl of *Cheſter*, and ſeveral other Barons had delivered up their Caſtles to the King, yet *Hubert de Burgh* and his Creatures, ſtill kept theirs; and that when the Earl and thoſe of his Party had ſent Meſſengers to *Rome*, to complain of the Injuſtice of theſe Proceedings, they had been ever ſince baniſhed the Kingdom, as if they had been guilty of Treaſon; That as for himſelf he had alſo been by the Procurement of the Juſtitiary accuſed of Treaſon, however not for any late Offence, but for things done Eight years agone.

A large Account of *Faukes*'s Appeal to the Pope.

[1] *Id. ib.*

'That an Army having been lately raiſed at *Northampton*, on a falſe Pretence of an Expedition into *Poictou*, a certain Knight, called *Henry de Braibrock*, had been ſent with others to ſit as a Juſtice Itinerant near *Bedford*, where exerciſing his Office Unjuſtly, he had deprived *William de Brent* the Complainant's Brother of divers Lands and Poſſeſſions, for no other Cauſe than his own private Malice; but that his Brother being provoked with theſe unjuſt Proceedings had indeed ſeiz'd the ſaid Juſtice, yet without the Privity of *Faukes*, who was then at *Northampton*, with the other Barons of the Realm; that when he heard of it, he immediately went to the Caſtle of *Bedford* to releaſe him, but when he came thither, he neither found the ſaid Knight, nor his Brother there, having (as *Faukes* relates, though falſly) carried him away Priſoner into the Foreſt of *Vawberge*; and that albeit he had done what he could to make his Brother come in, and ſet the Juſtice free, yet he could not oblige him to do it; that during theſe delays there were two Knights ſent to ſummon *Faukes* to appear at the Caſtle of *Northampton* the next day; but he fearing his Enemy's violence had ſent to the King, to be excuſed from appearing, till he could find out and produce his ſaid Brother.

[2] 'That the Cauſes of his then abſenting himſelf, being laid before the King, he ſeemed well enough ſatisfied, yet whilſt the reſt of the Barons were gone home, to their ſeveral Habitations, his Enemies had privately reſolved, that the Army ſhould march and beſiege his Caſtle, which was done the next day, without giving him any timely notice of it; whereupon fearing the violent Perſecution of his Enemies, he was forced to fly into *Cheſhire*.

[2] *Id. ib.*

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'That it was true, the Archbiſhop and ſome of the Biſhops had 'demanded the Delivery of the Caſtle, but that thoſe within re- 'fuſed it, ſince there was no Law to require it at their hands, 'and that their Lord *Faukes* having undertaken the *Cruſado*, he him- 'ſelf, as alſo his Caſtles and Eſtate, were under his *Holineſs*'s Pro- 'tection, and therefore they appealed againſt all things; that might 'be done or attempted againſt them, till a Legate ſhould be ſent 'over from the Pope, before whom the true State of the Kingdom, 'and Merits of the Cauſe, might be fairly laid open.

[3] *Id. ib.* [3] 'However, Notwithſtanding all this, the Archbiſhop out of 'a partial Affection to the King, and his own Adherents, calling 'together ſome of the Biſhops, immediately iſſued out a Sentence of 'Excommunication againſt *Faukes* himſelf, and all his Favourers and 'Abettors, which he cauſed to be Publiſhed, and with it a full In- 'dulgence of Pardon of Sins to all thoſe who ſhould aſſiſt at the 'taking of the ſaid Caſtle.

'That whilſt *Faukes* was thus in expection of the Pope's Prote- 'ction, he ſent a certain Chanon of *Selby-Abbey* to the King, with 'Letters, wherein he offer'd to ſtand to the Judgment of the Barons 'of the Kingdom, according to the Laws thereof, but that the Cha- 'non hearing he was *Excommunicated*, never durſt deliver his Let- 'ter; That he had alſo made a like Offers by the Biſhop of *Coventry* 'and *Litchfield*, of ſtanding to the Judgment of the King himſelf, 'provided that Three Perſons, whom *Faukes* looked upon as his 'utter Enemies might not be there preſent; but when the Biſhop 'delivered this Meſſage to the King, and the Archbiſhop, it was re- 'ceived with ſcorn; ſo that *Faukes*, notwithſtanding his Appa l 'to the Pope, was at laſt over-perſuaded by the Archbiſhop and 'Earl of *Cheſter*, to ſurrender himſelf to the King at *Northampton*, 'in hopes of Mercy and Abſolution, which nevertheleſs he could 'not obtain; though he had now wrote to his Men in *Bedford*- 'Caſtle to deliver up that, together with themſelves, to the King's 'Mercy; but the Archbiſhop had ſo provoked his Youthful Indig- 'nation againſt him, and thoſe that held the Caſtle, by his paſſi- 'onate and ſevere Expreſſions, (which are there ſet down) that 'when the Barons expected to be called to give Judgment in this 'Caſe, the Knights, Eſquires and Soldiers, that had been taken Pri- 'ſoners in the Caſtle, were ſuddenly brought out, and (in reproach 'to Knighthood) immediately hanged; which cruelty ſo incenſed 'even the Common Soldiers of the King's Party, that running out 'of their Tents, they preſently took ſome of them from off the 'Gallows, and ſo ſaved their Lives.

[4] *Id. ib.* [4] 'That after this, *Faukes* had been prevail'd with to ſubmit 'to the Archbiſhop's Judgment, who yet would not abſolve him (not- 'withſtanding his frequent Appeals to the Pope) till he had ſtood 'Naked all Sermon-time, whilſt the Archbiſhop preach'd an In- 'vective Diſcourſe pointing at him, and calling on him by Name; 'ſtill after all this, there was a new Accuſation framed againſt him, 'as having been the Cauſe of the Loſs of *Poictou*, and that there- 'fore he ought to forfeit all his Eſtate in *England*; which Charge 'he there endeavours to anſwer at large, ſhewing that *Poictou* could 'not be loſt by his means, ſince the Army raiſed at *Northampton* was 'never intended for its recovery. [5] 'So

[5] 'So that notwithstanding his late *Absolution*, his Enemies 'were not satisfied, till they had committed him to Prison, 'from whence he would not have been freed, but for his *Holiness*'s 'Letters to the Archbishop of *Canterbury*, and the Governors of the 'Realm; yet further, besides all this, he could not get himself 'discharged, though he had lain a long while in Prison, till he had 'sworn to wave his Appeal to the Pope, and immediately go on 'Pilgrimage to the *Holy-Land*: Then he concludes with an humble 'Request to the Pope and his Cardinals, to consider his Appeal, 'and not to suffer him in contempt thereof to be unjustly deprived 'of his Wife, Children, and Estate; but that he may find a Refuge 'with the *Roman* See against his Enemies, and particularly the Arch-'bishop of *Canterbury*, against whose Unjust and Severe Proceedings 'he desired his *Holiness*'s speedy Relief. *Anno Dom.* MCCXXV. [5] *Ib. ib.*

This is the Sum of his Plea, which how far it was True, and wherein it was False, is hard to determine at this distance of Time; yet this is certain, that *Faukes* did not desist from his Appeal, till he had obtained the Pope's Brief directed to the King in his favour, desiring his entire Restitution to his Honour and Estate, in regard of his former Merits and great Services both to the King's Father and Himself; as also out of Reverence to the Character of the *Cross*, which he had then taken upon him: But what success this long Address had, you will find by and by.

[1] I have nothing else to remark as to *English* Affairs, only that in pursuance of the late Charter of Forests (above-mentioned) the King having sent *Hugh de Nevil* and *Brian de Lisle*, with some others, to cause Twelve Knights, or Free and Legal Men, to be chosen in every County where there were Forests to walk the Bounds of them, and, by their Oaths to set out, which were the Antient Forests, and which the New ones to be dis-forested. The King's Commands were in a short time executed, but not without some Opposition, every one using the Liberties that were granted them; They sold their own Woods, Hunted in them, and Stubbed-up, and Ploughed such of them as were disforested, at pleasure; for the Great Men, Knights, and Free-Tenants, made such good use of the Common Liberties, that not one Tittle commanded in the Charter was submitted to. [1] *M. P.* p. 334. The King's Commission for the severing the New Forests from the Old, being Executed, the former are dis-forested.

[2] As for Ecclesiastical Affairs, this Year the Pope sent *Otto* his Legate into *England*, with Letters to King *Henry*, concerning great and weighty Affairs of the Church, which when he had read and understood the Tenor of, he answered the Legate, That he neither could, nor ought to determine any thing that generally concern'd the Clergy and Laiety of the whole Kingdom, but by the Advice of the Archbishop; and thereupon he appointed on the Octaves of *Epiphany*, to meet his Clergy and People at *Westminster*, to treat about the aforesaid Business. [2] *Ib. p.* 335. The Pope sends his Legate *Otto* into *England*, about great Affairs, which the K. refuses to determine without the Advice of his Great Council.

[3] Then the Pope's Legate at his arrival in *England*, moved the King in the behalf of *Faukes de Brent*, on the Consideration already mention'd; but to that the King replied, That his Sentence was passed, and he was condemn'd to perpetual Banishment by the whole *Clergy and Laiety of the Kingdom, by the Judgment of his Court; and since the Care of the Kingdom did more especially be-long [3] *Ib. ib.* The Legate intercedes for *Faukes de Brent*, but in vain. *Cl. de Pipard.*

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long to him, he ought therefore to obſerve the Good Laws and Cuſtoms of the ſame. When the Legate heard this, he forbore preſſing the King any further on *Fankes*'s behalf; but did not forget to take, of all Cathedral and Conventual Churches, Two Marks of Silver for Procurations, the greateſt Part of his Errand being to get Money; for (as our Author well obſerves) when this *Otto* came into *England*, the Pope had ſent his Nuncios all over *Europe*, to Extort ſuch undue Exactions; of which alſo he gives us divers other Inſtances, as you will ſee anon.

The Legate takes two Marks of Silver from all Cathedral and Conventual Churches for Procurations.

[4] As for the reſt of the Eccleſiaſtical Affairs of this Year, there came forth a Decree from the Archbiſhop of *Canterbury*, and his Suffragan Biſhops, That the Concubines of Beneficed Prieſts and Clerks within Orders, ſhould be denied *Chriſtian* Burial, unleſs they repented whilſt in Health, or gave ſuch Teſtimonies of their Penitence at the Hour of Death, as to deſerve *Abſolution*; and likewiſe ſo long as the Prieſts kept them in their Houſes, or publickly out of their Houſes, they ſhould be denied the *Kiſs of Peace, and †Bleſſed Bread in the Church; and alſo, That after Childbirth, theſe Women ſhould not be Churched, till they had given ſufficient Security to the Archdeacon or his Official, to make ſatisfaction in the next Court after their Churching; alſo all Prieſts, in whoſe Pariſhes any ſuch Concubines dwelt, if they did not give notice to the Archdeacon or his Official, were to be ſuſpended, and not be Abſolved without ſevere Penance; and if it could be proved that a Prieſt had carnally known his Concubine, he ſhould do publick Penance himſelf: And if ſhe were convicted of *Adultery*, ſhe was to be doubly puniſhed, leſt impunity in ſo great a Guilt ſhould give Encouragement to others to offend in like manner.

[4] *Id.* p. 324. The former Decrees renew'd againſt the Wives and Concubines of Prieſts and Clerks.

Oſculum Pacis, The Kiſs of Peace.

† *Panem Benedictum*: Bread Bleſſed, but not Conſecrated in the Maſs.

But before we end this Year, we ſhall look a little into Foreign Parts. [5] About this time (as our own, as well as the *French* Hiſtorians relate) there appeared a Man in *Flanders*, who took upon him to be *Baldwin*, formerly Earl of that Country, and who had been many years ſince choſen Emperour of *Conſtantinople*, (as you have already heard) and being afterwards taken Priſoner by the *Bulgars*, was ſuppoſed there to have died; yet this Perſon now pretended to have eſcaped from thence, and gave ſuch ſtrange Proofs to make himſelf be acknowledged for Earl, that the *Flemings*, (who loved the Memory of that Great Man,) gave at laſt ſo much Credit to him, as to put him into poſſeſſion of the greateſt Part of the Country; but the Counteſs *Joane*, Daughter and Heir of *Baldwin*, not being ſatisfied that this Man was her Father, and being like to be fruſtrated of her Inheritance, complain'd to the King of *France*, as her Supreme Lord, who thereupon ſummon'd this Pretended Prince to appear before him, and accordingly he came very boldly; but either Diſdaining, or not being able to Anſwer the Queſtions that were put to him by the King, he was ſo diſſatisfied therewith, that he commanded him within Three days to be gone out of his Dominions; but he being afterwards taken in Diſguiſe, and brought to the Counteſs, ſhe firſt made him endure Cruel Tortures, and then order'd him to be Hang'd for an Impoſtor, and he was Executed accordingly; which made divers People ſtill believe that the Daughter found it eaſier to hang her Father, than reſtore him his Dominions.

[5] *Id.* p. 322.

Vid. Mezeray.

A Perſon appears in *Flanders*, who takes upon him to be *Baldwin* the Emperour, once Earl of that Province.

Joane Counteſs of *Flanders* complains of him to the K. of *France*.

Who hears him, and diſmiſſes him as an Impoſtor; but he is afterwards ſeiz'd, and brought to the Counteſs, and put to Death.

[1] King

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[1] King *Henry* kept his *Chriſtmaſs* at *Wincheſter*, ſome Biſhops and many of the Great Men being there preſent with him: So ſoon as the Solemnity was ended, he went to *Marlebridge* (now *Marleborough*) where he was taken deſperately ill, and continued ſo for ſome Days. In the mean while, the Feaſt of St. *Hilary* being now come, a Counſel of the Clergy and Great Men of the Kingdom met at *Weſtminſter*, where (as the * *Manuſcript* Annals of St. *Auguſtin* of *Canterbury* relate) the Biſhops, Earls, and Barons being preſent, the King was declared of full Age, tho' he was then but Nineteen Years old.

[1] *Ib.* p. 328. The K. is taken with a violent Diſtemper at *Marlborough*, and after in a Council at *Weſtminſter* declared of full Age.

* In *Lib. Col. St. Benedict. Cantab.*

[2] But the main Buſineſs of this Aſſembly was to return an Anſwer to the late Letters from the Pope; and the Legate declaring the Contents of them, it appeared that the Pope complained, 'it was an Old Scandal and Reproach caſt upon the *Roman* 'See, That nothing could be tranſacted there, without great Sums 'of Money and many Preſents; and ſeeing that which occaſioned 'this Infamy was its great Poverty, it became Dutiful Children 'to ſupply their Mother's Wants; which might eaſily be done, 'if out of every Cathedral Church Two Prebendaries were ſet 'a-part for that purpoſe, one by the Biſhop, the other by the 'Chapter; and alſo out of every Monaſtery, where there is an 'Abbot and Convent, one Monk's Portion from the Convent, and 'as much from the Abbot; and then the Legate endeavoured to 'perſwade the Prelates to conſent to what the Pope deſired.

[2] *M. P. ib.* The Pope's Letters are alſo there conſidered.

[3] When the Biſhops and other Prelates had heard this ſtrange Propoſal, after ſome Deliberation, they returned their Anſwer by *John* Archdeacon of *Bedford* their Proctor, who in preſence of the Legate warily replied, 'That what was propoſed concerned the 'King in particular, and in general all Patrons of Churches in '*England*, and beſides the Archbiſhops, Biſhops, and all the other '* Prelates; and ſeeing the King, upon the account of his Infir-'mity, as alſo ſome Biſhops and others were abſent, they neither 'could nor ought now to give a direct Anſwer, which might 'tend ſo much to their Prejudice. Then came *John* the *Mareſchal*, and other Meſſengers from the King, to thoſe Prelates that held Baronies of him *in Capite*, ſtrictly charging them not to oblige their Lay-Fees to the Church of *Rome*, leſt he ſhould thereby loſe his accuſtomed Service: Upon this, the Legate deſired that another Day might be appointed in *Mid-Lent*, and he would take care that the King, and divers Prelates who now are abſent, ſhould be there; but they would not admit of this without the King's Conſent; and ſo they all returned to their own Homes, without doing any farther in the Matter.

[3] *Id. ib.* To which the Biſhops and Clergy return a prudent Anſwer.

* *Note*, this Word then comprehended Abbots, Priors, and Deans of Cathedrals.

The K. commands the Prelates not to oblige their Lay-Fees to the See of *Rome*.

[4] About this time alſo one *Romanus* was ſent Legate by the Pope into *France* upon the like Errand, who, upon his calling an Aſſembly of the Clergy at *Bourges*, and finding the Pope's Demands would be oppoſed by them, craftily diſmiſſed the Procurators of the ventual Churches, imagining that they would find a ready Acceptance among the Archbiſhops, Biſhops, Abbots, and Great Men; but he met with as little Succeſs with them, for after a long Debate about thoſe unreaſonable Demands, and that the Procurator

[4] *Id.* p. 329. A Legate ſent into *France* on the ſame Errand.

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tor of the Archbiſhop of *Lyons* had anſwered all the Legate's Argumentts, he was at laſt content to depart without doing the Buſineſs he came for. I have inſerted this, tho' it concerns not the Eccleſiaſtick Affairs of this, but of a *Foreign* Nation, to let you ſee, that *England* was not the only Country in which the Pope at that time endeavoured to advance his unreaſonable Demands, which indeed were ſo exorbitant, that no Kingdom in *Europe* could admit them.

[5] *Id.* p. 330. The Legate is recalled:

[5] Some time after this, *Otto* the Legate went into the *North* to collect the Pope's Procurations, that were in Arrear in thoſe Parts, but (by the Procurement of the Archbiſhop of *Canterbury*, who ſeemed much concerned at theſe Exactions upon the Clergy) he was recalled: And then an Injunction was by the Pope laid upon the Archbiſhop, That the King with all the Prelates of *England*, being again aſſembled, ſhould give their final Anſwer to the Buſineſs *Otto* had been lately ſent about, and to tranſmit it to him. Thereupon the King, after conſultation with the Prelates and ſome of the Great Men, returned this Anſwer, 'That ſince 'what his Holineſs required concerned the Church Univerſal, the 'King was ready to follow the Example of other Kingdoms, and 'therefore would firſt ſee what they did; And with this Anſwer the Aſſembly was diſmiſſed.

Yet the Pope again preſſes the King and Prelates for their final Anſwer;

Who decline giving a flat denial to his Requeſt.

I ſhall now take a view of what was done in *France*, in relation to the like Demand made by the Pope's Legate there, as had been lately done in *England*; [1] For *Otto* the Pope's Legate ſaw he could dot ſucceed in his late unreaſonable Propoſal, and reſolving to make the King of *France* his Maſter's Inſtrument for the execution of his Deſigns, he engaged him in a *Cruſado* againſt the Count of *Tholouſe* and his Subjects, as being all infected with the pretended Hereſie of the *Albigenſes*; This the King of *France* imprudently undertook, having firſt obtained Letters of Inhibition from the Pope to King *Henry*, therein forbidding him under pain of *Excommunication* to invade any of the *French* King's Territories, whilſt he was employed in the Service of the Church; and ſo King *Lewis* raiſing a great Army, marched againſt the Earl of *Tholouſe*; and the City of *Avignon* lying in his way thither, he ſate down before it, and beſieged that Place, becauſe it refuſed to give free Admittance to his Army; and what Succeſs he had there, you will ſee by and by.

[1] *Id.* p. 329. The Pope's Legate engages the K. of *France* in an Expedition against the Count of *Tholouſe*, as guilty of Hereſie.

[2] *Id.* p. 331. The K. being forbid by the Pope to make War upon the K. of *France*, conſults his Great Council thereupon.

[2] In the mean time, the King of *England*, who deſired to make a Warlike Expedition in Foreign Parts, calling together his Great Council, cauſed the Pope's Inhibitory Letters to be read to them, requiring their Advice what was to be done about them; Upon which, all the Prelates and Great Men thought it beſt to defer that Affair, till it appeared what Succeſs the *French* King would meet with in ſo difficult an Enterprize.

[3] *Id. ib.* The King receives Letters from his Brother, that all things ſucceeded well enough in *Gaſcoigny*.

[3] King *Henry* was now very ſollicitous about his Brother Earl *Richard*, and his Affairs in *Gaſcoigny*, and much deſired to paſs over thither with Forces; and while he was under this Concern, an Expreſs came from his Brother, that he was well, and all things ſucceeded proſperouſly enough there; which if ſo, the *French* Hiſtorians are much miſtaken, n affirming, that he returned unſucceſsful

ceſsful into *England* ſomewhat before this time, as hath been already obſerved. *Anno Dom.* MCCXXVI.

Before we end this Year, I cannot omit what the Annals of St. *Auguſtin* further relate, That the King being now declared of full Age, he laid many heavy Exactions upon the Kingdom; for he then commanded it to be proclaimed through all the ſeveral Counties of *England*, That all Perſons who claimed any Liberties or Poſſeſſions by Grant from Him, or His Predeceſſors, ſhould apply themſelves to Him before *Lent*, to have them confirmed under his Seal, otherwiſe they ſhould not be heard; Whereupon divers Biſhops, Earls, Barons, and Abbots, who claimed ſuch Liberties and Poſſeſſions, applied themſelves to the King to have them renewed, who by this means gained a vaſt Sum of Money. The K. being declared of Age, impoſes many heavy Exactions upon his Subjects.

[4] I cannot here omit to mention the deceaſe of ſome Great and Remarkable Perſons, both Secular and Eccleſiaſtical; of the Firſt ſort was *William Longe-ſpee*, Earl of *Salisbury*, the King's Uncle, who having ſuffered extreamly in a long and dangerous Paſſage out of *Gaſcoigny* into *England* the laſt Winter, was ſomewhat recovered; but being invited to a great Entertainment by *Hubert de Burgh* the Juſtitiary to make his Peace with him, for recommending one *Raymond* his Nephew as a Suitor to the Earl's Lady, upon the News of his being Shipwreck'd, he was there ſuppoſed to be poiſoned by *Hubert*'s Contrivance; for he preſently fell into a languiſhing Diſtemper, and returning to the Caſtle of *Sarum*, died very penitent a few Days after, and was buried in the then new-built Cathedral Church of *Salisbury*, where his Monument is to be ſeen at this day. He was a vertuous and Gallant Man, and the only ſurviving Iſſue of King *Henry* the *Second*. [4] *M.P.* p. 329. *William Longeſpee* Earl of *Salisbury* dies; being ſuſpected to be poiſon'd, and on what occaſion.

[5] The Eccleſiaſtical Great Perſon who deceaſed this Year, was *Richard de Mariſco*, or *de Maris*, Biſhop of *Durham*, who died ſuddenly at *Peterborough* in his Journey to *London*, in order to proſecute a moſt unjuſt Suit with the Monks of his Church: he had been one of King *John*'s Courtiers and Chief Councellors in all his Tyrannical Actions, and was in the beginning of this King's Reign elected Biſhop of *Durham*. To theſe may be added *Faukes de Brent*, who deceaſed in *France* by eating of a poiſoned Fiſh; he was juſt before his Death about to return into *England*, his Peace with the King being obtained by the means of thoſe great Preſents he had made in the *Roman* Court; of whom, (having made ſo great a Figure in our Hiſtory,) I ſhall ſay ſomewhat farther. He was by Birth a *Norman*, but Baſe-born, and a meer Soldier of Fortune, yet by his Valour raiſed himſelf to the Degree of a Baron, and was by King *John* married to *Margaret de Redvers* a great Heireſs, tho' againſt her Will; and with her he had the Caſtle of *Bedford*, and ſeveral other large Poſſeſſions; but this unexpected Fortune made him Inſolent, and Rebellious, which procured his Ruine, as you have already heard. [5] *Id.* p. 332. The death of *Richard de Maris* Biſhop of *Durham*; As alſo of *Faukes de Brent*, with his Character.

I ſhall conclude this Year with a farther Account of the Affairs of *France*; [1] King *Lewis* had now beſieged the City of *Avignon* many Days without any great Succeſs; for the Citizens made ſuch an obſtinate Defence, that great Numbers of the *French* were deſtroyed [1] *Id.* p. 334

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by their frequent Sallies, as alſo by the Plague, which then raged in the Camp; [2] * yet at laſt the Beſieged were forced to Capitulate with the King, and ſo they admitted him into the City, where he preſently ordered the Towers on their Houſes to be pulled down, and made them give many Hoſtages for their Fidelity; but being forced to leave his Army and return home, by reaſon of an Indiſpoſition taken in the Camp, he fell deſperately ill at the Caſtle of *Monpencier* in *Auverne*, being ſuppoſed to be poiſoned by *Henry* Earl of *Champaigne*, who was in Love with the Queen.

[2] * *Scriptor. Anonymi ejus.*

King *Lewis* quits his Army, and dies at the Caſtle of *Monpencier*.

This King deceaſed in the Thirty ninth Year of his Age, and the Fourth of his Reign, leaving the Reputation of a Valiant Prince, though far ſhort of his Father in Prudence, Fortune, and long Life; *Lewis* his Son (then a Minor) ſucceeded him, (being the Ninth of that Name) who was afterwards Canonized for a Saint.

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[3] This Year King *Henry* kept his *Chriſtmaſs* at *Reading*, but ſoon after came to *London*, where (as *Matt. Weſtminſter* obſerves) he began to Tyrannize, accuſing the Citizens of *London* for lending Five thouſand Marks to *Lewis* the King of *France*, upon his departure out of *England*; and therefore compelled them to pay the like Sum to himſelf: Nor was *London* the only Town which felt this his ſevere Uſage; for he extorted from the Burgeſſes of *Northampton* the Sum of Twelve hundred Pounds, beſides the Fifteenth of their Moveables, which all others paid; The Religious Orders and Beneficed Clerks were alſo forced to pay the ſame Tax, as well out of their Eccleſiaſtick as Lay Goods; nor did their Appeal to the Pope avail them any thing; for thoſe whom the King's Authority could not reach, the Papal Power by Eccleſiaſtick Cenſure were forced to pay: And thus the King's exorbitant Actions were then ſupported by the Pope, who cared not how much the other oppreſſed his Subjects, provided he might have his Share in the Spoil.

[3] *M. P. p. 336.*

The King extorts a great Sum from the City of *London* very unjuſtly,

As alſo 1200*l.* from *Northampton*.

And alſo takes a great Tax from the Religious Orders, notwithſtanding their Appeal to the Pope.

Then the King, to proceed in the ſame manner as he had already began, [4] in *February* following called a Council at *Oxford*, and declared to them he was then of full Age, and would take the Management of Publick Affairs into his own Hands; and to ſhew he was in good earneſt, He, by the Advice of *Hubert de Burgh* his Juſtitiary, removed from his Court *Peter* Biſhop of *Winchester*, his Protector in his Minority: In the ſame Council, and by the ſame Man's Advice, he alſo cancelled and made void all the Charters of *Liberties* and *Foreſts*, which for two Years before had been obſerved throughout the whole Kingdom, ſaying, That what had been then done, was in his Minority, when he had no Power of his own Perſon or Seal, and upon that account was all invalid.

[4] *Id. Ib.*

The K. holds a Council at *Oxford*, and there takes the Management of Affairs into his own hands.

And by the Advice of *Hubert de Burgh* cancels the Charters of *Liberties* and *Foreſts*.

Theſe unjuſt and illegal Proceedings occaſioned great Murmurings, every one accuſing the Juſtitiary, and looking upon him as the Author of this Diſturbance, becauſe they ſaw the King was wholly guided by him: Soon after, the Religious Orders, and all others, had notice, That if they would enjoy their Priviledges, they muſt renew their Charters, or otherwiſe the Old ones ſhould be of no Advantage to them; and what they were to pay for ſuch

The Religious Orders are alſo forced to renew their Charters of Priviledges and pay great Sums for them.

ſuch Renewal, was left to the Diſcretion of the Juſtitiary: Thus as the King changed his Chief Miniſter of State, ſo the Nation paid dearly for it; which perhaps ſometimes ſince too has been little the better for the Change. *Anno Dom.* MCCXXVII.

[5] About *Eaſter* the Archbiſhop of *York*, the Biſhop of *Carliſle*, and *Philip d'Albiney* returned from *France*; for they had been ſent to the Great Men of thoſe Countries, which of ancient Right belonged to the King of *England*; and their Buſineſs was to invite them by fair and large Promiſes to receive King *Henry*, and acknowledge Him for their Natural Lord: But the Young King of *France*, by his Mother's means, had made Peace with thoſe Barons, and received their Homages before King *Henry*'s Meſſengers could arrive; whereupon they returned without effecting any thing.

[5] *Id. Ib.* The A. Bp. of *York*, &c. return from *France*, without doing any thing in the Buſineſs for which they were ſent.

But to come to Matters of leſs moment; [1] In *February Hubert de Burgh* the Juſtitiary was created Earl of *Kent* by the Cincture of the Sword of that County, and the *May* after the King's Brother *Richard* returned into *England*, and was received by Him and the whole Court with great Joy.

[1] *Id.* p. 337. *Hub. de Burgh* created Earl of *Kent*. Earl *Richard* returns out of *France*.

[2] Yet did not this good Correſpondence between the King and his Brother laſt long, by reaſon of a great difference that happened upon this occaſion; King *John* had given to one *Waleran* a *German* the Caſtellan of *Berkhamſtead*, a Mannor that belonged to the Earldom of *Cornwal*; which when Earl *Richard* underſtood, he ſeized it, until *Waleran* ſhould make out by what Right he claimed it; Upon this, ſo ſoon as *Waleran* had notice of it, he made his Complaint to the King, who immediately wrote to his Brother, That upon ſight of his Letters, he ſhould forthwith render back the Mannor to *Waleran*; But Earl *Richard* thought it not convenient to make ſuch great haſte, and therefore went to the King, and pleaded his Right to the Mannor, offering to ſtand to the Judgment of his Court, and of the Great Men of the Kingdom: The King and his Juſtitiary hearing him mention the * *Great Men*, were highly incenſed at it, and commanded him either to yield up the Mannor, or for ever depart the Kingdom; To which Earl *Richard* replied, That he would neither part with the One, nor leave the Other, without the Judgment of his Peers, and forthwith made what haſte he could to his own Houſe: The Juſtitiary, when he heard this peremptory Anſwer, fearing he might diſturb the Publick Peace, adviſed the King to ſecure him; but the Earl having Early notice of his Deſign, went immediately to *Reading*, and from thence to *Merleburgh*, where he met with his old Friend and ſworn Confederate *William* the *Earl-Mareſchal*, to whom he declared what had paſſed between the King and him: Then they went both together to the Earl of *Cheſter*, and gave him an account of the ſame; and from thence they marched to *Stamford*, where, in a ſhort time, according (it ſeems) to appointment, met them with Horſe and Arms *Randulph* Earl of *Cheſter*, *Gilbert* Earl of *Glouceſter*, *William* Earl of *Warren*, *Henry* Earl of *Hereford*, *William* Earl of *Ferrars*, *William* Earl of *Warwick*, with divers Barons, and a great Multitude of armed Men, who had all entred into a Confederacy to force the King to make Satisfaction for this Injury

[2] *Id. ib.* A great difference between the King and his Brother Earl *Richard*, and on what occaſion.

* *Magnates.*

The Earl being diſcontented, retires from Court.

He goes to the Earl Mareſchal to give him an account of what had happened; whereupon he, the Earl of *Cheſter*, &c. take up Arms,

Anno Dom. MCCXXVII. that was done to his Brother Earl *Richard*, which they wholly imputed to the Juſtitiary, as alſo to oblige him to reſtore thoſe Charters which had been lately cancelled at *Oxford*; and if he refuſed, they declared they would compel him by their Arms to make them competent Satisfaction. Upon this, the King appointed them to meet him at *Northampton* the Third of *Auguſt*, where he ſettled his Mother's Jointure on his Brother *Richard* (all the Great Men moving him to it) as alſo all the Lands that once belonged to the Earl of *Bretaigne* in *England*, and which were the Earl of *Boloign*'s lately deceaſed; ſo every one departed well pleaſed for that time. Thus we ſee ſometimes how Fear will prevail more upon ſome Princes than all the Reaſon in the World beſide.

On pretence to oblige the King to reſtore the Charter he had lately cancell'd.

Nothing happened conſiderable this Year in Eccleſiaſtical Matters, but the Death of Pope *Honorius* the *Third*, in whoſe ſtead was Elected *Hugolin* Biſhop of *Oſtia*, by the Name of *Gregory* the *Ninth*.

Anno Dom. MCCXXVIII. [3] This Year the King kept his *Chriſtmaſs* at *York*; but ſoon after he came directly to *London*; and in his Journey finding the Meaſures of Grain, Wine, and Ale to be falſe, he commanded ſome of them to be broken, and the reſt to be burnt, and ordered others of a larger ſize to be made, and the Weight of Bread to be increaſed, and likewiſe the Offenders to be ſeverely puniſhed.

[3] *Id. ib.* The K. orders new Meaſures to be made.

The Eccleſiaſtical Affairs of this Year were but few, only [4] *Stephen Langton* Archbiſhop of *Canterbury* deceaſed the Ninth of *July*; He was a Prelate well skill'd in the School-Divinity of that Age, and alſo very knowing in the Laws and Conſtitutions of his own Country; and as he did not come in by the King's Nomination or Conſent, ſo having little or no Dependance on him, therefore it is no wonder if he the more ſtoutly maintained the Liberties granted by King *John*; and indeed it is chiefly owing to his Induſtry, Prudence, and Courage, that they were either granted at firſt, or ever confirmed in this King's Reign.

[4] *Id.* p. 350. *Steph. Langton* A. Bp. of *Canterbury* dies.

Not long after his Deceaſe, [5] the Convent of *Chriſt-Church* in *Canterbury* made choice of *Walter de Hemeſham* (a Monk of their own) whom they preſented to the King; but he refuſed to accept him, both becauſe his Father was hanged upon Conviction of Theft, as alſo becauſe in the time of the *Interdict* he had appeared againſt King *John*; Then all the Suffragan Biſhops of the Province of *Canterbury* refuſed to accept him, becauſe he had corrupted a *Nun*, and had had Children by her; and likewiſe becauſe he ought not (as they ſaid) to be choſen without their Conſents: Upon this, both ſides applied themſelves to the Pope, One to get his Election confirmed, and the Other to hinder it: When the Pope ſaw both Parties ſo obſtinate in the Proſecution of their Suit, he would determine nothing concerning it either ways, but put it off till the Day after *Aſh-wedneſday* following, that he might be the better informed; ſo that the Church of *Canterbury* continued vacant all the reſt of this Year.

[5] *Id. Ib.*

[1] In *Auguſt* the Knights and Soldiers that kept Garriſon in *Montgomery*-Caſtle on the Borders of *Wales*, by the Aſſiſtance of the Country-People, deſigned to make a Way through an adjacent Wood

[1] *Id. ib.*

Wood more paſſable and ſecure for Travellers; but whilſt they were at work in cutting down the Thickets, the *Welſh* on a ſudden ruſhed in upon them, killed ſome, and forced the reſt to retire into the Caſtle, and preſently beſieged it. But ſo ſoon as King *Henry* was informed of it, both He and the Juſtitiary (to whom the King had lately given the Caſtle) came ſpeedily with a ſmall Army and raiſed the Siege; and when he had received ſome additional Recruits he marched towards the aforeſaid Wood, and having cleared the Way by great Labour and Burning, ſo far as a Religious Houſe called *Criddy*, (the uſual Receptacle of the *Welſh*) he commanded it to be ſet on Fire; but the Juſtitiary upon view of the Place, finding it to be of an impregnable Situation, adviſed him to build a Caſtle there: Yet during the time it was building the Workmen were almoſt continually interrupted, and ſeveral of them killed by the *Welſh*. Then the King, finding that ſo many of his own Army inwardly favoured *Llewellyn*, was forced to make a diſadvantageous Peace, whereof the Chief Article was, That this Caſtle ſhould be demoliſhed, and *Llewellyn* ſhould give the King for his Charges Three Thouſand Marks; ſo he returned home with little Honour, having left *William de Brauſe*, a Noble Baron, behind him Priſoner.

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The *Welſh* beſiege *Montgomery-Caſtle.*

K. *Henry* is fain to make Peace with *Llewellyn.*

As for Foreign Affairs, this Year affords little worth mentioning, [2] but that the Emperor *Fretherick* the *Second* now failing to undertake his Voyage to the *Holy-Land* by reaſon of either a real or pretended Sickneſs, Pope *Gregory* thereupon *Excommunicated* him for the Breach of his Vow, in not purſuing the *Cruſado*; but the Emperor remonſtrated againſt theſe Proceedings as Unjuſt, and took Shipping not long after for the *Holy-Land*, where as ſoon as he was arrived, he found a great Army ready to receive him.

[2] *Id.* p. 345. The Emperor failing to undertake a Voyage to the *Holy Land* is therefore *Excommunicated* by the Pope.

[3] This Year the King kept his Court at *Oxford*, the Great Men attending him: While he was there, the Archbiſhop of *Bourdeaux* came to him from the Nobility of *Gaſcoigny*, *Aquitain*, and *Poictou*, as alſo Meſſengers from thoſe of *Normandy*, to ſollicite him to come in Perſon into thoſe Countries, aſſuring him, That they would All be ready with Horſe and Arms to aſſiſt him in recovering his antient Inheritance. The King thereupon by the Advice of his Juſtitiary (whoſe Counſel he ſtill followed in all things) anſwered them, That he could not comply with their Deſires at preſent, but muſt ſtay for a more convenient Opportunity: Upon this, the Meſſengers return'd without any more ado; But the Reaſon why the King did not lay hold of this Offer, I do not find.

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[3] *Id.* p. 353. The A.B. of *Bourdeaux* comes to invite the K. into *France*, with large Promiſes of Aſſiſtance, but receives a dilatory Anſwer.

But ſince the Affairs of the Church and State this Year, are ſo interwoven with each other, that they cannot well be parted, I ſhall here purſue my Author's Method, and give them you as they there lie together.

[4] *Alexander* Biſhop of *Cheſter*, (or *Litchfield*) *Henry* Biſhop of *Rocheſter*, and Maſter *John de Houghton* Archdeacon of *Bedford*, the King's Envoys at the Court of *Rome*, according to Appointment attended on *Aſh-Wedneſday*, for the Pope's Determination concerning the A.Bp. Elect of *Canterbury*; but finding both his Holineſs and the Cardinals very difficult to be prevailed upon by bare Petitions, they promiſed

[4] *Id.* p. 355. The King's Envoys at *Rome* attend in vain the Pope's Reſolution about the A.B. Elect of *Canterbury*.

Anno Dom. MCCXXIX promiſed on the King's behalf a Tenth of all Moveables from *England* and *Ireland*, to be paid the Pope toward his carrying on the War againſt the Emperor, which was now declar'd, *John de Brenne* King of *Jeruſalem* being appointed General.)

And are fain to promiſe the Tenth of all Moveables in *England*.

[5] The Pope now ſtanding in need of King *Henry*, was the more eaſily prevail'd upon to embrace the Offer, and forthwith cauſed the Election made by the Monks of *Canterbury* to be declared Void, tho' not ſo much for thoſe Diſabilities objected againſt him on the King's behalf, as for his Notorious Ignorance, he not being able ſo much as to give a tolerable Account of ſeveral Points of Faith, upon which he was then Examin'd by the Pope's Delegates, appointed for that purpoſe, as appears by the Sentence at large in *Matt. Paris*; whereupon *Richard le Grant* Chancellor of the Church of *Lincoln*, was promoted by the Pope to the Archbiſhoprick, without any Election; yet by the Conſent of the King and Biſhops, he being thus confirmed by the Pope, received his Bull declaring him Archbiſhop, and Commanded all the Biſhops and Clergy of his Province to Obey him.

[5] *Id. lb.*

The Election of the A.B. of *Canterbury* vacated.

Richard Chancellor of *Lincoln* is choſen in his ſtead.

This was a New Encroachment, and the firſt Archbiſhop that ever the Pope took upon him to nominate, without a previous Election by the Convent, or Biſhops.

[1] Not long after this, the Pope ſent one *Stephen* his Chaplain into *England*, to Collect the Tenths that were lately promiſed towards the defraying the Charges of his War againſt the Emperor: But ſo ſoon as the King underſtood his Meſſage, he cauſed the Archbiſhops, Biſhops, Priors, Templars, Hoſpitallers, Earls, Barons, Rectors of Churches, and all thoſe who held of him *in Capite*, to meet him at *Weſtminſter*, to conſult upon the above-mention'd Buſineſs and other Exigencies: And when they were all met [2] both the Clergy and Laiety, with their Tenants, or Vaſſals, *Stephen* opened and recited to them the Pope's Letters, urging both the Occaſion, and the Neceſſity of it, which required, that what was promiſed by the King's Envoys, ſhould be conſented to and made good.

[1] *Id.* p. 361. The Pope's Chaplain comes into *England* to Collect the Tenths, upon which the King calls a great Council to conſult about it.

[2] *Tam Clericis quam Laicis, & eorum ſubditis.*

When he had ended his Speech, all expected the King would have oppoſed it; but he being tied up by the forementioned Promiſe, was afraid to refuſe the Pope's Demands, and ſo ſeemed by his ſilence to give Conſent; yet the Earls and Barons, with all the Laiety, were not ſo Mealy-mouth'd, but ſtoutly reſolved they would not oblige their Baronies and Lay-fees to the Court of *Rome*; and therefore had compounded with the Legate for a certain Sum of Money, had they not been betray'd by *Stephen de Segrave*, who joinied with him, and ſo order'd the Matter, that he obtain'd his Demands; for notwithſtanding this Oppoſition, the Biſhops, Abbots, Priors, and other Prelates of Churches, after Three or Four Days Deliberation, and no ſmall Reluctancy, conſented to it, leſt (if they oppoſed) they ſhould incur the Sentence of *Excommunication*: Then *Stephen* ſhewed them the Pope's Letter, whereby he was Commiſſionated to collect the aforeſaid Tenths, which were to be paid out of all their Profits whatever, without any Deductions either for Debts or Expences; and he was thereby Impower'd to *Excommunicate* all thoſe that refuſed, and likewiſe to *Interdict* their Churches; and becauſe the

The K. being obliged by his Promiſe to the Pope, conſents to the Nuncio's Demand; yet the Earls and Barons ſtoutly oppoſe it.

The Clergy being afraid of the Pope's *Excommunication*, agree to the Nuncio's Demands.

the Buſineſs required Speed, he gave notice to the Prelates, that they ſhould forthwith pay down what was due for the Tenths, and afterwards levy it upon every one by way of Tax; which Exaction proved ſo grievous, that they were forced to Sell or Pawn their very Veſtments, Chalices, and other Holy Veſſels belonging to their Churches: Moreover, he exacted the Tenths of the Autumnal Fruits of the Earth, while they were yet growing; all which they were forced to procure and pay, to avoid the *Excommunication* and *Interdict*: And for the more ſpeedy raiſing of the Money, he brought along with him certain wicked Uſurers, who ſupplied the Indigent with Money, which they were compelled to borrow, although they were thereby irrecoverably ruined. Thus you may ſee to what a ſad Condition the Clergy and Laiety of this Kingdom were at this time reduced, under a Young and Eaſie King, who if he had but had the Courage peremptorily to have ſaid *No*, the Legate had never durſt to have taken theſe Tenths at all; for *Ranulph* Earl of *Cheſter*, was the only Noble Man that oppoſed this Exaction, and would not permit any Religious Man, or Clerk to pay the above-mentioned Tenths within his Earldom, notwithſtanding they were paid every where beſides in *England*, *Wales*, *Scotland*, and *Ireland*.

Anno Dom. MCCXXIX.

The Tenths are Exacted with great Rigour.

[3] The moſt conſiderable Affair that happen'd this Year, was the King's intended Expedition into *France*, but it came to nothing, and it was on this Occaſion; On *Michaelmaſs-Day* the King cauſed the whole Nobility of *England* (*viz.*) the Earls, Barons, and Knights, to meet at *Portſmouth* with ſuch a vaſt number of Horſe and Foot, that none of his Predeceſſors ever aſſembled ſo great an Army together before, with a Reſolution to paſs over Sea to recover thoſe Dominions his Father had loſt: But when the Chief Commanders and Mareſchals of the Army came to Victual the Ships, there were not enough to be found ready to carry over one Half of the Men; whereupon the King hearing of this, was extremely enraged, and laid the whole Blame upon *Hubert de Burgh* his Juſtitiary, and openly called him *Traytor*, reproaching him for having received Five Thouſand Marks from the Queen of *France* to put a ſtop to this Deſign: Nay, he was raiſed to ſuch a height of Paſſion, that he drew his Sword and would have kill'd the Juſtitiary, had not *Ranulph* Earl of *Cheſter*, and ſome others interpoſed and prevented it; by which you may obſerve, That this King, though counted a Man of ſmall Spirit, yet could ſhew his Reſentments when he was throughly provoked. But whether this Failure proceeded from the Careleſſneſs or Infidelity of the Juſtitiary (then the King's Chief Miniſter) is uncertain, only it is evident, that it was the Loſs of the whole Deſign.

[3] *Id.* p. 363. The K. prepares for an Expedition into *France*, but it comes to nothing, for want of Ships to Tranſport his Army.

The K. lays all the Blame on *Hubert de Burgh* his Juſtitiary.

[4] On the Ninth of *October* following **Peter* Earl of *Bretaigne* Landed in *England* to conduct the King over Sea, as he was bound by former Agreement and Oath; but he then adviſed him to lay aſide all thoughts of it till the *Eaſter* following, becauſe it was dangerous Sailing at that time of the Year, and a Winter Voyage might be much to his Loſs. Upon this the King gave every one Liberty to go home again, and the Juſtitiary at Length was reconciled to him: Then the Earl did Homage to the King againſt all Men for *Bretaigne*,

[4] *Id. ib.*

**Matt. Paris* calls him *Henry* but by miſtake.

The Earl of *Bretaigne* comes into *England*, and perſuades the King to put off his Expedition into *France* till the Spring.

Anno Dom. MCCXXIX. *Bretaigne*, upon which the King reſtored to him all his Right in *England*, and having given him Five Thouſand Marks for the Defence of his own Dominions, he took his Leave of him.

I ſhall conclude this Year with an Account of the Affairs of the [5] *Holy-Land*, where the Emperor being arrived, met with much better Succeſs than he could have expected, notwithſtanding his late *Excommunication* by the Pope; for the Sultan of *Babylon* being now extreamly preſſed by Civil Wars, was content to purchaſe the Emperour's Friendſhip, by giving up *Jeruſalem*, with all the Land of *Paleſtine*, except ſome Caſtles on the Borders of *Arabia*, as the Emperour himſelf then ſignified in a Letter to King *Henry* under his own Seal, the Copy of which our Author has given us at large, to which I refer the Reader, who deſires further Satisfaction therein.

[5] *Id.* p. 364. The Emperour's great Succeſs in the *Holy Land*.

[1] Yet notwithſtanding theſe great Succeſſes, the Patriarch of *Jeruſalem*, together with the Maſters of the *Knights-Templars* and *Hoſpitallers*, did all they could to defame the Emperour, (tho' a Great and Worthy Prince) for holding a Correſpondence with the Sultan of *Babylon*, to the great Prejudice of the *Chriſtians*, and that he favoured him more than thoſe Knights, who were of his own Religion; and indeed he had very good Reaſon ſo to do, if what our Author relates be true; *viz.* That when they knew the Emperour intended to go on Pilgrimage to the River *Jordan*, to ſee the Place where our *Saviour* was Baptized, ſome of them gave the Sultan notice of it, that ſo he might fall upon the Emperour by ſurprize, and take him Priſoner, or kill him; which *Treaſon* the Sultan ſo highly deteſted, that he ſent him notice of it, together with the Letter it ſelf: But the Truth of the Matter was, that the Emperour ſtanding at this time *Excommunicated* by the Pope, who theſe Knights heard now made War upon him in *Europe*, it emboldened them to do all the Miſchief they could: This Diſſention proved at laſt the ruine of this unſucceſsful Enterprize, as you will find hereafter.

[1] *Id. ib.* The Patriarch and Knights *Hoſpitallers* of *Jeruſalem* defame the Emperor, and endeavour to deſtroy him.

Anno Dom. MCCXXX. [2] This Year the King held his *Chriſtmas* at *York*, where the King of *Scots* met him, being invited thither by the King; the Archbiſhop of that Place, and many Earls, Barons, and Knights, and a very great Multitude of their Followers being there preſent; and having celebrated this Feaſt with great Joy and Hoſpitality for Three Days, the King of *Scots* returned into his own Country, and the King of *England* to *London*.

[2] *Id. ib.* The K. and Great Men meet at *York*.

[3] This Year the Archbiſhops, Biſhops, Abbots, and Priors throughout *England*, gave the King a great Sum of Money for recovering his Rights, which were taken from his Father beyond Sea; and upon the ſame account the Citizens of *London* were put to a grievous Ranſom, and the *Jews* forced to pay the Third part of their Subſtance.

[3] *Id.* p. 365.

[4] At *Eaſter* following, the King muſtered a very numerous Army of all the Nobility of the Kingdom that owed him Military Service, at *Reading*, and marched from thence to *Portſmouth* the Thirtieth of *April*, and there took Shipping with the greateſt part of his Forces, and landed at *St. Maloes* on the Third of *May*, where he was

[4] *Id. ib.* The K. muſters his Army, and paſſes over into *France*.

was very kindly received by *Peter* Earl of *Bretaigne*, who delivered up to him the ſtrong Towns and Caſtles of that Country, and ſeveral of the Nobility did Homage and ſwore Fealty to him; but a Baron, called *Andrew de Viteri*, with ſome others, refuſed it, and fortified their Caſtles. So ſoon as the King of *France* heard of this, he raiſed an Army, and came to *Angiers*, and poſted himſelf there to hinder King *Henry*'s march into *Poictou*, who continued ſtill at *Nants*, expecting the reſidue of his Army. *Anno Dom.* MCCXXX.

[5] About this time there happened a great Diſcord among the *French* Nobility, many of them (as was reported) being ſecretly Confederated with the King of *England*, and Earl of *Bretaigne*, the Chief of whom were the Duke of *Burgundy*, the Earl of *Boloigne*, the Earl of *Drieux*, the Earl of *Maſcun*, the Earl of *St. Paul*, the Earl of *Bar*, *Engeram de Curci*, and *Robert de Courteney*; all theſe declared War againſt the Earls of *Champaigne* and *Flanders*; who having been forty Days at the Siege of *Angiers*, they obtained leave of King *Lewis*, and returned home; who ſeeing he could not keep them there any longer, preſently followed, and endeavoured to make Peace between thoſe Noblemen and the Earls of *Champaigne* and *Flanders*, but could not; for they entred *Champaigne*, and deſtroyed all before them with Fire and Sword: The Earl was ſoon defeated, and put to flight, and they purſued him to the Gates of *Paris*.

[5] *Id. ib.* A great Diſcord ariſes among the *French* Nobility, many of whom ſecretly confederated with K. *Henry*.

The *French* Nobility deſtroy *Champagne* with Fire and Sword.

That which moved theſe Great Men ſo much againſt the Earl of *Champaigne*, was, that they ſuſpected him to have had a hand in poiſoning the late King *Lewis* at *Avignon*, of which they had accuſed him before the young King, and challenged him to anſwer it by Duel; but through the Powerful Influence of the Queen-Mother, he would hear nothing againſt him: Hereupon they left the Court, and occaſioned great Commotions in *France*, diſdaining to have ſuch a Miſtreſs as was ſuſpected to have proſtituted her ſelf to the unchaſt Embraces both of this Earl and the Pope's Legate. *Id. Ib.*

[1] About the ſame time *Fulco Paganel*, and *William* his Brother, Noblemen of *Normandy*, came to King *Henry* in *Bretaigne*, and ſwore Fealty and did Homage to him, and likewiſe about Sixty Knights, Stout and Powerful Men, who all perſwaded him to enter *Normandy* with an Army, and he ſhould not in the leaſt doubt of Succeſs: The King liked their Advice very well, but *Hubert de Burgh* the Juſtitiary would not ſuffer him to follow it, alledging, That the Attempt ſeemed to be every way dangerous: So theſe Noblemen went away miſerably diſappointed, for the King of *France* forthwith ſeized their Caſtles and Eſtates; but the reaſon why the Juſtitiary thought this Expedition more dangerous than any other, I do not find.

[1] *Id. ib.* Several Noblemen of *Normandy* invite the K. into that Province.

But he is diverted by his Council, which proves their ruin.

After this, by the Advice of *Hubert de Burgh*, the King marched with his Army through *Anjou* into *Poictou*, and from thence into *Gaſcoigny*, where having received their Homages, and ſecured the Country, he returned into *Poictou*, and received the like of ſeveral of his Vaſſals there; and in this Expedition the King took the ſtrong Caſtle of *Mirebel*.

Anno Dom. MCCXXX.

[2] In the Month of *September*, the King of *France* and the Queen-Regent his Mother met in a * Parliament, or General Assembly, with all the Nobility and Great Men of that Kingdom, who after the death of the King's Father, had made War one upon another, in which Assembly a Peace was concluded on the following Conditions: *First*, That the Earl of *Champaigne* (the Principal Author of the late Disturbance) should undertake the *Crusado* to the *Holy Land*, and there with an Hundred Knights fight against the Enemies of the *Christian* Faith: *Secondly*, That the King of *France* and his Mother should swear upon the Holy Gospels, to restore to every one his Right, and that they would Judge all Men of that Nation according to the Right, Custom or Law due to every Man.

[2] *Id.* p. 367. The *French* K meets all his Nobility in a Parliament.

* *Colloquium.* Where he makes Peace among the Nobility, the Earl of *Champaigne* being sent into the *Holy Land.*

[3] In the mean time, King *Henry* with his Army lay idle at *Nantes*, doing nothing but wasting his Treasure: The Earls and Barons seeing *Hubert de Burgh* would not permit them to fight with their Enemies, Feasted each other according to the *English* manner, and drank as if it had been at *Christmas*; so that those Noblemen and Gentlemen who were poor having spent all their Money, sold or pawned their Horses and Arms. At length the King in *October*, having provided in some measure for the Defence of the Country, and left Five hundred Knights and a Thousand * Stipendiaries, or Footmen, under the Command of *Ranulph* Earl of *Chester*, *William Mareschal*, and *William* Earl of *Albemarl*, took shipping, and landed at *Portsmouth* on the Twenty sixth of that Month: After his departure, the Earl of *Chester* and Others, whom he had left Commanders in Chief, made an Incursion with the whole Army into *Anjou*, and took *Gontier*-Castle, demolished it, and burnt the Town; and presently after invading *Normandy* in like manner, they burnt the Town, took the Castle of *Pontarsu*, and razed it; and then returned into *Bretaigne* with great Spoils, and without any considerable Loss to themselves.

[3] *Id. ib.* The K. with his Army lies idle in *France*, and spends his Money vainly.

* *Servientes.* And then in Autumn is forced to return into *England.*

After his departure, the Earl of *Chester* and others make an Invasion into *Anjou.*

[4] I shall conclude this Year with an Account of the Affairs of *Ireland*, where during King *Henry*'s absence, about *July* the King of *Connaught*, knowing that *William* the *Mareschal* and *Maurice Fitz-Gerald*, were gone over into *France*, so that *Ireland* was left without any great Force to defend it, raised a mighty Army, (or rather a great Number of People) and entred into the *English* Territories, spoiling and burning the Country; the News whereof being brought to *Geoffrey de Maris* (then Deputy-Justitiary) he calling to his Assistance *Walter Lacy* and *Richard de Burgh*, raised a considerable Force, with which he fought and beat the *Irish*, killed Twenty thousand of them, and took their King Prisoner.

[4] *Id.* p 366. The King of *Connaught* invades the King's Territories in *Ireland.*

But is defeated by *Geoffrey de Maris* and others.

[5] This Year the King at *Christmas* kept his Court at *Lambeth*, and on the Twenty sixth of *January*, he met his Prelates and other Great Men at *Westminster*, where he required a *Scutage* of Three Marks of every Knight's Fee of all that held Baronies of him, both Laicks and Prelates; but *Richard* Archbishop of *Canterbury* and some Bishops opposed it, alledging, That Ecclesiasticks were not to be Taxed by, or with Lay-men: however, all the rest, as well Laicks, as Clerks and Prelates, readily submitted to the King's Pleasure.

Anno Dom. MCCXXXI.

Id. p. 367. The K. holds a great Council, and therein demands Scutage of the Tenants *in Capite.*

[1] Soon

Anno Dom. MCCXXXI.

[1] Soon after this, the Archbiſhop of *Canterbury* complained to the King, That Earl *Hubert* his Juſtitiary had poſſeſſed himſelf of the Caſtle and Town of *Tonbridge*, and all other Lands which belonged to *Gilbert* late Earl of *Glouceſter* deceaſed, from which Homage was due to the Church of *Canterbury*: But the King replied, That the above-mentioned Earl held of him *in Capite*, and it was his Prerogative to diſpoſe of the Wardſhips of Earls and Barons, and of their Heirs, to whom he pleaſed, till they ſhould come to full Age. When the Archbiſhop found he could not obtain any other Anſwer, he *Excommunicated* all thoſe that had entred upon the aforeſaid Poſſeſſions, and alſo every one (except the King) that ſhould converſe with them; and then went to *Rome* to proſecute his Suit in that Court. The King likewiſe ſent *Roger de Cantelupe*, with ſome others, to plead his Cauſe before the Pope.

[1] *Id.* p. 368. The A. B of *Canterbury* complains to the K. againſt the Juſtitiary, and for what reaſon. Whereupon the K. aſſerts his Prerogative to diſpoſe of Wardſhips. The A. B. *excommunicates* all thoſe that entred upon his Poſſeſſions, and then goes to *Rome* to defend his Cauſe.

[2] About *Eaſter* Earl *Richard*, the King's Brother, married *Iſabel* Counteſs-Dowager of *Glouceſter*, Siſter to *William* the Mareſchal, Earl of *Pembroke*, which *William* died immediately after that Solemnity.

[2] *Id. ib.* Earl *Richard* the K.'s Brother marries the Counteſs Dowager of *Glouceſter*.

[3] This Year in *May*, the *Welſh*, under their King *Llewellyn*, made many Incurſions, and committed great Spoils upon the Borders of *Wales*, ſparing neither Sacred Perſons nor Places: When the Biſhops and Prelates heard of it, they *Excommunicated* that Prince, and all his Adherents and Abettors; and the King having raiſed an Army at *Oxford*, marched ſpeedily into the Marches of *Wales*, as far as *Hereford*, to ſuppreſs them: During his ſtay there, the Governour of *Montgomery*-Caſtle, being over-reached by the Treachery of a Monk of *Combermeer*-Abbey, (whom Prince *Llewellyn* had ſuborned for that purpoſe,) marched out with the Soldiers of that Garriſon againſt the *Welſh* Prince; but he then lying ſtrongly encamped in a Place not far off, encompaſſed with Bogs, the *Welſh* feigned a Retreat; and the *Engliſh* being by this Stratagem drawn into the Bog, were there ſet upon by the *Welſh*, almoſt all cut off, and the reſt taken Priſoners: But when King *Henry* heard of it, he preſently marched againſt the *Welſh*, and entring their Country, they fled before him: Then the King rebuilt *Maud*-Caſtle, which the *Welſh* had formerly demoliſhed, and placed a ſtrong Gariſon in it to hinder their further Incurſions; and having finiſhed it, in *October* he returned into *England*.

[3] *Id. ib.* The *Welſh* make Incurſions, and therefore are *excommunicated* by the *Engliſh* Biſhops. The K. marches with an Army to the Borders of *Wales*, where his Forces receive a Defeat. The King rebuilds *Maud*-Caſtle, and returns home.

As to foreign Affairs this Year, in *June* the King of *France* with a great Army deſigned to invade *Bretaigne*, but was prevented by the Earls of *Bretaigne* and *Cheſter*, who had laid an Ambuſh to intercept his Carriages with the Victuals and Engines of War, which met with ſuch good Succeſs, that they took and deſtroyed them all. The *French* being thus ſurprized and diſcouraged, a Truce was agreed upon, and concluded for Three Years, between the Two Kings; On the King of *France*'s part, by the Archbiſhop of *Rhemes* and Earl of *Boloigne*; and on the King of *England*'s part by the Earls of *Bretaigne* and *Cheſter*, who ſoon after came into *England* with *Richard* the new Earl-Mareſchal, and were kindly received by the King: Then that Earl offered to do Homage, and whatſoever elſe was required of him, as Heir to his Brother *William* the *Mareſchal* deceaſed; To whom the King, by the Advice of his Juſtitiary,

[4] *Id.* p. 369. The King of *France* deſigning to invade *Bretaigne*, is prevented by the Earl of that Province and the Earl of *Cheſter*, who ſurprize all his Carriages; whereupon a Truce is made for three Years.

Richard the Earl-Mareſchal offers to do Homage for his late Brother's Eſtate; but is by the K. refuſed, and commanded to depart the Kingdom.

[5] *Id. ib.* Whereupon the Earl paſſes into *Ireland*, and reſolves to recover his Eſtate by force. Which makes the K. accept his Homage, and grant him all his Rights.

Anno Dom. MCCXXXI. gave this Anſwer, That he heard his Brother's Wife was with Child, and therefore would not determine any thing till that was certainly known, whether it were ſo or not; adding moreover, that he had confederated with his Enemies in *France*, and upon that account commanded him to depart the Kingdom within Fifteen Days, and never to return again upon pain of perpetual Impriſonment.

[5] When he had received this harſh Anſwer from the King, he paſſed over into *Ireland*, and there was kindly received; and having all his Brother's Caſtles delivered to him, had Homage and Fealty done him by his Tenants; alſo *Pembroke*-Caſtle, with the Honour belonging to it, was yielded to him. After this, he got together a great Number of Armed Men, reſolving (if Neceſſity required) to recover his Inheritance by Force. The King upon this changed his Thoughts, and accepted his Homage and Fealty, and granted him all his Rights, taking only the accuſtomed Relief.

[1] *Id.* p. 370. The A. B. of *Canterbury* arrives at *Rome*, and makes great Complaints to the Pope againſt the King.

[1] As for Eccleſiaſtical Affairs, about this time *Richard* Archbiſhop of *Canterbury* arrived at *Rome*, and in the Pope's Preſence made the following Complaints, *(viz.)* 'That the King was abſo-'lutely guided by *Hubert* the Juſtitiary; and that the Affairs of the 'Kingdom were wholly tranſacted by his private Advice, without 'conſulting that of his Great Men; That the Juſtitiary had mar-'ried his former Wife's near Kinſwoman, and had invaded the 'Rights of the Church of *Canterbury*, and refuſed to reſtore them; 'That the Biſhops his Suffragans had neglected their Paſtoral Care, 'and had betaken themſelves to Try Lay-Cauſes in the *Exchequer*, 'and gave Judgment in Matters of Bloud; That the Beneficed 'Clerks, and ſuch as were in Holy Orders, had divers Churches 'with Cure of Souls; and, according to the Examples of the 'Biſhops, intruded themſelves into Secular Affairs. On the other ſide, the King's Envoy pleaded many things on their Maſter's and the Juſtitiary's behalf, but to very little purpoſe; for the Pope had Commanded, that the Archbiſhop ſhould have his Buſineſs forthwith diſpatched, according as he deſired: However, in his return home he died at *St. Gemma*, three days Journey from *Rome*, and ſo the whole Tranſaction expired with him.

But carries his Cauſe againſt the K.'s Envoys.

And dies in his return home.

This Archbiſhop ſate ſo ſmall a time, that we can make no Character good or bad concerning him, more than that he was a vigorous Aſſerter of the Rights of his See, as appears by his travelling to *Rome* upon ſo ſlight an Errand as the retaining of a Caſtle, and ſome Eſtate that he claimed during the Nonage of the young Earl of *Glouceſter*.

[2] *Id. ib.* The K. would have married the K. of *Scots* Siſter, but is diſſwaded from it by his Nobility, and for what Reaſon.

[2] In *October* the King offered to marry the King of *Scots* Siſter, but the Earls and Barons, and eſpecially the Mareſchal, oppoſed it, alledging, that it was not for his Honour to marry the Younger, when his Juſtitiary had married the Elder Siſter; ſo at length he was prevail'd upon by the Earl of *Bretaigne* and the Mareſchal to deſiſt from that Deſign. After this, he gave the Earl of *Bretaigne* Five thouſand Marks of Silver, and ſo he returned into his own Country.

[3] The

[3] The Monks of *Canterbury* having choſen *Ralph Nevil* Biſhop of *Chicheſter* and Chancellor of *England*, Archbiſhop, they preſented him to the King on the Nineteenth of *September*, who confirmed their Choice, and forthwith inveſted him with the Temporalties, belonging to the Archbiſhoprick: Then the Monks deſired their Elect to allow them Money for their Expences in their Journey to the Court of *Rome*, to procure his Election to be confirmed; but he replied, He thought it was *Simoniacal*, and upon that account would not conſent to allow them one Farthing; However the Monks proceeded in their Journey, and Petitioned the Pope to confirm their Choice; but he being before informed of the Merits of the Perſon by *Simon Langton*, gave them this Anſwer, That the Perſon they had choſe was an Illiterate Man and a Courtier, and if he were promoted to that Dignity, he would concur with the King and Kingdom to ſhake off that Subjection to the See of *Rome*, to which King *John* had long ago ſubmitted it; whereupon the Pope voided the Election, and commanded the Monks to proceed to a new Choice of one who would be Faithful, and Devoted to the *Roman* Church.

Anno Dom. MCCXXXI.

[3] *Id. ib.* The Monks of *Canterbury* chuſe *Ralph* Biſhop of *Chicheſter* A. Bp. and preſent him to the K. who confirmed their Choice.

But the Pope voids the Election, becauſe the Biſhop was a Courtier, and illiterate.

[4] This Year King *Henry* kept his *Chriſtmas* at *Wincheſter*, and upon the Seventh of *March* he met the Great Men, as well Prelates as Laicks at *Weſtminſter*, to whom he declared That his late Expedition beyond Sea, had involved him in Great Debts, wherefore he was now forced to require of every one a general Aid; to whom *Ranulph* Earl of *Cheſter* replied in the Name of all the Great Men, 'That 'the Earls, Barons, and Knights, who held of him *in Capite*, had 'Perſonally ſerved him, and had been at great Expences to no pur-'poſe, whereby they were reduced to Poverty, and therefore of 'Right they owed the King no further Aid; and then having asked leave of him, all the Laicks departed: But the Prelates anſwered him dilatorily, 'That many Abbots who were Summoned, were 'not yet come up, and therefore deſired it might be deferred for ſome 'time longer, and that a Day might be appointed for all of them to 'meet together, and conſult what ought to be done in that Affair, which was agreed to by the King; and the *Quindene*, or Fifteenth day after *Eaſter* was appointed for their next meeting.

Anno Dom. MCCXXXII.

[4] *Id. ib* p. 372. The K. meets the Great Men both of the Clergy and Laiety at *Weſtminſter*, and there demands an Aid of them

Which the Earls, Barons, *&c.* refuſe to grant, and deſire leave to go home.

But the Prelates give a dilatory Anſwer.

[5] This Year many Men of Good Quality, with others of leſs Note, taking Arms violently enter'd the Barns of the *Roman*, (or *Italian*) Clergy-Men that were Beneficed in *England*, and carried away, and diſtributed their Corn, and ſometimes Money, among the Poor. There were about Fourſcore, and ſometimes more, that were the Authors of this preſumptuous Attempt; but one *William Witham*, (whoſe true Name was *Robert Thinge*, (alias *Twenge*) a Knight, was their chief Leader, to whom they paid a moſt ready Obedience. When theſe Diſorders had reach'd the Pope's Ears, he ſent very ſevere Letters to the King, blaming him for permitting ſuch Rapine to be Executed on Clergy-men; and commanding him upon pain of *Excommunication* and *Interdict*, to make ſtrict Enquiry after the Authors of this Violence, and to puniſh them according to the heinouſneſs of their Offence; that ſo others might be terrified from committing the like: And by his Letters he Commiſſioned *Peter*

[5] *Id.* p. 375. Corn and Money taken from the *Italian* Clergy-men, and given to the Poor by certain Perſons unknown.

The Pope writes to the K. to make Enquiry into the Authors of this Violence.

Anno Dom. MCCXXXII. *Peter* Biſhop of *Wincheſter*, and the Abbot of *St. Edmunds-Bury*, to make an *Inquiſition* in the *South* of *England*; and in the *North*, the Archbiſhop of *York*, the Biſhop of *Durham*, and *John* a *Roman* and Chanon of *York*, to make ſtrict ſearch, and whomſoever they found Tranſgreſſors in this Kind, that they ſhould forthwith *Excommunicate* them, and ſend them to *Rome* to be Abſolved.

The Pope alſo appoints Commiſſioners to make Inquiſition, and to *Excommunicate* the Guilty.

[1] When the Inquiſition was Executed, and Witneſſes Examined upon Oath, a Great many conſiderable Perſons were found either actually guilty of the above-mentioned Rapine, or at leaſt conſenting to it; in which number were ſome of the Biſhops, and others of the King's Clerks, with ſome Archdeacons and Deans, beſides many Knights and Laymen; ſo that divers High-Sheriffs, their Bailiffs, and other Miniſters, were by the King's Command taken up, and Committed to Priſon; ſeveral through Fear fled and could not be found; Nay, *Hubert de Burgh* the Juſtitiary, was himſelf accuſed as a Tranſgreſſor, for that he had granted the King's Letters, together with his own, that they ſhould not be hinder'd in their violent Actings; amongſt Others there came to the King the aforeſaid *Robert Twenge*, and brought with him Five Eſquires, who were his Coadjutors, and openly profeſſed that they had plundered the *Roman* Clergy, to revenge an Injury which he had formerly received by the Pope's Sentence, whereby 'twas endeavoured by manifeſt Fraud to force from him the only Church he had in his Gift; adding withal, That he had rather for a Time be unjuſtly *Excommunicated*, than loſe the Patronage of his Benefice without due Judgment: Then the King and Inquiſitors adviſed him to go to *Rome*, and make out his Right before the Pope, and pray his Abſolution; and the King thereupon gave him Teſtimonial Letters of his Right to the Pope, deſiring him earneſtly for his ſake to give this Knight Audience.

[1] *Id. ib.* Many conſiderable Perſons are accuſed and impriſon'd.

Robert Twenge comes to the King, and juſtifies what he had done.

[2] *Id.* p. 376. The Monks of *Canterbury* chuſe *John* their Subprior, Archbiſhop.

[2] The Convent of *Canterbury* having lately choſe *John* their Sub-Prior, Archbiſhop, he arrived at *Rome* in *Whitſon-Week*, and delivering his Letters of *Election* to the Pope, he commanded ſome of his Cardinals to Examine him, who after Three Days Tryal, profeſſed before the Pope, that they could find no cauſe of Rejecting him; yet however the Pope looked upon him to be too Old and Weak for ſo great a Truſt, and perſuaded him to renounce his *Election*, which he willingly did, and begg'd leave to go home again; Then the Pope granted Licence to the Monks of *Canterbury*, and Commanded them to chuſe ſuch an One to whom he might commit the Paſtoral Care.

But the Pope rejects him, and commands the Monks to chuſe another.

[3] *Id. ib.* The *Welſh* make Inroads into *England*, whereupon the King's Councellors upbraid him for ſuffering it.

[3] This Year about *Whitſon-Week*, the *Welſh* under the Conduct of their Prince *Llewellyn*, made ſeveral Inroads into *England*, and began to Burn and Plunder as they uſed to do: But when *Peter* Biſhop of *Wincheſter* and ſome other Councellors, told the King it was a great Reproach to his Crown to ſuffer ſuch an Inconſiderable People as the *Welſh* were, thus to Rob and Spoil his Subjects; He anſwered, That his Treaſurers told him, his Revenues would ſcarce afford him Meat and Cloaths, and to ſatisfie the accuſtomed **Alms*, much leſs any thing for Warlike Expeditions; To which they replied, 'That he made himſelf Poor by giving away the Honours, 'Wardſhips, and vacant Dignities which ought to come into the 'Exchequer,

The K. in excuſe pleads Poverty.

* *Note*, Theſe were yearly Penſions to ſeveral Monaſteries: *Vid.* the *Pipe Rolls*.

'*Exchequer*, ſo that he had the Name, but not the Eſtate and Riches 'of a King; adding withal, That his Predeceſſors were ſplendid 'both in Glory and Wealth; and that this proceeded from the 'great Care they took of their Revenues. Whereupon the King took this Hint, and preſently called his Sheriffs and Bailiffs to an Account, and whoever was convicted of Fraud, was removed from his Office, and forced to pay the Whole into the *Exchequer* with Uſury: He alſo removed *Ranulph Breton* Treaſurer of his Chamber, from his Office, and Fined him a Thouſand Pounds in Silver; and by the Advice of *Peter* Biſhop of *Wincheſter*, (whoſe Councel the King now in all things followed,) *Peter de Rivaux* his Nephew, a *Poictovin*, was placed in his Room; by which means the King's Coffers were for a while plentifully ſupply'd.

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The K. calls his Officers to Account, and gets much Money from them.

[4] About this time alſo, by the Advice of the ſame Biſhop, *Hubert de Burgh* was removed from the Office of Juſtitiary, although (as it was ſaid) he had the King's Patent for it during Life, and *Stephen de Segrave* placed in his Room, on the Twenty Ninth of *July*: Some few days after, the King, being very much incenſed againſt *Hubert*, required him to give an Account of all ſuch Moneys and other Revenues that had paſſed through his Hands, ever ſince he had been Juſtitiary.

[4] *Id. Ib.* *Hubert de Burgh* is removed from being Juſtitiary, and called to an Account for what he had received.

To this *Hubert* anſwered, *That he had King* John's *Charter, whereby he was diſcharged of all Accounts, who having ſo often experienced his Faithfulneſs, would not receive any Account from him:* The Biſhop of *Wincheſter* replied, 'That that Charter was not valid, af-'ter King *John*'s Death, and did not at all bind the preſent King 'from exacting an Account from him: But to this was added, That 'he had been Guilty of ſeveral Treaſonable Practices, and had gi-'ven Treacherous Advice to the King, much to the Prejudice both 'of *King and Kingdom:* To all which the King required him to an-'ſwer, and ſtand to the Judgment of the Court.

Hubert makes his Defence.

Hereupon *Hubert* ſeeing himſelf much preſſed and ſtreightned, required ſome time to give in his Anſwer, which was with great difficulty obtained, and the Fourteenth of *September* following was the Day appointed: In the mean time he took Sanctuary in the Priory of *Merton*, and being now deſerted by all his Friends, (except the Archbiſhop of *Dublin*) his Enemies daily increaſed, and many other falſe and improbable Crimes, (too large here to be recited) were laid to his Charge; Namely, That he had procured *William* late Earl of *Salisbury*, *William Mareſchal* late Earl of *Pembroke*, *Faux de Brent*, and *Richard* Archbiſhop of *Canterbury*, to be Poiſoned; That he had gained the King's Affection by Sorcery and Witchcraft; Others accuſed him of Injuſtice, Extortion, and Rapine; and the *Londoners* entered their Complaint againſt him for condemning their Fellow Citizen *Conſtantine* to be Hang'd without Legal Proceſs: All which Crimes were ſo highly aggravated before the King, that he cauſed it to be proclaimed in *London*, That whoever had any Complaint againſt *Hubert*, ſhould come to him, and he ſhould have Juſtice done him.

And obtains time till *September* to put in his Anſwer.

Many other great Crimes are laid to his Charge.

[5] On

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[5] On the Fourteenth of *September*, the King aſſembled the Biſhops, and other Prelates of the Church, with the Nobles of the Kingdom at *Lambeth*, by whom the Fortieth Part of all the Moveables of Biſhops, Abbots, Priors, Clerks, and Laicks, were granted to the King, for the Payment of the Debt he owed the Earl of *Bretaigne*: Then *Hubert* the late Juſtitiary, being called to anſwer the Articles exhibited againſt him, and fearing the King would put him to ſome ſhameful Death, had taken Sanctuary with the Chanons of *Merton*, and durſt not appear in the King's Court, to plead to thoſe Articles, until the King ſhould be in a milder Temper; whereupon in a great Rage he ſent to the Mayor of *London* to force him from thence, and bring him either Dead or Alive: The *Londoners*, glad of this Opportunity to revenge themſelves upon *Hubert*, upon ringing the Common Bell, gathered together in great Numbers, (as it was reported about Twenty thouſand of them) but ſome of the more diſcreet Citizens dreading the ill Conſequences of ſuch Tumults, went to the Biſhop of *Wincheſter*'s Houſe in *Southwark*, and deſired his Advice, who told them, That whatever came of it, they muſt execute the King's Precept; but *Ranulph* Earl of *Cheſter* ſuggeſted to the King. That if theſe Tumultuous Proceedings were countenanced, ſuch a Sedition at any time might be raiſed, as could not eaſily be appeaſed; adding further, That it would be a great Reproach to him Abroad, and eſpecially in *France*, when they heard he thus treated thoſe that had been his Favourites; which ſo prevail'd upon him, that he preſently diſpatched away a Meſſenger, with Letters to revoke his former Precept: At this the Citizens were ſtartled, being diſappointed of their Revenge, yet paying Obedience to the King's Orders, they returned into the City.

[5] *Id.* p. 377, 378 *Proceribus.* A Parliament at *Lambeth*, which grants the K. a Fortieth Part of all Moveables

Hubert de Burgh having taken Sanctuary, durſt not make his Anſwer.

The K. ſends the Mayor of *London* to fetch him out alive, or dead.

The Earl of *Cheſter* perſuades the K. to revoke his Orders for fear of a Sedition.

[1] After this the Archbiſhop of *Dublin* prevailed with the King to grant *Hubert* time till the *Octaves* of *Epiphany* to prepare his Anſwer. In the mean time *Hubert* thinking himſelf ſecure by the King's Letters Patents, deſigned a Viſit to his Wife, who was then at *St. Edmunds-Bury*; but when the King heard of it, he ſent *Geoffrey Craucumbe* with Three hundred Armed Men to apprehend him, and bring him Priſoner to the *Tower*: Upon this, going down, and finding him in *Eſſex* in a ſmall Chappel with the *Croſs* in One hand, and the *Hoſte* (taken from the Altar) in the Other, they wrung them both out of his Hands, and without reſpect to the Place, violently dragg'd him forth; and having Fetter'd and Chain'd his Feet under the Horſe's Belly, they brought him in a moſt reproachful manner to *London*, and committed him to the *Tower*.

[1] *Id. ib.* *Hubert* has farther time granted till the Octaves of *Epiphany* to make his Anſwer.

Notwithſtanding which he is drawn out of the Sanctuary by Force, and committed to the Tower.

[2] But *Roger* Biſhop of *London* hearing how *Hubert* had been treated, went in all haſte to the King, and very ſeverely rebuked him for this breach of the Church's Peace; and told him, That if he did not preſently ſet him at Liberty, and ſend him back again to the Chappel from whence he had been taken, he would *Excommunicate* all that were concerned in this Violation of the Church's Privileges.

[2] *Id.* p. 379. The Biſhop of *London* rebukes the K. for it.

[3] The King hereat being terrified, acknowledged his Fault, and him back again to the Chappel from whence he had been taken; but at the ſame time ſent to the Sheriffs of *Hertford* and *Eſſex* upon pain of being Hang'd, to go in their own Perſons, with all the Men of both

[3] *Id. ib.* *Hubert* is ſent back again to the Sanctuary, and is there kept from all Relief.

both Counties, and encompass the Chappel, that *Hubert* might neither make his Escape, nor receive any Victuals from any one: Then *Luke* Archbishop of *Dublin*, his only Friend who then stood by him, supplicated the King with Tears to know his Pleasure concerning him. Upon this the King offered him his choice of Three things, either for ever to *Abjure* the Kingdom, or be condemned to *Perpetual Imprisonment*, or else to confess himself a *Traitor*: But *Hubert* would chuse none of them, being conscious to himself that he had done nothing to deserve so severe a Proceeding; yet to satisfie the King, he said he would be content to quit the Kingdom for some time, but would not abjure it for ever: Yet rather than be starved, he at last yielded himself to the Sheriffs above-mentioned, who brought him up to *London* fettered and chained, and delivered him Prisoner to the *Tower*. *Anno Dom.* MCCXXXII.

He yields in part to the K.'s Offers and renders himself to the Sheriffs.

About this time was collected the Fortieth Part of all Goods lately granted to the King in the Parliament at *Lambeth*: The Form of the Commission to the Sheriffs of the several Counties, and the manner how it was to be levied and collected, is expressed at large in the Commission to the Collector, and is to be found in * *Matt. Paris*, f. 380. to which I refer the curious Reader.

The Tax of a 40th part of all Goods now collected.

About the Feast of St. *Martin* following, [4] the King was informed, that *Hubert* had much Treasure lodged with the *Knights Templars*; whereupon he sent for the Master of the *New Temple* to know the truth of it, who acknowledged the Money, but could not tell the Sum, but however refused to deliver it, unless he was authorized by *Hubert* himself: Then the King sent his Treasurer, with the Justices, or Barons of the *Exchequer*, to *Hubert*, who in the King's Name demanded of him all the Treasure he had lodged with the *Templars*. To which *Hubert* replied, He would readily submit himself and all that he had to the King's Pleasure, and presently authorized the *Templars* to deliver all the Keys of his Treasure to the King, which when he received, he commanded an Inventory to be made, and delivered to him, and the Money to be paid into his *Exchequer*. His Enemies hearing of this great Treasure, accused him to the King of Theft and Fraud, urging, that he deserved a shameful Death. To whom the King replied, That *Hubert* had faithfully served his Uncle King *Richard* and the King his Father, (as he had heard) and if he had done otherwise towards himself, he should never be put to death; for he had rather appear too merciful than too cruel to one who had so often preserved both his Predecessors and Himself in great Dangers: And the King being now softned into Compassion, regranted to him all the Lands which the King his Father had given him, as also those he had purchased: And soon after, Earl *Richard* the King's Brother, *William* Earl of *Warren*, *Richard* Earl-Marshal, and *William* Earl of *Ferrars*, became Sureties for his Good-behaviour; whereupon he was sent Prisoner to the Castle of the *Devises*, under the Custody of Four of their Knights, and then he appointed *Laurence*, a Clerk of *St. Albans*, Steward of the Lands granted him, who had been a faithful Friend, and great Comfort to him in all his Afflictions.

* It is also upon Record in the *Tower*. *R. Col.* 16. *H.* 3. *M.* 2. *Dors.*

[4] *Id.* p. 381.

Earl *Hubert's* Treasure seized in the New Temple.

The K. refuses to put him to death.

He is committed to the Castle of the *Devises*.

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The Substance of this Composition or Judgment, is also to be found upon * Record in the *Tower*, though it doth not agree in all Points as to the exact Circumstance of Time, and the Crimes already laid to his Charge: For the Record only recites, 'That 'whereas the Pope having wrote to King *Henry* to correct the In- 'juries that *Hubert de Burgh* had done to the *Roman* Church, and 'the *Italian* Clerks here in *England*, that thereupon the King sent 'to Arrest his Body, and bring him to answer before him espe- 'cially for that very matter; and that *Hubert* having notice of 'this, fled into a Chapel, from whence those that pursued him '(though they had no Order to do it) took him, and carried him 'to *London*; That when the King heard of this, being desirous to 'maintain the Liberty of the Church, he commanded him to be 'carried back to the same Chapel; in which when he had conti- 'nued several Days, he was asked whether he would remain in 'the Chapel, or go out, and stand Trial in the King's Court con- 'cerning that Offence, whatsoever else should there be objected 'against him by the King and divers others, who had exhibited 'their Complaints; and that at length he voluntarily chose to 'come out, and stand to the Law; yet begged the King's Mercy; 'And that the King's Officers there present had received him, car- 'ried him to *London*, and delivered him to the Constable of the 'Tower; That the King not satisfied with this, sent *Stephen de Sea- 'grave*, then Justitiary, *John de Lacy* Earl of *Lincoln*, *Brian de 'Lisle*, and others, to know whether he was forced, or went out 'voluntarily? That his Answer was, He went out freely, and not 'for want of Victuals, or any other thing; and that he was ashamed 'he had staid there so long: That then the King commanded he 'should be out of the Custody of the Constable of the *Tower*, 'that he might come freely to his Court; and so he came to *Cora- 'hul* in *London* upon the Eve of St. *Martin*, and appeared before 'Richard Earl of *Cornwal*, *William* Earl of *Warren*, *Richard* the Ma- 'reschal Earl of *Pembroke*, *John* Earl of *Lincoln*, *Stephen Segrave* 'the Justitiary, *Ralph Fitz-Nicholas*, and others, the King's Tenants, 'or * *Feudataries* there assembled; where being accused, he would 'make no Defence, but submitted himself wholly to the King's 'Pleasure, concerning his Body, Lands, and Goods: That the 'King, at the Instance of the Great Men, and the Petition of *Hu- 'bert* with his Friends and Relations, and by the Consent of his 'Accusers, respited the Judgment, notwithstandin g it was drawn 'up in open Court, and voluntarily granted him these following 'Terms, *viz.* That having delivered up to the King all his Lands, 'Tenements, and Liberties, which he held of him *in Capite*, and 'of King *John* his Father, and all Writings and Instruments that 'concerned them, he should retain and enjoy the Lands and Te- 'nements which descended to him from his Ancestors, with all 'the Lands and Tenements he held of others, except the King; 'yet so as he should answer to all his other Accusers, according to 'the Custom of the Kingdom; and that all his Chattels (whatso- 'ever they were) as well Gold, Silver, Money, or other Goods, 'should be the King's; and his Body to remain at the Castle of 'Devises, in the Custody of *Richard* Earl of *Cornwal*, *William* Earl

of

* Rot. Pat. 17 H. 3. M 9. Dors. Printed in Dr. Brady's Append. n. 152. The substance of Hubert's Composition, as it appears on Record.

* Fidelibus.

of *Warren*, *Richard* the *Mareschal* Earl of *Pembroke*, and *John* Earl of *Lincoln*, until he took upon him the Habit of the *Friars-Templars*, or was delivered by the Common Council of the King, and of all the foresaid Barons his Keepers, and of all the Great Men of the Land: And if he should by any ways or means break, or endeavour to break Prison, or any ways transgress this Agreement, then the First Judgment was to take effect, and wheresoever, or by whomsoever he should be found, he was to be used as an Out-law. This Judgment of the King's proved much more easie, because during *Hubert*'s Confinement in the said Chapel, his great Enemy *Randolph* Earl of *Chester* deceased at *Wallingford*-Castle, and dying without Issue, his Nephew *John* Son to Earl *David*, Brother to the King of *Scots*, succeeded in the Earldom of *Chester*.

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Toward the latter end of this Year, in *December*, Prince *Llewellyn* granted and promised the King to stand to the Determination of *Ralph* Bishop of *Chichester*, and Chancellor *Alexander* Bishop of *Lichfield* and *Coventry*, *Richard* the Mareschal Earl of *Pembroke*, *John de Lacy* Earl of *Lincoln*, Constable of *Chester*, *Stephen de Segrave* Justiciary of *England*, and *Ralph Fitz-Nicholas* the King's Steward, together with *Idenerth*, *Llewellyn*'s Steward, *Werenve* his Brother, *Griffith Vaghan*, and *David* the Clerk, concerning what Amends were to be made for all Excesses and Transgressions on both sides, and for the restitution of all Lands and Possessions, and what Money was to be paid for Damages sustained, as appears by Agreement, which is still upon Record in the *Tower*, and bears Date at *Shrewsbury*.

Dr. B.'s Appendix N. 153. Pr. *Llewellyn*'s Agreement with the King.

* *Rot. Pat.* 17 *H.* 3. *M.* 9. *n.* 32.

Note, In this Record *Llewellyn* is only stiled Prince of *Aberfraw* (in the Isle of *Anglesey*) as being the chief place of his abode.

As for Ecclesiastical Affairs, nothing happened this Year considerable, but that the Pope ordained a General Visitation of all Religious Houses throughout the *Western* Church, as appears by his Letters or Bull in [5] *Matt. Paris*, to the Suffragan Bishops of the Province of *Canterbury*, who were thereby Authorized to visit such Houses of *Monks*, *Nuns*, *Canons Regular*, that lay within their respective Dioceses, and were not exempt from their Jurisdiction: As for those that were exempt, and belonged particularly to the Pope's own Visitation, he appointed them Commissioners for that purpose, who carried themselves so rigorously and insolently in many Places, that they forced divers Abbots and Priors to appeal to the Pope, and after a great deal of Trouble and Money spent, the only comfort they could obtain was, to have new Visitors assigned them.

[5] *Id.* p. 384. The Pope orders a General Visitation of all Monasteries.

[6] Also in Autumn this Year, Master *John Blund*, Clerk and Doctor in Divinity in *Oxford*, was, by the Monks of *Christ-Church* in *Canterbury*, chosen Archbishop, and being accepted by the King, went to Rome to obtain the Pope's Confirmation.

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[7] This Year King *Henry* at *Christmas* kept his Court at *Worcester*, where, by the Advice of *Peter* Bishop of *Winchester*, as it was reported, he removed all his Natural-born Subjects from their Offices and Places at Court, and put Strangers (being *Poictovins*) into their rooms, and would trust none but the foresaid Bishop and *Peter de Rivaulx* his Kinsman; so that the Management of all Publick Affairs was now committed to them: Then many *Poictovins* and *Bretaignes*

[7] *Id.* p. 384. The K. turns out the *English*, and puts in Foreigners in all Places of Trust.

Anno Dom. MCCXXXII. *Bretagnes* being invited into *England*, there came over no less than Two thousand Knights and Esquires, who were all placed in several Castles in Garison, to whom the crafty King committed the Wardships of the Young Nobility, which afterwards much degenerated through their ignoble Marriages with Foreigners: And when any *Englishmen* complained to the King of their Oppression, they found no Redress, through the powerful Influence of the Bishop of *Winchester*.

Which gives great discontent; and the Earl Mareschal with others declare it to the K. but without any good effect.

But when *Richard* Earl Mareschal saw all sorts of Men thus aliened oppressed, and the Laws of the Kingdom manifestly broken, He, as a Lover of Justice, with some other Great Men, went boldly to the King, and told him publickly, That his pernicious Councils he had called in *Poitovins* and other Strangers, to the great Oppression of his Natural-born Subjects, and Violation of their Laws and Liberties; wherefore they humbly besought him to correct these Disorders in the Government, otherwise the Earl, and the rest of the Great Men would withdraw themselves from his Councels, as long as he made use of Strangers: To whom the Bishop of *Winchester*, being then present, replied, That the King might call whomsoever he pleased for the Defence of his Crown and also for and so many as might reduce his Proud and Rebellious Subjects to due Obedience. When the Mareschal and the rest heard this Answer, they retired from Court, promising faithfully to stand by each other till Death in this Dispute. From whence we may observe, That under weak Princes, the often change of Chief Ministers of State proves commonly to the Disadvantage and great Oppression of the People; for now the Bishop of *Winchester* proves much worse than *Hubert de Burgh* was before.

The Bp. of *Winchester* replies to this Demand.

[3] Soon after, the King summoned all the Earls and Barons of the Kingdom to meet him at *Oxford* on the Feast of St. *John Baptist*, but they refused to obey his Summons, because they feared and hated the Foreigners that were about him, who now disposed of all things: Then he was advised to send out a Second and Third Summons, to try whether they would come or no to *Westminster* on the Eleventh of *July* following, promising also by their Counsel to reform whatever was amiss. But when the Great Men heard that upon the King's Invitation many Strangers privately and by degrees (with Horse and Arms) were landed in *England*, and not seeing any prospect of Accommodation, they laid aside all thoughts of meeting the King on the Day appointed, and by select Messengers declared unto him, That unless the Bishop of *Winchester* and the *Poitovins* were forthwith removed from his Councils [illegible] *by the Common Council of the Kingdom, from both Houses, and their Counsellors out of the Realm, and from all Offices under the King.*

[3] Id. p. 186. The K. summons the Earls and Barons to a Council.

They refuse to come, and send the K. a very sharp Message.

The King and the Court being much startled at this sharp Message, he was advised by the Bishop of *Winchester* to reduce his Rebellious Subjects by force, and dispose of their Castles and Lands to the *Poitovins*, who would defend the Kingdom of *England* from such Traitors. The first Nobleman that fell under the King's Displeasure was *Gilbert Basset*, who applying himself to the King for a Mannour that had been unjustly taken from him, was called

The Bp. of *Winchester's* Advice to the King.

and threatned that if he did not depart the Court, he should be *Hanged*. The next was *Richard Siward* a Knight, that had married *Gilbert Basset*'s Sister, or Neice; the King commanded him to be apprehended and brought before him, and from every Noble and powerful Man he suspected, he required Pledges for his Fidelity, and by his Letters ordered them to be presented to him before the beginning of *August*.

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The Nobility being highly incensed against these severe Proceedings, on the First of *August* the Earls and Barons came with a great Number of Armed Men to *London* to a Conference, or Parliament; at a Day by them agreed on; but *Richard* Earl-Marshal having received Advice from his Sister *Isabel* (Wife to the Earl of *Cornwall*, the King's Brother) that Snares were laid for him to draw him into *Wales*; but the Earls of *Chester*, *Lincoln*, *Ferrers*, and *Richard* the King's Brother, with many other Earls and Barons came thither; yet nothing was done, because the Earl-Marshal *Gilbert Basset* were absent. Then the King, by the Advice of the Bishop of *Winchester* and *Stephen Segrave*, summoned all that owed him any Military service to come to *Gloucester* on the *Sunday* after the Assumption of the *Blessed Virgin*, (that is, the Fifteenth day) with Horse and Arms; but *Richard* the Earl-Marshal, and others confederated with him, refused him to come: upon this, the King (as if they had been Traitors) burnt their Towns, destroyed their Parks and Warrens, and besieged their Castles; and without any Judgment of his Court or their Peers, proscribed them, and disposed of their Lands to the *Poitovins*, and commanded their Bodies to be taken where-ever they could be found.

[a] *Matth. Paris* p. 388. Conditions. The Nobility meet at *London*, but not the Earl-Marshal

The K. summons his Tenants *in Capite* to appear at *Gloucester* with Horse and Arms; but upon their refusal, they are proscribed, and treated like Traitors.

The Bishop of *Winchester* had been so cunning, as that by a Seal and Marks well and seasonably bestowed, the Earls of *Chester*, *Lincoln*, and *Warren* were gained over to the King's side; for the Earl of *Warren* before left the *Marshal*, and returned to his Brother the Earl of *Surrey*, and the *Marshal* saw himself thus deserted by these Earls, he entered into a Confederacy with *Llewelyn* Prince of *Wales*, and other Nobility of that Country, and they all took an Oath not to make any Peace but by General Consent. And now the King had received great Numbers of Forreigners from beyond the Seas, and marched with them down to *Hereford*, and from [a] thence, by the Counsel of the Bishop of *Winchester*, he sent the Bishop of *S. David's* to desire the Earl Marshal, and commanded his Army to march, and besiege his Castles. One of which was to, which the King was afraid he should be baffled and with forced to raise the siege; whereupon he sent some Bishops with Offers, That if he would surrender the Castle he should be given him entirely back again within Days, and farther, That he would correct what was amiss by the Counsel of the Bishops, who should be his Judges. Upon these Conditions the Castle was delivered to him, the day appointed for the performing these things was the [b] When

[a] *Matth. Paris* p. 388. The Bp. of *Winchester* buys off two Earls from the Barons side.

The Marshal confederates with Pr. *Llewelyn*.

[b] *Matth. Paris* p. 388. The K. defies the E. Marshal.

The K. proposes an Accommodation to the Earl, which is accepted, and he delivers the Castle on Terms.

Anno Dom. MCCXXXIII

[2] When the Fifteen Days were expired, the Mareſchal, according to the late Agreement, expected the reſtitution of his Caſtles, and ſent to the King to demand it; but he anſwered him, That he would not reſtore it, but would endeavour to ſubdue his other Caſtles. The Mareſchal finding that neither Promiſes nor Oaths were obſerved by the King's Councellors, beſieged the Caſtle, and and without much Difficulty regain'd it.

The Earl demands Reſtitution, according to the Agreement.

On the Ninth of *October*, the Great Men met the King at *Weſtminſter*, to reform what was amiſs in the Kingdom, according to appointment, where they all humbly beſeeched him to be reconciled to his Barons and Nobles; alſo the *Preaching Friers* and *Minors* (whom the King much Reverenced) exhorted him to extend his Affection to his Native Subjects, and not to baniſh, ſpoil, and deſtroy them without Legal Proceſs, nor to call them *Traitors*, who procur'd the Publick Peace, and by whoſe Councels the Management of all Affairs of the Kingdom ought to be directed. To this the Biſhop of *Wincheſter* replied, *That there were no ſuch Peers in England as in France, and therefore it was Lawful for the King of England, by ſuch Juſtices as he was pleaſed to appoint, to baniſh any Guilty Perſons out of the Kingdom, and by Judgment to condemn them.* When the Biſhops heard this, they unanimouſly threatned to *Excommunicate* all the King's Principal Councellors by Name, in the Front of which Liſt were *Peter* Biſhop of *Wincheſter*, *Peter de Rivaux*, *Stephen Segrave* Juſticiary, and *Robert Paſſelew* Treaſurer. The Biſhop of *Wincheſter* alledged for himſelf, that he was conſecrated Biſhop by the Pope, and ſo was exempted from their Authority, and therefore to prevent the Sentence, he appealed to the Holy See. Thereupon the Biſhops *Excommunicated* all thoſe who alienated the King's Mind from his Natural Subjects, and thus diſturbed the Peace of the Kingdom. During this Conference, the King by an Expreſs was certified, that the Mareſchal had taken his Caſtle, at which he was ſo much troubled, that he commanded all the Biſhops to *Excommunicate* him; but they utterly refuſed, becauſe (as they ſaid) he did thereby only recover what was his Right. Thereupon the King Summoned all that owed him Military Service to meet at *Gloceſter* with Horſe and Arms, the Day after *All-Saints*.

The Er. of *Wincheſter*'s Reply.

The Biſhops threaten to *Excommunicate* him, and the reſt of the K.'s Councellors.

The K. commands the Biſhops to *Excommunicate* the E. Mareſchal, but they refuſe it.

[3] The King having gathered together a vaſt Army at *Gloceſter*, marched towards *Wales*; but the Mareſchal had before-hand waſted all the Forage thereabouts, ſo that in a ſhort time, through want of Proviſion, the King was forced to retire with his Army to the Caſtle of *Grosmont* (in *Monmouthſhire*.) The Mareſchal by his Spies underſtanding that the King lodged within the Caſtle, and the greateſt part of his Army quartered without in Tents, he came by Night, entred the Camp, and put the whole Army into ſuch a Diſorder, that they immediately fled, and left their Horſes, and all their Baggage, for a Prey to the Mareſchal, but he would not ſuffer any of the King's Soldiers either to be taken or hurt; by which means only Two of the whole Army (and they too through their own Indiſcretion) fell by the Sword. The King ſeeing himſelf almoſt alone, and encompaſſed with Enemies, that he might prevent the Incurſions of the *Welſh*, placed the ravaging

[3] *Id. ib.* The K. marches into *Wales*, where he is defeated by the Earl's Policy.

Peiſ-

Poictovins in his Caſtle, under the Command of *John de Monmouth*, and *Randolph de Tony*, and ſo returned to *Glouceſter*.

Anno Dom. MCCXXXIII *M.* p. 390. The Earl marches towards *Monmouth*, and is like to be taken in an Ambuſh.

Upon this, [4] the *Mareſchal* marched towards *Monmouth*, which which was well fortified and defended by *Baldwin de Gyſnes* and his *Poictovins* and *Flemings*, to whom the King had committed the Town. They underſtanding that the *Mareſchal* was taking a View of the Town with but a ſmall Number of Soldiers, ſallied out, and almoſt ſurprized him by an Ambuſh they had laid; and he had been taken Priſoner, if his own Valour and the Bravery of ſome that were with him had not reſcued him out of their hands: In this Skirmiſh *Baldwin* was ſo deſperately wounded, that he was taken up half-dead, which made them leave the *Mareſchal*, and retire with their Captain into the Town. When the reſt of the Earl's Army heard what had befallen their General, they came with great Fury, and revenged themſelves upon the Strangers, killing and taking Captive moſt of thoſe that came out of the Town.

Here follows in *Matt. Paris* a long Account of the Propoſals of Peace, that were about this time made to the Earl *Mareſchal*, whilſt he quartered at the Abbey of *Margan* in *Wales*; which ſince they are ſomewhat too long for a place in our Hiſtory, I omit; however, they deſerve the inquiſitive Reader's Conſideration, becauſe they contain not only all that was objected by the King and his Councellors againſt him, but alſo divers curious Points, relating to the Antient Right of the Barons of *England* to be Judged by their Peers, as alſo the Chief Heads of the *Mareſchal*'s Defence againſt thoſe Accuſations.

Id. p. 388. *H. de Burgh* endeavours to eſcape, but without ſucceſs.

[5] About this time *Hubert de Burgh* being ſtill Priſoner in the Caſtle of the *Deviſes*, had notice by a Friend at Court, that the Biſhop of *Winchester* his great Enemy: had earneſtly deſired of the King the Cuſtody of that Caſtle, that ſo (as it was ſaid) he might have an Opportunity to diſpatch him out of the way. Upon this Information, *Hubert*, by the Aſſiſtance of Two Servants that waited on him, made his Eſcape on *Michaelmas*-Eve out of the Caſtle, and got into the Pariſh-Church; but ſo ſoon as it was known that he had thus given them the ſlip, divers of the Garriſon went out with Lances, Clubs, and other Arms to ſeek him, and they found him in the Church before the Altar, with the *Croſs* in his Hand; thereupon they beat and banged him ſeverely, leaving him, and the Two that aſſiſted him to make his eſcape, into the Caſtle again, and put him under a ſtrict Guard: But when the Biſhop of *Saliſbury* heard what was done, he went to the Caſtle, and commanded thoſe that had thus violated the Privilege of the Church, to carry him back, and leave him in the ſame ſtate they found him: But they told the Biſhop, they had rather *Hubert* ſhould be hanged than themſelves. So upon this peremptory Anſwer, the Biſhop *Excommunicated* all by Name that refuſed to obey his Commands; and then went with the Biſhop of *London* and other Prelates to the King, and obtained ſo much Favour for *Hubert*, that he was ſent back to the Church on the Eleventh of *October* following; yet the King being ſtill very angry at him, ordered the Sheriff of the County to guard the Church, that ſo he might be ſtarved for want of Proviſions.

He is retaken, and ill uſed Soldiers.

Who are thereupon *Excommunicated* by the Bp. of *Saliſbury*.

Hubert is carried back to the Church.

But

Anno Dom. MCCXXXIII

Matt. Paris mistaken in the time of *Hubert's* return to the Church.

But notwithstanding what *Matt. Paris* relates concerning this Affair, 'tis certain *Hubert* was sent back to the Church before the Eighteenth of *October*, for on the Fifteenth of that Month, the King sent his Writ or Letter (upon *Record in the *Tower*) to the Good Men of *Wiltshire*, to let them know, he had sent *Ralph de Bray* and *Ralph de Norwich*, as his Justices, to receive *Hubert de Burgh's* Abjuration of the Kingdom, in case he would not come out of the Church, and stand to the Laws in the King's Court; or else to do him Justice in his Court if he would come out of the Church, and answer there, as he had agreed to do: But if he would do neither, then the *Wiltshire* Men were commanded diligently to guard the Church and Church-yard, as the Justices should direct.

* *Rot. Pat.* 17 H. 3. *M.* 1. Printed in Dr. *B's* Ap. N. 154.

But it is certain, That on the Thirtieth of the same Month [1] *Hubert*, by the Assistance of his Friends was taken out of the Church by Force, and being by them Armed like a Common Soldier, made his Escape in that Disguise into *Wales*, and joined himself to the King's Enemies: *Thus he, who, when he was in power, was all for Absolute Obedience to the King's Will, now when the Tide was turned, and he came to be oppressed himself, stood up stiffly then for Self-defence*; as is commonly observed in all Men of *Arbitrary Principles*.

[1] *Id.* p. 389. *Hubert* makes his Escape into *Wales*, and there joins with the K's Enemies.

I shall conclude this Year with some Account of Ecclesiastical Affairs. [2] *John Blund*, Professor of Divinity in *Oxon*, having been last Year Elected Archbishop of *Canterbury*, (as you have already heard) his Election was declared void at *Rome*, because that after his said Election he had received a Thousand Marks in Silver from *Peter* Bishop of *Winchester*, as a Present, besides another Thousand he had lent him before upon his Promotion, which was adjudged to be *Simony* by the Pope.

[2] *Id.* p. 385. The Election of *John Blund* to the See of *Canterbury*, declared void by the Pope, and why.

[3] Yet at last his Holiness was pleased to give those Monks, who came along with the Person now laid aside, leave to chuse *Edmund*, Chanon of *Salisbury*, Archbishop, being a Learned Man, and of a very strict Life, which Election being confirmed by the Pope he some time after sent him over the Pall.

[3] *Id. ib.* The Monks that were sent to *Rome*, Elect *Edmund* Chanon of *Salisbury* Archbishop, who is confirmed by the Pope.

[4] Also some time after *Walter* Bishop of *Carlisle* thinking himself injured by the King, took Shipping to pass beyond Sea, but was seized by the King's Officers at *Dover*, who would not permit him to go out of the Kingdom without first obtaining his License; but *Roger* Bishop of *London* arriving there from *Rome*, and seeing the Affront that was done him, *Excommunicated* all those that had laid violent hands upon him; from whence going to the King at *Hereford*, he complained of the Wrong that had been done that Bishop; but having no redress, he renewed the Sentence, upon all those that had done it. The King in the mean time murmuring against it, forbad him to pronounce any such Sentence; yet notwithstanding this, all the Bishops there present agreed with him, and *Excommunicated* all those that had occasioned this Disturbance; so powerful were the Clergy in those Times.

[4] *Id.* p. 387. *Walter* Bp. of *Carlisle* seized, going over without Licence.

Those that did it are *Excommunicated* by the Bishop of *London*.

I cannot here [5] omit a strange Accident that happened on the Eighth of *April* this Year; In the Morning about Sun-rising there appeared at once four Counterfeit Suns of a reddish Colour, besides the True one, *being placed in the several Sections of four lesser Circles made upon one great Circle that encompassed the whole Horison, and

[5] *Id.* p. 385. A strange appearance of Five Suns.

*See the Figure of it in the Author.

and passed over the Body of the True Sun: For the Scheme of which *Phænomenon*, I refer the Curious Reader to our Author, where he may find it exactly delineated. *Anno Dom.* MCCXXXIII

This Year the King kept his *Chriſtmas* at *Gloucester* with a very ſmall Court, becauſe divers of the Great Men, who had ſuffer'd ſo much at the Caſtle of *Groſmont*, were retired, and could make no Appearance. *Anno Dom.* MCCXXXIV *Id.* p. 393.

[1] The Day after *Chriſtmas*, *John de Monmouth* having gathered together a great Number of Soldiers, deſigned privily to Attack the Mareſchal; but he was Counter-plotted by the other's Policy, and Defeated, and a great number of his Soldiers ſlain on the ſpot, he himſelf narrowly eſcaping: Then the Mareſchal and thoſe that were Confederated with him, Ravaged, Spoiled, and Burnt the Lands, Goods, and Houſes of the King's Principal Councellors, ſo that nothing eſcaped them from the Borders of *Wales* to *Shrewsbury*, which they alſo Burnt. [1] *Id.* p. 394. The Mareſchal defeats *John* of *Monmouth*. And ſpoils the Eſtates of the King's Councellors.

[2] All this while King *Henry* remain'd with the Biſhop of *Winchester* at *Gloucester*, not having ſufficient Force either to oppoſe or repreſs thoſe Devaſtations; from whence he went to *Wincheſter*, and left thoſe Countries to his Enemies. [2] *Id. ib.*

Then the Biſhops were inſtant with the King to make Peace with the Mareſchal; but he refuſed it unleſs he would acknowledge himſelf a *Traytor*, and come in with a *Halter* about his Neck. The Bps urge the K. to make Peace with the Mareſchal, but in vain.

[3] But when the King's Councellors ſaw their Houſes burnt, their Lands deſtroyed, and their Friends the *Poictovins* in great numbers ſlain, and themſelves without Remedy, they ſtudied how to ruine the Mareſchal by Treachery, whom they could not Conquer by Force, which at laſt they effected by this wicked Means. They compoſed and wrote Letters in the King's Name, (though without his privity) Sealed with his, and Eleven of their own Seals, and directed them to *Maurice Fitz-Gerald* (the King's Juſtitiary in *Ireland*) to *Walter* and *Hugh de Lacy*, *Richard de Burgh*, and *Geoffrey March*, and ſeveral Others the Earl-Mareſchal's Sworn-Men or Feudataries, ſhewing, That although the Mareſchal was proclaim'd a *Traytor*, and, by the Judgment of the King's Court, proſcribed, and diveſted of his Paternal Inheritance, yet he ceaſed not to purſue the King with his wonted Malice; wherefore they required them, as the King's Faithful Subjects, to uſe their utmoſt Endeavours, whenever the Mareſchal ſhould come over thither, to take him Alive or Dead, and preſent him to the King, which if they carefully perform'd, all his Eſtate and great Poſſeſſions in *Ireland*, ſhould be divided among them; for which they gave them the King's Promiſe, and they themſelves would become Sureties for the Performance of it. [3] *Id. ib.* The King's Councellors contrive the Mareſchal's Deſtruction. They write Letters to the Juſticiaries and Great Men of *Ireland*.

[4] When the *Iriſh* Noblemen heard the Tenor of theſe Letters, they ſent private Meſſengers to thoſe Councellors with Letters, aſſuring them, That if they could be ſecured by the King's Charter of what they had promiſed them, they would undertake to effect what he ſo deſired. Then theſe Councellors ſtole the Seal from *Ralph* Biſhop of *Chicheſter* the Chancellor, and therewith Sealed a Charter without his knowledge, by which all the Rights and Poſſeſſions of the Mareſchal were to be divided among them; and [4] *Id.* p. 395. Who accept th ſe Offers.

Anno Dom. MCCXXXIV

And Invade the Mareschal's Territories in *Ireland.*

forthwith dispatch'd a Messenger with it to the abovenamed *Irish* Noblemen, who no sooner received it, but they Confederated and resolved the Destruction of the Mareschal; and in order to it they raised a great Army, with which they enter'd his Lands, took his Castles, and grievously Plunder'd them, that so they might provoke him to come over into *Ireland.*

[5] *Id.* p. 395. * *Colloquium.* The K. at a Treaty or Conference with the Bps, rebukes the Bp of *Chester* and others of the same Order, for Corresponding with the Mareschal.

[5] On *Candlemas-Day* the King came to a *Treaty at *Westminster*, with the Bishops and Nobility; wherein he severely rebuked *Alexander* Bishop of *Chester*, and some other Bishops, for keeping Correspondence with the Earl Mareschal, as if they endeavoured to Dethrone him; but the Bishops being highly provoked against those who had thus Calumniated them, *Excommunicated* all such as had suggested these things to the King. Then Master *Edmund*, the new Archbishop Elect of *Canterbury*, (and several Bishops of that Province who were present at this Conference) went to the King, and represented to him the miserable State that both He and the whole Kingdom were brought into, by his following the pernicious Councels of *Peter* Bishop of *Winchester*, and *Peter de Rievaulx*, and their Accomplices, to whose Advice they ascribed all the Evil Events, Wars and Calamities that had happened in this King's time; adding withall, That if he did not very suddenly remove from his Court those Evil Councellors, and receive his Native and Liege-Subjects into his Councels, and the Management of the Affairs of the Reason, (*as in the Customs of other Nations,*) they must proceed to Ecclesiastical Censures against all Gain-sayers; The King hereupon answered, He could not reform his Councel, untill he had taken their Accounts, and so desired a small Respite; Upon which this Conference was dissolved, and every one went away pretty well satisfied, and full of hopes of a speedy Accommodation.

[1] *Id.* p. 397. *Edmund* being Consecrated A.B. of *Canterbury*, by his Advice, the K. promises to reform his Court and Council.

[1] On the Second of *April*, *Edmund* was Consecrated Archbishop of *Canterbury*, the King being present, and on the Ninth of the same Month, He, together with the Earls, Barons, and the New Consecrated Archbishop and his Suffragans and other Prelates, met at another Conference at *Westminster*, wherein the King being first admonished by the Archbishop, of the desolate Estate of his Kingdom, and of the Danger impending it; and being again threatned with the *Excommunication* not only of all such as should oppose the Peace and Reconciliation they now proposed, but also of his own Person in case he took part with them, He promised at last to be directed by their Councils; and some few days after commanded the Bishop of *Winchester* to retire to his Bishoprick, and mind the Care of Souls, and not concern himself any further with the Affairs of the Kingdom.

[2] *Id. ib.* *Peter de Rievaulx* is commanded to give in his Accounts.

[2] He likewise commanded *Peter de Rievaulx* to give in his Accounts, and yield up his Castles, and depart the Court, assuring him upon his Oath, That if he had not been a Beneficed Clerk, he would have caused his Eyes to be pulled out; He also discharged the *Poictovins* from his Service, both in his Court and Garisons, commanding them to go into their own Country, and never see his Face more. Thus having purged his Court, and removed his Evil Councellors, and cleared his Kingdom of Strangers, he submitted himself to the Advice and Councels of the Archbishop and Bishops, by

by whom he hoped to reduce his unſettled Kingdom to a proſperous Condition. *Anno Dom.* MCCXXXIV

[3] Immediately after this, the King ſent *Edmund* now Archbiſhop of *Canterbury*, with the Biſhops of *Cheſter* and *Rocheſter*, to *Llewellyn* Prince of *Wales*, and *Richard* Earl-Mareſchal to treat about a Peace; but the latter having before received notice of the Spoils and Rapines that were committed upon his Lands and Caſtles in *Ireland*, and ſeeing the King was gone *Southward*, and had left off his deſign againſt *Wales*, he thought he might lay hold of this Opportunity to paſs over into *Ireland*; ſo taking with him only Fifteen Knights, he went thither. [3] *Id. ib.* The Mareſchal paſſes into *Ireland* to ſecure his Lands and Caſtles.

But [4] ſo ſoon as ever he Landed, *Geoffrey Marſh*, with the other Great Men of the Kingdom, who had privately Confederated againſt him, came to him, and under colour of Friendſhip adviſed him to reduce his Enemies by Force, and that he might thereby eaſily bring all *Ireland* under his Obedience: The Mareſchal fearing the innate Treachery of the *Iriſh*, was not willing at firſt to cloſe with this Advice; but *Geoffrey* having reproached him with this, as if it were for want of Courage, and alſo urging his Antient Right by *Lineal Deſcent* from Earl *Richard Strong-bowe*, that had Conquered *Ireland*; and they all giving him a ſeeming Hearty aſſurance of their Aſſiſtance and Fidelity, he raiſed a Great Army, and at firſt proceeded with ſuch Succeſs, that none durſt withſtand him; for he took the City of *Limerick*, and the King's Caſtles as well as thoſe of his Enemies: Upon this the *Engliſh-Iriſh* Noblemen, who had raiſed an Army againſt him, finding they could not prevail by Force, reſolved to try what they could do by Fraud and Treachery; therefore ſending certain *Knights-Templars* to him, they acquainted him, that though he acted as Traiterouſly againſt his Prince in *Ireland* as he had done in *England*, yet nevertheleſs they came to deſire a competent Truce, that ſo they might in the mean time ſend over to the King of *England* to know his Pleaſure, whether he would defend *Ireland* or not; for if he declin'd it, they were then reſolved to ſurrender to him the whole Country, without any farther Strife, or Effuſion of Blood; To which Meſſage, the Earl-Mareſchal (having firſt Juſtified himſelf to be no Traytor by the Laws of the Kingdom) replied, That he was willing to meet them the next day in a certain Meadow to treat of Peace; which anſwer being brought to the *Engliſh Iriſh* Lords, they were over-joy'd at it, becauſe they knew very well their Forces were more Numerous than thoſe the Mareſchal would bring along with him, and therefore were reſolved not to part without Fighting. Hereupon the Mareſchal asking the Advice of *Geoffrey de Marſh* and the other Knights, what was beſt to be done, this *Geoffrey* Treacherouſly diſſuaded him not to grant them any Truce; making him to believe, that ſo ſoon as his Enemies ſaw him armed in the Field, they would all turn their Backs and run away. The Earl too much relying upon this Wicked Councel, came the next day as he had promiſed to the Place of Treaty, with a very ſmall Force, where the *Knights-Templars* mediating between them, they began indeed to treat of Peace; but when the *Iriſh* Lords heard, that he was come thither with but a ſlender Guard, they ſent him poſitive Word, that unleſs he would immediately

[4] *Id.* p. 398. Several great Men came to him at his Landing, on purpoſe to betray him.

He raiſes an Army, and at firſt has great Succeſs againſt the *Engliſh-Iriſh* Lords.

Anno Dom. MCCXXXIV

But at last he is betray'd by those of his own Party, and being desperately wounded, is taken Prisoner.

agree to a Truce, they defied him; which Proposal the Earl, by the Advice of that Traytor *Geoffrey*, and others his Accomplices who aimed at his Ruine, indiscreetly rejecting, the *Irish* Lords immediately marched against him, and the Fight being begun, all the *English-Irish* Knights, or Vassals, to the Number of above Eighty, either ran away, or went over to the Enemy, together with their Followers, so that no more remained with him but Fifteen Knights of his own Family; yet resolving to die with Bravery rather than basely yield, he rush'd into the midst of his Enemies with those few Men he had with him, and began to break the Ranks of his Adversaries; till being deserted by all the rest, he was at last forced singly to defend his Person, which yet they durst not attack, before they had Hamstring'd his Horse; and then when he was thus dismounted, One of them seeing his Back unarm'd, wounded him there so desperately with a Dagger, that he was taken up half Dead, and carried Prisoner to a certain Castle, which *Maurice* the Justitiary had a little before got from him; where being kept close, after Fifteen days (when he was thought on the Mending Hand) he departed this Life, though not so much of his Wound, as by the Villainous Roguery of an *Irish* Chirurgeon, who run a hot Iron into it, which put him into such a violent Feaver, as soon carried him off; and his Body was buried in the Church of the *Franciscans* in *Kilkenny*.

And at last dies by the Villany of an *Irish* Chirurgeon.

Thus died this Gallant Man, who deserved to have lived in quieter Times, and under a King who knew better how to value Men of Worth: [5] Yet when he received the News of his Death, he much lamented the Loss of so brave a Soldier, and so good a Subject, affirming, He had not left his Equal in the Kingdom.

[5] *Id.* p. 403. The King laments his Death.

[1] The Archbishop and Bishops being now return'd from Prince *Llewellyn*, to the King at *Gloucester*, and having informed him, That before he began any Treaty with them, he desired the Noblemen that were Confederated with him, might be received into Favour; the King thereupon sent out his Letters to all those that were proscribed to meet at *Gloucester* on the Nine and Twentieth of *May*, to be reconciled unto him, and restored to their Inheritances, the Archbishop and Bishops promising them Safe conduct: The First that came to accept the King's Peace, was *Hubert de Burgh*, late Justitiary of *England* and Earl of *Kent*, whom the King received very Kindly; after him *Gilbert Basset* and *Richard Sward*, with divers other proscribed Persons, who were severally received with the Kiss of Peace, (which was the Custom of that Age, and amounted to a Pardon) and thus they were all reconciled to the King, and had their Rights and Inheritances restored to them.

[1] *Id. ib.* The K. at the desire of Pr. *Llewellyn* pardons all the proscribed Noblemen.

[2] This being done, he gave Prince *Llewellyn* *by Letter speedy Notice of it; and also that at the Intercession of the said Archbishop, he had restored to *Gilbert*, Brother to *Richard* Earl-Mareschal late deceased, all his Inheritance, both in *England* and *Ireland*, and received his Homage; and on *Whitsunday* following at *Worcester* he Knighted him, and gave him the Mareschal's-Staff; and also received *Hubert de Burgh*, *Gilbert Basset*, and *Richard Sward* into his Councels.

[2] * *Vid.* Dr. B's Ap. N. 155. where you will see the Letter at large from the Record. The K. gives the Prince of *Wales* notice of his having restored to *Gilbert* the New Earl-Mareschal, his Brother's Inheritance.

Then

Then the [3] Archbiſhop and Biſhops, that were ſent to Treat with Prince *Llewellyn*, made a Truce with him for Two Years, from the Feaſt of St. *James*, (or the Five and Twentieth of *Auguſt* following) upon theſe Conditions; Firſt, *That all Injuries done on both ſides ſince the laſt Truce, ſhould be referred to thoſe that made it*; Secondly, *That all Lands taken from any one in the late War, ſhould be reſtored*. Thirdly, *That all Men and Tenents that had receded from the Fealty of their Lords, and adhered to the contrary Party, might return again without damage or being queſtioned for it*. Of this Truce the King gave notice to his Brother *Richard* Earl of *Cornwall*, and *Ralph de Fay*, that they might be included in it, if they pleaſed, for their Lands in the Marches.

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[3] *Id. ib. Vid.* D. *Brady's* Appendix, N. 156.

[4] At the ſame Meeting the Archbiſhop produced a Copy of that Treacherous Letter, which was ſent into *Ireland* againſt *Richard* the Earl-Mareſchal; whereupon the King, before the whole Aſſembly of the Biſhops, Earls and Barons, proteſted, That through the importunity of the Biſhop of *Wincheſter*, *Peter de Rievaulx*, and other Councellors, he conſented that his Seal ſhould be put to thoſe Letters, but aſſured them upon his Oath, he never knew the Tenor of them, though it was an Excuſe only befitting ſuch a Prince.

[4] *Id. ib.* The K. being ſhewn a Copy of the Letter ſent into *Ireland* againſt the late Earl-Mareſchal, utterly diſowns it.

Then the King ſummon'd the Biſhop of *Wincheſter*, *Peter de Rievaulx*, *Stephen Segrave*, and *Robert Paſſelew*, to appear on the Feaſt of St. *John Baptiſt* to give up their Accounts, and to anſwer to ſuch Crimes as ſhould be objected againſt them, eſpecially for the late Abuſe of his Seal in the Letter above-mentioned, and ſtand to the Law; but they being Conſcious of their Crimes, and not daring to ſtand a Tryal, ſome of them took Sanctuary in Cathedral and Conventual Churches; and *Robert de Paſſelew* with ſome others fled, (it was believed) to *Rome*, but indeed hid themſelves in a Cellar in the *New Temple*.

He ſummons his Miniſters to give up their Accounts, and to anſwer the Law.

[5] Yet the King at the Requeſt of the Archbiſhop, promiſed all thoſe Perſons ſafe Conduct, and appointed them on the Fourteenth of July to appear at *Weſtminſter*, to anſwer to the Articles exhibited againſt them; where *Peter de Rievaulx* was the firſt that appeared in a Clerk's Habit, yet with a Dagger at his Girdle, and bowed to the King, at that time ſitting upon the Bench with his Juſtices, who ſo ſoon as he ſaw him, called him *Traytor*, and accuſed him for his Pernicious Councel, and required him to give an Account of his Treaſuryſhip, as alſo the Wardſhips of young Noblemen and Women, with the Eſcheats and other Profits of the Crown, and then told him, he would commit him to the *Tower*; but he ſaid he was a Prieſt, and ought not to be impriſon'd, or be in the Cuſtody of Laymen: The King thereupon replied, That he had hitherto behaved himſelf like a Layman, and as ſuch he required what was committed to his Charge; yet ſaid, That the Archbiſhop was preſent, and if He would undertake for him, he ſhould be delivered into his hands; but the Archbiſhop being ſilent, the King ſent him to the *Tower*, and ſeized all his Lay-Poſſeſſions, becauſe under his Clerk's Habit he had a Coat of Mail, and a Knight's Weapon at his Girdle, which did not become a Clerk; but he remain'd there only Two days, and then was releaſed by the Archbiſhop, carried to *Wincheſter*, and put into the Cathedral there.

[5] *Id.* p. 405.

Peter de Rievaulx appearing to anſwer, is ſeverely treated, and threatned by the King.

Peter inſiſts upon the Privilege of his Prieſthood, which the K. would not allow.

He is committed to the *Tower*, and his Eſtate ſeized.

[1] The

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[1] *Id. ib.* *S. de Segrave* alſo called to account.

[1] The ſame Day alſo appeared *Stephen Segrave* before the King, who likewiſe called him *Traytor*; and added, That it was by his wicked Councel that *Hubert* Earl of *Kent* was removed from the Office of Juſtitiary, and impriſoned, and that many of the Nobility were proſcribed: He required Him alſo to give an Account of his Juſtitiaryſhip; yet by the Mediation of the Archbiſhop and Biſhops, he gave him time till *Michaelmas* following to prepare for it. Then the King, upon mature Advice, named *Hugh de Pateſhulle* a Clerk his Juſtitiary; He was Son of *Simon de Pateſhulle*, who had formerly managed that Office with great Integrity.

Hugh de Pateſhulle is made Juſtitiary.

[2] *Id.* p. 406. The K. ſends Aid to the Earl of *Bretaigne*.

[2] This Year, about the Feaſt of St. *John Baptiſt*, the Truce between the King of *England* and *France* expiring, King *Henry* ſent over to the Earl of *Bretaigne* Sixty Knights, and Two thouſand *Welſhmen*, to enable him to fortifie the weak Places of his Dominions, becauſe the King of *France* had raiſed a great Army, and actually beſieged one of the Earl of *Bretaigne*'s Caſtles; but he was ſoon defeated by the *Engliſh* Forces, and many of the *French* were ſlain there, and all their Baggage taken; which ſo netled that King, that he gathered together what other Succours he could, and was reſolved again to invade *Bretaigne*. This ſo frightned the Earl, that he deſired a Truce till *All-Saints*; which was granted him; but it was upon delivery of thoſe Caſtles, and beſides upon condition, That if in that time the King of *England* came not in Perſon to his Relief, he ſhould deliver all *Bretaigne* and all his other Caſtles to the King of *France*. In the mean time, the Earl ſent to the King of *England*, to deſire him to come over to his Aſſiſtance, or elſe he ſaid he muſt deliver up all *Bretaigne* to his Brother of *France*: But King *Henry* anſwered, The Revenues of his Crown were not ſufficient for the Defence of that Country, as he had found by the Three laſt Years experience; and withal, that he was quite tired with being at ſo great and vaſt an Expence to ſo little purpoſe. So ſoon as the Earl had received this Anſwer, he went directly to the King of *France*, with a Rope about his Neck, and acknowledged himſelf a Traitor, and then ſurrendred to him all *Bretaigne*, with its Towns and Caſtles. Upon this, the King of *France* told him, that he was a *wicked Traitor*, and as ſuch deſerved a moſt ſhameful Death; yet he would grant him his Life, and the Earldom of *Bretaigne* to his Son, as long as he lived; but after his Death, it ſhould be annexed to the Crown of *France*. When King *Henry* heard what he had done, he ſeized on all the Eſtate and Honours that belonged to him in *England*: And ſo this miſerable Earl being deſpoiled of all his Honours and Revenues, both by his open Enemy and ſeeming Friend, betook himſelf to the Seas, and became a notorious Pirate.

K. *Henry* refuſing to give the Earl of *Bretaigne* any further Aſſiſtance, he ſurrenders himſelf to the K. of *France*'s mercy.

K. *Henry* ſeizes all his Eſtate and Honours in *England*; upon which the Earl turns Pirate.

Thus this unfortunate King loſt the beſt and ſureſt Confederate he had, for want of ſupporting him in his great Neceſſity: And this is that Count *Peter*, on whom the Hiſtorians of *Bretaigne* beſtow the Nickname of *Mau-clerk*, or Ill Scholar; for though he had ſtudied in the Univerſity of *Paris*, yet it ſeems that Place did not prove a very good School for Politicks, or elſe he might have met with better Succeſs.

This

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[3] This Year King *Henry* kept his Court and *Christmas* at *Westminster*, with very many Bishops and Great Men of the Kingdom; and about *Candlemas* after, *Stephen Segrave* and *Robert Passelewe* paid each of them a Thousand Marks for their Ransoms, but were not received into the King's former Favour, as they expected.

[3] *Id.* p. 409. *Stephen de Segrave* and *Rob. de Passelewe* pay each of them 1000 Marks; yet are not received into Favour.

[4] In *February* following, *Isabella* the King's Sister (a most Beautiful young Lady of about Twenty Years of Age) was Married by Proxy to *Frederick* the *Second* Emperor of *Germany*, with great Pomp and Magnificence, and was conducted thither by the Archbishop of *Cologne* and Duke of *Lovain*, who were sent on purpose to wait on her. For this Marriage the King received Two Marks *Scutage* of every Plough-Land, and out of it he some time after gave the Emperor Thirty thousand Marks, as her Portion: Nor was there ever before so great a Tax laid upon a *Plough-Land*; and that this Tax was a *Scutage*, and not a *Carucage* (as *Matt. Paris* here calls it) being laid upon all Ecclesiastical as well as Lay-Fees, see the Prior of *Coventry*'s Plea in the Office of the [5] King's Remembrance in the *Exchequer*.

[4] *Id.* p. 414. *Isabel* the K.'s Sister is married to the Emperor.

[5] *Inter Commun. de Term. S. Hillar.* 17 *E.* 3. It is also printed at large at the end of Mr. *Petyt*'s *Defence of the Rights of the Commons.*

Nothing hapned considerable this Year in Ecclesiastical Affairs, except that about *Easter* [1] *Peter* Bishop of *Winchester* at the Pope's Command, went to *Rome* to assist him in his War against the Citizens there (between whom and the Pope there was a very great Feud!) for the Pope well knew the Bishop was very Rich, and also very much experienced in Military Matters, being in his Youth brought up under the late Warlike King *Richard*, and indeed understood better how to Fight than Preach.

[1] *Id.* p. 410. *Petr* Bishop of *Winchester* is sent for to *Rome*, to assist the Pope in his Wars.

[2] As for other Foreign Affairs, the most considerable is, That the Ten Years Truce made by the Emperor *Frederick* with the Sultan of *Babylon* being now almost expired, Pope *Gregory* thought fit by a Bull, published for that purpose, again to command a fresh Preaching or Exhortation for the *Crusado*, with large Indulgences to all those who would undertake it; but this ended with the Pope's getting thereby a great Sum of Money into his own Coffers, as you will perceive in due time. I find nothing else to have hapned this Year relating to Foreign Affairs, but that (according to the * Annals of the Abbey of *Abbingdon*) the Bishops of *Ely* and *Hereford* were sent over into *France*, to conduct the Daughter of the Earl of *Provence* into *England*, the Match having been (it seems) concluded some time before.

[2] *Id. ib.* The Pope causes the *Crusado* again to be preached up.

* MS. in *Bib. Acad. Cantab.*

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[3] This Year the King kept his Court at *Winchester*, and on the Fourteenth of *January*, was Married at *Canterbury*, by *Edmund* Archbishop of that Place, to *Eleanor*, Second Daughter to *Reymond* Earl of *Provence*; and though her Portion was very small, yet the Wedding was kept with great Magnificence.

[3] *Id.* p. 419. The K. marries *Eleanor*, Daughter to the Earl of *Provence*.

[4] On the Nineteenth of the same Month, she was most splendidly and solemnly Crowned Queen at *Westminster*: *Matt. Paris* is very particular in describing the Solemnity of this Coronation, and what each Person performed in their particular Functions at it; among which, I cannot omit this remarkable Passage, That the

[4] She is Crowned Queen at *Westminster*.

Anno Dom. MCCXXXVI. the Earl of *Chester* (as Lord High-Conſtable) carried the Sword of St. *Edward*, called *Curteine*, before the King, in token, *That he is Earl or Count of the Palace, and hath by Right a Power of Reſtraining the King if he ſhould act any thing amiſs.*

The antient Power of the High-Conſtable of *England.*

[5] On the ſame day, after the Coronation was over, the King went from *London* to *Merton-Abbey*, where he met his Great Men, and treated with them about the Affairs of the Kingdom: At this Time and Place were made the Laws called the Statutes of *Merton*, by the Deliberation and Conſent of the Archbiſhop of *Canterbury* and his Fellow Biſhops, with the Major part of the Earls and Barons of *England*; but I ſhall ſay no more of theſe Statutes here, but refer the Reader to the End of this Reign, where I ſhall ſhew Dr. *Brady's* unfair rendring of the Title of this Statute into *Engliſh*; and where alſo I have given you an exact Abridgment of it.

[5] *Id. ib.*

To this Place came the Emperor's Meſſengers, with Letters from him, to deſire the King without delay to ſend over *Richard* Earl of *Cornwall* his Brother, to his Aſſiſtance, againſt the King of *France*, whereby the King of *England* might not only recover what he had loſt, but alſo much enlarge the *Tranſmarine* Dominions; to whom the King, by the Advice of his Great Men, return'd this Anſwer, That he could not judge it ſafe or expedient to permit one that was ſo Young, and the only Heir apparent of the Crown, and the next hope of the Kingdom, to expoſe his Perſon to the hazard of War: But if his Imperial Majeſty would make choice of any other of the Nobility or Great Men of the Kingdom, they were ready to yield to his Commands, and give him what Aſſiſtance they were able; And with this Anſwer the Meſſengers returned to the Emperor.

The Emperor ſends to the K. of *England* for his Brother *Richard* to come over to his Aſſiſtance.

The K's Anſwer and Excuſe, why he could not grant it.

[1] *Id. ib.*

[1] Notwithſtanding the Solemn Truce that had been made between *England* and *Wales* for Two Years, yet during this Time there were ſtill great Plunderings and Robberies committed in the Marches, which they only termed *Interceptions* or Seizures; for it appears by the *Tower* [2] Rolls, That on the Sixth of *March* that Year, *Ralph* Biſhop of *Hereford*, with the Dean of that Church, *Walter de Clifford*, and *Walter de Beauchamp*, were again conſtituted Arbitrators or Aſſeſſors of the *Amends*, or ſatisfaction to be made for Damages done on both ſides, and for the Interceptions made (as was ſaid) by Prince *Llewellyn* of *Aberfraw*, and *Morgan* of *Caerleon*, concerning the Caſtle of *Caerleon*.

Great Plunderings and Robberies committed in the Marches of *Wales*, notwithſtanding the late Truce.

[2] *Rot. Clauſ. 20 H. 3. M. 16. Dorſ. Vid. Dr. B's Ap. N. 257.*

Whereupon Commiſſioners are appointed to aſſeſs the Damages done on both ſides.

And it farther appears from the [3] Rolls of this Year, that after this Arbitration or Determination of what *Amends* were to be made on both ſides, *Edmund* Archbiſhop of *Canterbury* on the Eleventh of *July*, renewed the Truce for one Year longer, that is, until the Feaſt of St. *James* in the One and Twentieth Year of his Reign, between King *Henry* and Prince *Llewellyn*, and all that were openly concerned on either ſide; whereby it was agreed, the King and Prince ſhould remain in the ſame Poſſeſſion of Lands and Tenements, Vaſſals and Homages, as they were the Day of the making this Truce; ſaving to *Morgan de Caerleon* his Lands and Caſtles, which *Gilbert* Earl-Mareſchal had poſſeſſed himſelf of within the time of the Truce. If any Lands or Caſtles had been ſeized during the Truce, no Satisfaction was to be expected for them; but for

[3] *Rot. Pat. 20 H. 3. M. 3. Vid. Dr. B's Ap. N. 158.*

The Truce is renewed by the Archbiſhop of *Canterbury* for one Year, and on what Conditions.

Goods

Goods or Moveables, ſuch *Amends* were to be made by the Arbitrators, who are ſometimes called * *Aſſeſſors*, ſometimes *Dictators* of *Amends*); and the Truce was ſtill to continue, ſo as no †*Repriſals* or *Diſtreſſes* were to be taken, for any Interception made of Moveables within the time of the Truce, nor for any Difference before the making of it: No new Caſtles were to be built or fortified in the Marches, and thoſe which were demoliſhed might be repaired during the Truce; and the Lands in the Marches were to remain in Common, according to the Stipulation in the laſt Truce. *Anno Dom.* MCCXXXV

* *Correctores.* † *Namia.*

[4] On the Nine and Twentieth of *April* the King ſummoned the Great Men of *England* to meet him at *London*, to Treat about the Affairs of the Kingdom; at which time they met accordingly, but finding the King to deſpiſe his Natural-born Subjects, and follow the Advice of *William* Biſhop Elect of *Valence*, the Queens Uncle, (and a Stranger lately arrived here) more then was fitting, they were much ſurprized at it, and were alſo diſcontented, becauſe that on the firſt Day of the Aſſembly his Majeſty removed himſelf to the Tower of *London*, but thither none of the Nobility would come at him; upon which he return'd to his Palace at *Weſtminſter*, where during this Council, many Things were treated on for the Good of the Realm; and one commendable Act eſpecially the King there did voluntarily perform, which was, that he removed all Unjuſt Sheriffs, and thoſe that had taken Bribes in the Execution of their Offices, and ſubſtituted Men of better Quality and Eſtates in their Places, who ſhould keep their Hands clean, and not be corrupted by Preſents and Gratuities; yet notwithſtanding he made theſe to ſwear, that they would not accept of any thing beſides Meat and Drink, and that too but very moderately.

[4] *Id.* p. 429. A Council of the Great Men at *London*, where the Nobility are much diſcontented, and for what Cauſe.

The K. removes all Corrupt Sheriffs, and puts in new ones in their Places.

[5] At this Aſſembly the King of *Scots* by his Meſſengers required of the King the Reſtitution of ſuch Rights, as belonged to him by Charter and the Teſtimony of many Great Men; but it ſeems nothing was then determined in that Affair. At the ſame time likewiſe a great difference aroſe between *Richard* Earl of *Cornwall*, and *Richard Sward*, which the King endeavoured to compoſe, but could not, and thereupon he baniſhed *Sward* the Kingdom, He at the ſame time alſo removed *Ralph Fitz-Nicholas* his Steward, and many other Great Officers of his Houſhold from his Councils, and required the Biſhop of *Chicheſter* his Chancellor, (who had behaved himſelf moſt unblameably in his Office) to deliver up the Great Seal; but he refuſed, affirming, That he had received it by the *Common-Councel* of the Kingdom, and could not therefore reſign it up to any one without their Conſent.

[5] *Id. ib.* The King of *Scots* demands his ancient Rights.

Several Officers of the Court removed.

The Chancellor refuſes to give up the Seal, and his Reaſons for it.

[1] At this time the Emperor ſent to demand the Money King *Henry* had promiſed him, as a Portion with his Siſter, which I find was ſtill unpaid, notwithſtanding the late great Tax raiſed for that purpoſe.

[1] *Id.* p. 431.

Some time in *May*, *Peter de Rievaulx* and *Stephen Segrave* were received into the King's Favour; which ſhews the great Fickleneſs and Inconſtancy of this Prince's Temper, in ſo ſoon receiving into Favour thoſe very Men, whom but ſo lately he had called *Traitors*.

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And indeed the Kingdom quickly felt the Effects of their ill Miniſtery, for on the Eighteenth of *June* the King ſummoned the Great Men of *England* to *Wincheſter*, where he by virtue of the Pope's Bull, endeavoured to avoid ſome Grants he had made before he was Married, alledging, They were invalid becauſe they wanted the Pope's Confirmation, to whom he acknowledged the Kingdom by Right belonged; the Great Men were very much ſurprized to find the King thus induſtriouſly labouring to Enſlave his Kingdom to ſuch baſe Conditions: but it proved to no purpoſe; for he was now managed again by much the ſame Hands he was in before.

[2] *Id.* p. 432. The K. meets the K. of *Scots* at *York*, and on what occaſion.

[2] This Year the King by the Advice of his Great Men, went to *York* to compoſe ſome Differences between Him and *Alexander* King of *Scots*, the Latter affirming, That he had not only a Charter, but the Teſtimony of ſeveral Biſhops, Earls, and Barons, of King *John*'s Grant of the County of *Northumberland* to him, upon the Marriage of his Daughter *Johanna*; adding moreover, That if he would not peaceably reſtore unto him his Right, he would endeavour to recover it by Force. That which emboldened the King of *Scots* to make ſo high a Demand at this time, was, that he thought *Llewellyn* Prince of *Wales* would be eaſily induced to break the Truce with King *Henry*; and he alſo relied on the Affinity of *Gilbert Mareſchal*, who had married his Siſter *Margaret*; beſides the preſent Hoſtilities beyond the Seas, wherefore the King of *England* having conſulted about the preſent State of his Affairs, and the preſervation of the Peace of his Realm, offered the King of *Scots*, in lieu of the County of *Northumberland*, the Yearly Revenue or Penſion of Eighty Marks in ſome other Place; which though it may now ſeem but a very ſmall Penſion for a Prince, yet was accounted a great Sum in thoſe Days, to be paid in ready Money; and therefore it gave a general Satisfaction to them all: But ſince it required time to ſettle it as it ought, the Conference or Treaty was for the preſent diſſolved.

What encouraged the K. of *Scots* to make ſuch high Demands

The K. to ſatisfie him grants him a Penſion.

[3] *Id.* p. 431. A ſtrange Prodigy that happen'd in *Yorkſhire*.

I cannot here omit a ſtrange [3] Prodigy, that happened (as our Author relates) in *May* this Year, near the Abbey of the *Rock* in *York-ſhire*; which was, that for divers Days together ſome Troops of Men on Horſeback appeared to riſe out of the Ground, and dividing themſelves into Parties, ſeem'd to Fight and Skirmiſh one with the other, and at laſt to ſink into the Earth again; the like Apparitions were alſo ſeen this Year in *Ireland*, only thoſe ſeemed ſometimes to march, as if they had return'd from a Battle, wounded and routed, and leading Horſes without Riders; thoſe that ſaw them, not knowing what they were, ran into Churches and Caſtles for Refuge: This laſt Story our Author ſets down from the Relation of the Earl of *Gloucester*, who affirmed it to be true.

[4] *Id.* p. 433. The Fryars go through all *England* to preach up the Pope's Indulgences for the *Holy War*, and to abſolve Mens Sins for Money.

[4] This Year affords us few Eccleſiaſtical Matters worth the noting, only the Preaching Fryars and *Minors*, went now through the Cities, Towns, and Villages in *England*, offering *Plenary Indulgences* to any who upon Confeſſion and Penitence, would undertake the *Cruſado*; Soon after the Pope ſent into *England* Fryar *Thomas* a *Templar*, and one of his Domeſticks, with his Bull, to Abſolve any one from his Vow for that Expedition, upon payment of a certain Sum

Sum towards the defraying the Expences of the *Holy-War*; and whosoever should pay any Money for this end, although he was under no Vow, yet he should have the Benefit of this Indulgence, which raised great Indignation against the Covetousness of the *Roman* Court.

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This Year the King kept his *Christmas* at *Winchester*, [3] from whence he sent out his Writs, Commanding all that belonged to the Kingdom or Government, namely Archbishops, Bishops, Abbots installed, Priors, Earls and Barons, that without fail they should meet at *London* on the Octaves of *Epiphany*, (*i.e.* the Thirteenth of *January*) to treat about the King's Affairs, and those which also concern'd the whole Realm; the Great Men yielded ready Obedience to this Summons, believing some great and difficult Affairs were to be transacted, and accordingly on St. *Hilary's* Day, an immense Number of * *Nobility*, that is, the [1] whole Body of the Kingdom, met at *London*; and when they were thus met, and seated in the King's Palace at *Westminster*, *William de Kele* Clerk, and one of the King's Domesticks, a Discreet Man, and well skill'd in the Laws, arose, and as a Mediator between the King and the Great Men, declared the King's Intention and Desires, and that he was commanded to tell them, *That notwithstanding what the King had done hitherto, he would for the future be wholly directed by their Councels, who were his Natural and Faithful Subjects, that those that had been his former Treasurers, had unfaithfully Executed that Office; and that the King's Necessities at this time pressed him to require a further Aid of them; but he would now consent, that whatever was granted should be both Collected and Disposed of for the necessary Uses of the Kingdom, by Persons whom they should chuse and name for that purpose*: To which they replied, 'That they had very often granted, and paid sometimes a *Twentieth*, 'sometimes a *Thirtieth*, and at other times a *Fiftieth* Part of their 'Estates to the King; yet he could never be prevailed with, to remove or punish any one of the Enemies of the Kingdom; That he 'had never enlarged, but rather lessened his Dominions; and for 'the Assistance of others, had Extorted very frequently great Sums 'of Money from his own Subjects, as from the Meanest Slaves: To this the King answered, *That the Payment of his Sister's Portion to the Emperor, and his own Wedding, had very much emptied his Pocket, but yet if they would now grant him a* Thirtieth *Part of their Goods, he offered them upon Oath, that he would never again Injure or Oppress the Noblemen of the Kingdom*; But they replied, 'That these things were 'done without their consent, and seeing they were free from the 'Fault, they ought not to partake of the Punishment.

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[3] *Pl.* p. 435. The K. summons a great Council or Parliament at *Winchester*.

* *Nobilium totius Universitas.*

[1] Who these were, see *Rot. Cl.* 21 *H.* 3. *M.* 7. *Dors. Vid.* Dr. *B's* Ap. N. 159.

The K's Demands for more Money.

The Answer of the Great Men.

The K's Reply, and Excuse for his present necessity.

[2] *Id.* p. 436. They retire to consider of the K's Demands; and he also desires to gain the Favour of the Great Men.

[2] After this, they retired, to consider how they might moderate, and yet also satisfie the King's Desires; and on the other hand, the King being much concerned how he might gain the good Will of his Barons, assured them, 'That he never endeavoured by the 'Pope's Bull to void those Grants he had formerly confirmed to 'them by his Charter; and if any such thing had been suggested 'to him, he utterly disallowed it; and that he would for the future 'inviolably observe all the Liberties of the Great Charter; and for their

And promises for the future to observe the Great Charter.

Anno Dom. MCCXXXVII

and *Excommunication* is ordered to be denounced against the Infringers of it.

their better Security, commanded the ſame Sentence that *Stephen* late Archbiſhop of *Canterbury* had denounced againſt the Infringers of that Charter to be again ſolemnly publiſhed, that that ſo the Violators thereof might be the more inexcuſable. After this, he added the Earl of *Warren*, *William Ferrars*, and *John Geoffry* to his Council, who ſwore they would never be corrupted by Gifts to deviate from Troth, but would always give the King good and wholeſom Advice. Then a *Thirtieth* Part of all Moveable Goods was granted to the King, excepting every Man's Gold and Silver, with his Horſes and Arms, which were to be uſed for the Benefit of the Commonwealth.

Whereupon a 30*th* part of all Moveables is granted to the King.

[3] *Id. ib.* See the manner of collecting it in the Record laſt cited.

[3] And for the due Collection of the aforeſaid *Thirtieth* Part for the Year following, Four Truſty Knights were to be choſen in every County of *England*, to whom the King was to add one Clerk, and they all to be ſworn duly to collect and ſecure the Money in ſome Abbey, Church, or Caſtle; that ſo, if the King ſhould recede from his Promiſe, it might be reſtored to every one again; ſo that when the Collectors came to levy it, 'twas paid on this Condition, *That from thence-forward the King ſhould reject the Counſels and Advices of Foreigners and Strangers and adhere to thoſe of his Faithful and Natural Subjects.* When this was done, the Council broke up, and every one went home reaſonably well ſatisfied, that the King was at laſt prevailed upon to adhere to good Council: So powerful an Advocate is a Prince's Neceſſity, to make him do that which other Perſuaſions could not.

[4] *Id. ib.* *Llewellyn* Pr. of *Wales* put himſelf under the K.'s Protection, and for what Reaſons.

[4] About this time alſo *Llewellyn* Prince of *Wales* being wearied out with continual Wars and likewiſe taken with the Palſie, and which was ſtill worſe, perplexed with the Rebellions of his own Son *Griffyn*, ſent Meſſengers to the King to deſire a Continuation of the League that was between them; and alſo to put himſelf and all his under his Protection, and that he would moreover hold his Lands of him in Fealty, and by an indiſſoluble League promiſed to aſſiſt him in all his Expeditions, with Men, Horſes, and Money; as far as his Ability would reach. The King accepted theſe his Propoſals, and thereupon ſent the Biſhops of *Hereford* and *Cheſter* to confirm them.

[5] *Id.* p. 437. *H. de Burgh* again incurrs the K.'s diſpleaſure, but is ſoon reconciled to him.

[5] This Year *Hubert de Burgh* Earl of *Kent* again incurr'd the King's Diſpleaſure, in marrying *Richard* Earl of *Gloucester* (being then his Ward) to his Daughter *Margaret*, without the King's Conſent; but he was ſoon reconciled again, *Hubert* profeſſing that he did not know the King had deſigned another Match for him; and alſo promiſed to pay a round Sum of Money; and that it ſeems was the powerful Argument which appeaſed the King's Anger.

[1] *Id.* p. 441. *Otto* the Pope's Legate comes into *England* and is received with great Pomp.

[1] As for Eccleſiaſtical Affairs we find little, only that about the Feaſt of St. *Peter* and St. *Paul* (i. e. the Eighteenth of *June*) Cardinal *Otto* the Pope's Legate came into *England*, at the requeſt of the King, but without the Knowledge of his Great Men; for which (it was ſaid) the Archbiſhop of *Canterbury* very much blamed the King, as being a thing exceeding prejudicial to his own Dignity, as well as a great Damage to the Kingdom: However, he would not hearken to his Council, but received him (as did alſo the

the Clergy) with great Pomp and Ceremony, large Presents being made him, some of which he refused (contrary to the Usage of those who had formerly come from *Rome*) which very much abated the Hatred conceived against him; and by his Mediation, *Peter* Bishop of *Winchester*, *Hubert* Earl of *Kent*, *Gilbert Basset*, *Stephen Segrave*, and *Richard Sward*, were reconciled to each other. *Anno Dom.* MCCXXXVIII

Matt. Westminster relates, That the Reason why the King sent for this Legate into *England*, was, because he repented that he had bestowed such great Honours and Estates upon Earl *Richard* his Brother, and *Gilbert* the Earl-Mareschal, and others, whom he thought were ungrateful to him; and therefore by private Messengers to the Pope, he desired him that he would please forthwith to send his Legate over hither to reform the State, as if it had been then in apparent danger. This shews the Meanness of this King's Temper, who that he might domineer over his Subjects by the Pope's means, cared not how much he subjected himself and his Kingdom to his Exactions. The private Reason of this Legate's coming over.

[2] About this time, although according to the Act made in the Council or Parliament at *London*, the *Thirtieth* Part granted to the King was to be collected, and secured in certain Monasteries, or Castles, to be disposed of towards the defraying the necessary Expences of the Kingdom; yet notwithstanding all this Caution, the King bestowed most of this Treasure upon Strangers, who carried it out of the Realm, and he now again wholly relied upon their Councils, which much exasperated the Great Men, and more especially his Brother *Richard* Earl of *Cornwal*, who thereupon went to the King, and represented to him the miserable State of his Realm; how that he had scraped from, and deprived his Natural Subjects of their Money and Goods, and had lavishly bestowed it upon Foreigners; adding withal, that the Archbishopricks, and all the Bishopricks of *England* had been void in his time, except those of *York*, *Bath*, and *Winchester*, besides what arose from vacant Abbeys, Earldoms, Baronies, Wardships, and other Escheats, and yet his Treasure was never the fuller: Moreover, that he had lately called in the Pope's Legate, whereby he had so inslaved himself, that he could do nothing in his Realm, without his Consent; so that he was no longer King, but a Feudatary to the Pope. [2] *Id.* p. 445. Notwithstanding all the Caution of the last Parliament, the Money there given is squandred away upon Strangers. And he being wholly governed by them, it highly exasperates the Earl of *Cornwal* and other Great Men, who represent to the K. the miserable estate of the Nation.

[3] His Principal Councellors and Advisers in these things were *John* Earl of *Lincoln*, and *Fryer Geoffery* a *Templar*, Natives born within the Kingdom. [3] *Id.* p. 446. Who were the K.'s principal Advisers in these Proceedings.

But as for *Simon Monfort*, who is also here named by our Authors, as one of the King's New Advisers, he was Younger Son to *Simon* Earl of *Montfort* in *France*, and was lately come over to make his Fortunes in *England*, having quitted the *French* Court by reason of some Dispute he had with Queen *Blanche* the King's Mother; yet did not this render him less odious to the *English* Nobility, as you will find hereafter.

[4] On the Fourteenth of *September*, the King summoned the Great Men to meet him and the Legate at *York*, to treat upon some great Affairs that concerned the Kingdom: The King of *Scots* met him there, to conclude the Difference depending between them. After much Consultation and Debate, it was agreed, That the [4] The K. summons a Parliament at *York*, where an Agreement is made between K. *Henry* and the King of *Scots*.

Anno Dom. MCCXXXVII.

Rot. Pat. 21 *H.* 3. *M.* 8.

the King of *Scots* ſhould have Three hundred Pounds in Land by the Year in *England*, for which he ſhould do Homage to King *Henry*; but he ſhould not build any Caſtles upon it, and was to quit all Pretences to any farther Claim. But in the Record it appears to have been but Two hundred Pounds *per Annum*, and was to be out in *Cumberland* and *Northumberland*.

The Legate ſignifies to that King his deſign of viſiting *Scotland*, but is civilly put off by him.

Then the Legate ſignified to the King of *Scots*, that he would go into *Scotland* to treat upon Eccleſiaſtical Affairs there, as he had done in *England*: But that King anſwered him, 'That he never 'remembred any Legate ſent into his Kingdom, and he thanked 'God) there was no need of any now; for neither his Father nor 'any of his Anceſtors had ſuffered any to enter there; and ſo 'long as he was Maſter of himſelf, he would not allow it neither; 'and withal adviſed him to take heed how and when he entred 'into his Land; for he had an Ungovernable People, whoſe Vio'lence and Fury would not be reſtrained. Whereupon the Legate, after he had heard what the King ſaid, altered his Thoughts of ſeeing *Scotland*, and kept cloſe to the King of *England*, whom he found very obſequious in all things: So great a difference there was between the Temper of theſe Two Princes, the one doing all he could to enſlave his Kingdom to the Pope, the other to keep it free.

[5] *Id. ib.*

The Legate holds a Synod at *London*, where ſeveral Decrees are made.

[5] So ſoon as the Legate returned out of the *North*, he held a a General Council or Synod of all the Archbiſhops, Biſhops, Abbots, and Priors inſtalled of all *England*, in the Weſt-end of St. *Paul*'s Church, where a lofty Throne or Seat was erected for him. When all the Biſhops and Clergy were aſſembled, and the Archbiſhops of *York* had taken their Places, the former on his Right Hand, the Latter on his Left, after a ſhort Sermon in Latin, he read aloud, and cauſed to be ratified by the Synod, certain Canons or Decrees, which are ſtiled the Conſtitutions of *Otto* to this day; and, for which, ſince they relate wholly to Eccleſiaſtical Diſcipline, I refer the inquiſitive Reader to our *Lyndwood* for further Satisfaction.

The death of *John* the *Scot* Earl of *Cheſter* without Iſſue.

I muſt here likewiſe take notice, that *John*, Sirnamed the *Scot*, Earl of *Cheſter*, dying this Year without Iſſue, (and being poiſoned, as was ſuppoſed) the King annexed that Earldom to the Crown, allowing his Siſter's Fortunes out of other Lands, leſt ſo Noble an Earldom ſhould be divided among Women.

[1] *Id.* p. 457.

[1] I ſhall conclude this Year with that ſad Account which our Author gives us concerning the General Corruption of the Church of *Rome*, 'about this time, and for which (ſays he) it muſt needs 'have incurred God's juſt Indignation, ſince its Chief Miniſters 'and Governours ſeek how to ſcrape Money together, and fill their 'Purſes rather than to gain Souls: They ſtudy how to oppreſs 'Religious Perſons, and to gain other Men's Goods by Penalties, 'as *Uſury*, *Simony*, and other unlawful Means; but never took care 'of Juſtice and Honeſty, or the Inſtruction of the Simple; that 'whoſoever any way obtained an Eccleſiaſtical Benefice, was very 'ſollicitous how much it would yield him; but as for the Name 'of the Saint, to whom his Church was Dedicated, it was the laſt 'thing he enquired into, (if ever he did it at all;) and from

'thence

'thence aroſe the Murmurs and Curſes of the People, and hereby 'was God daily provoked: And alſo, That by theſe great Wickedneſſes and Oppreſſions, the *Greek* Church ſet it ſelf up againſt the *Roman*, expelling their * Emperour, and only obeying *Germanus* Archbiſhop of *Conſtantinople:* Of which Schiſm our Author gives us a long account, which I omit, not to be thought tedious; though this is ſufficient to ſhew us the ſtrange Defection of the *Weſtern* Church in that Age from its primitive Purity; nor can it be queſtioned, it being related by ſo Impartial an Author as this Monk, who lived and wrote his Hiſtory at this very time.

Anno Dom. MCCXXXV.

* This was *Peter* Count of *Auxerre*, a *Frenchman*.

[2] This Year King *Henry* at *Chriſtmas* kept his Court at *Weſtminſter*, and *Simon Montfort*, on the Day after *Epiphany*, married *Eleanor* the King's Siſter (he himſelf giving her) in his own private Chapel: She was the Relict of *William Mareſchal* late Earl of *Pembroke*, and had a very great Jointure. About which time the Pope having heard what great Diſturbances were like to ariſe in *England* upon the calling in, and continuance of his Legate there, ſent his Revocatory Letters to him; but he being very unwilling to depart from a Place where he reaped ſo great a Harveſt, prevailed with the King, Earl *Richard*, and all the Biſhops, to certifie to the Pope under their Hands and Seals, That his Continuance in *England* would be of very great Advantage to the King, the Church, and whole Realm, whereby he obtained Leave to ſtay ſome time longer.

Anno Dom. MCCXXXVIII

[2] *Id.* p. 465. *S. Montfort* marries *Elianor* the K.'s Siſter.

[3] But when Earl *Richard* and the Great Men heard that *Simon Montfort* was privately Married to the King's Siſter, they were grievouſly enraged at it, becauſe it was done without their Privity and Conſent; and Earl *Richard* went to the King, and gave him very hard Words about it, becauſe contrary to his late Promiſes and Oaths, he ſtill adhered to, and was guided by the Counſels of Strangers. Then *Gilbert* Earl-Mareſchal, and all the Earls and Barons of *England* ſeconded Earl *Richard*, whom they looked upon to be the Man that ſhould free the Land from *Italians* and Strangers; ſo that none now ſtuck cloſe to the King but *Hubert* Earl of *Kent*, whom for his Years, as well as divers other Reaſons, they were not much afraid of. When the Legate ſaw the Danger the Kingdom was in, he applied himſelf to Earl *Richard*, and adviſed him to deſiſt from oppoſing the King his Brother, promiſing him large Poſſeſſions from him, and the Pope's Confirmation of them. To whom the Earl anſwered, That he had nothing to do with the Eſtates of Laymen, but ſhould only concern himſelf with Eccleſiaſtical Matters. But it was not ſtrange that the Earl ſhould be ſo much concerned for the preſent State of the Kingdom, ſeeing he was the only Heir Apparent to the Crown: And although ſo many Profits accrued every way to the King, yet by reaſon of the great Gifts he beſtowed upon the Queen's Relations, the Treaſury was empty, when the Kingdom was on every ſide encompaſſed with Enemies and Strangers, who were enriched with great Church-Revenues, and Benefices given and founded by his Pious Anceſtors.

[3] *Id.* p. 467. The Nobility are highly diſpleaſed at the Marriage, and Earl *Rich.* reproves the K. for it, and is ſeconded by the Barons.

The Legate adviſes the Earl to deſiſt, but is rejected.

[4] When

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[4] When the Legate heard this, he endeavoured by Admonitions, Entreaties and Threats, to allure or affright the Barons of his Party into a Compliance, but all in vain, for the King saw their Inclinations were wholly bent towards his Brother; and therefore when he found he could do no good upon them, he desired time till the day after the first *Sunday* in *Lent* to give his positive Answer. On the Day appointed the Great Men met at *London*, guarded with Horse and Arms, to compell the King (if he refused) to the performance of the Promises; and at last, after many long Debates, the King promised to submit himself to the Determination or Direction of some of the most Grave and Discreet Men; which Agreement was reduced into Writing, and Sealed both by the Legate and the other Nobles.

[4] *Id.* p. 468.

The Great Men come armed to meet the K. at *London*, where he is fain to submit to them.

Gravioribus Viris.

[5] At this time also *Simon Montfort* and the Earl of *Lincoln*, (by their humble Submission and the Intercession of Friends, together with some Presents,) so wrought upon Earl *Richard*, that he was outwardly reconciled to them, they having first given caution to make satisfaction for the Injuries they had committed: But this was a great Blemish to his Reputation; and his Integrity was afterwards much suspected.

[5] *Id. ib.*

[1] *Simon Montfort* finding himself neglected by the King, as also by Earl *Richard* and the Great Men; and his late Marriage with the King's Sister like to be made null and void, having borrowed and got together what Money he could, took a Journey to *Rome*, hoping there to procure a Confirmation of his Unlawful Marriage, for the Countess his Wife, had some time before the said Solemnization, vowed perpetual Celibacy to the Archbishop of *Canterbury*, though she had not taken upon her the Habit of a Nun; but during her Husband's absence she remain'd privately at *Kenelworth* (it seems big with Child) expecting the Event of the Journey; but *Simon* by his Money so far prevailed with his Holiness, that notwithstanding it displeased *Edmund* Archbishop of *Canterbury*, (who was then at *Rome*) the Pope wrote to his Legate *Otto* to give Sentence for *Simon Montfort*'s Marriage, and on the Fourteenth of *October* he returned into *England*, and was received by the King and all the Court, with all outward Satisfaction and Joy.

[1] *Id.* p. 468.

Simon Montfort goes to *Rome*, to procure a Confirmation of his Marriage.

And obtains orders for it.

[2] Some time after *Easter*, the Legate went to *Oxford*, and was honourably received there by the Scholars, and Lodged in the Abbey of *Osney*; yet his coming thither occasioned a great deal of trouble to the University; for one day after Dinner, the Scholars coming to pay their Respects to him, they were uncivilly repulsed by the Porter, and ill treated by the other Servants, which caused a great many reproachful Words on either side; in the mean time a poor *Irish* Scholar begging for some Relief at the Kitchin-Hatch, the Legate's Chief Cook instead of an Alms, cast a Ladle-full of Boiling Water in his Face; but when a *Welsh* Clerk who stood nigh him saw this Outrage, he cryed out, *How long shall we endure this?* And having a Bow in his hand, forthwith shot the Cook (who it seems was the Legate's Kinsman) through the Body with an Arrow, upon which he immediately fell down dead; the Legate hearing of this Fray, secured himself in the Tower of the Church till Night, and by this means made his Escape and hastened to the King (lying

[2] *Id.* p. 469.

Otto the Legate is honourably received at *Oxford*.

Where an unfortunate Quarrel arises between his Servants and the Scholars, in which his Cook is slain.

The Legate goes away and complains to the King.

ing then at *Abbingdon*, and with many grievous Complaints related what had befallen him at *Oxford*: At which the King being moved, sent Earl *Warren* with some armed Men to relieve the Legate's Servants, who were still shut up there, and to repress the Insolence of the Scholars. The Earl when he came thither, took about thirty of them, and imprisoned them in *Wallingford*-Castle: Then the Legate (after he was recovered of his Fright) calling to him some Bishops, *Interdicted* the University of *Oxford*, and *Excommunicated* all that were Abetters or consenting to the late Riot. *Anno Dom.* MCCXXXVIII

[3] *Id.* p. 476.

The Legate Interdicts the City.

[4] Soon after this, he summoned all the Bishops of *England* to meet him at *London* on the Seventh of *May*, to treat with him about Ecclesiastical Affairs; and there the Bishops offered something in behalf of the Scholars, whereof a great Number were at his Pleasure imprisoned, and the rest ready to make their Submissions to him; Then after many Intreaties, the Legate was at length prevail'd upon to restore them; but upon these Conditions, That all the Scholars should meet at St. *Paul's* Church (which was above a Mile from the Legate's Lodging) and go on foot until they came to the Bishop of *Carlisle's* House, and there should put off their Caps, Cloaks, and Shoes, and so go to the Legate's House, and humbly beg his Mercy and Pardon; which they submitting to, and performing, the University was restored, and the Legate promised it should be no Infamy or Reproach to them.

[4] *Id. ib.* The Legate calls a Council of the Bishops at *London*, who intercede for the Scholars. Which he grants, but upon very hard Conditions.

This Difference being thus composed, the King sent Assistance to the Emperour against his Rebellious Subjects in *Italy*, under the Conduct of *Henry de Turbeville*, an Experienced Souldier, who was very successful in his Enterprizes, and reduced many Cities to the Emperor's Obedience. The King likewise sent a Letter to the Pope on his Brother-in-Law's behalf, which was taken very ill at the Court of *Rome*, and put a stop to all the *English* Affairs there for some time.

[5] *Id. ib.* The K. sends Assistance to the Emperor, which is ill taken at *Rome*.

I cannot omit here to mention the Decease of Two Persons of Eminent Quality, though of different Sexes; The first was *Johanna* Queen of *Scots*, the King's Eldest Sister, who came into *England* the last Year to visit her Brother, and died the Fourteenth of *March*; the other was *Peter de Rupibus*, or *de la Roche*, Bishop of *Winchester*, who deceased at *Farnham*, after he had Governed that Church about Two and thirty Years, who though he was a Man of Arbitrary Principles, and had been the cause of the King's Breach of *Magna Charta*, and of his advancing of Foreigners; yet to give him his due, he was certainly a Person very considerable for Policy, and long Experience in State-Affairs, and being very rich, and a great Benefactor to Religious Houses, no wonder our Author gives him large Commendations, though before he would allow him no very good Character.

[1] *Id.* p. 468.

[2] *Id.* p. 472.

[3] The King had endeavoured all he could to enclime the Monks of *Wincester* to chuse *William* his Half-Brother, Bishop Elect of *Valence*, to that Bishoprick; but he could not prevail with them, for they made choice of *Will. Rale*; however, the King refused him, and swore he would never accept of him: Then they proceeded to treat about another Choice, of which when the King heard, he endeavoured to influence or affright them to compliance with him by Promises and

[3] *Id.* p. 473. The Monks of *Winchester* refuse to chuse *William* Bp. of *Valence*, and Elect Bp. of *Chichester* for their Bishop.

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At which the K. is highly displeased.

and Threats, though all to no purpose, for they Elected *Ralph Neville* Bishop of *Chichester*, the Chancellor to that See; which raised the King's Indignation to such a degree, that he bitterly reviled and reproached both the Monks and him; and then forcing from him the Great Seal, he delivered the Custody of it to *Geoffrey* a *Knight-Templar*, and *John de Lexington*; but the Profits of the Chancellorship still belonged to the Bishop. Then the King sent Two Lawyers, *Simeon* and *Alexander*, to the Court of *Rome*, who by Bribes and large Promises, procured this Election to be declared void.

The K. takes the Seal from the Bp. of *Chichester*, and appointed two Commissioners to keep it.

[4] After this, the King being at *Woodstock* in the Month of *September* there came One to the Court, who it seems had been of some Note (for our Author calls him a Literate Esquire) this Man feigning himself to be Mad, would needs have had the King to resign his Kingdom to him as his Right: The Officers about the King hearing this Insolence, would have forced him away with Bastinadoing him, but the King forbad them offering any Violence to him, saying he did nothing but what became a Mad-man: However, he was not so Mad as he feigned himself; for about midnight he got through a Window into the King's Bedchamber, with a long Knife drawn in his Hand, and not finding him there (for he slept that Night with the Queen) the Fellow search'd about in other Places: This was discovered by one of the Queens' Maids called *Margaret Biseth*, who (being then at her Devotions) cried out, and with her Noise alarm'd the Guard, who presently coming in upon him, secured him till next Morning: Upon Examination, he confessed that he was employed by *William de Marie*, the Son of *Geoffrey de Marie*, to Assassinate the King, and that many others were in the Conspiracy: Whereupon he was condemned to be drawn asunder by Horses at *Coventry*, which was executed accordingly, and his Body being Quartered, was sent to some of the Chief Cities of *England*, to be hanged upon a Gibbet.

[4] *Ad. p. 414.* A Plot against the K.'s Life, and the Traitor taken.

He confesses who set him on, and is executed.

Anno Dom. MCCXXXIX

[5] This Year King *Henry* kept his *Christmas* at *Winchester*, where whilst he was one Day at Dinner, *Gilbert* Earl-Mareschal came with several of his Friends to the Palace, but were denied Entrance by the Door-keeper: The Earl (suspecting something had been whispered in the King's Ear to his Disadvantage) sent to him next Day to know why such an Affront was offered to him the Day before? To which Message the King replied, That *Richard* his Elder Brother was a *Traitor* and a *Rebel*, and continued so till the time that Divine Vengeance took him; That through the importunate Intercession of the Archbishop of *Canterbury* (and not his own Merit) he had restored to him both his Brother's Office and Inheritance, yet could recall it whenever he pleased. The Earl having heard the King's Answer, and being now satisfied of his Displeasure, retired from Court, and went into the North of *England*. Then, about *Candlemas*, the King created *Simon Montfort* Earl of *Leicester*, and received *Stephen de Segrave* again into his Council: So unconstant was this poor Prince, that he never loved or hated any Man, but according to the Influence and Suggestions of those that were about him.

[5] *Gilbert* the Earl-Mareschal is refused entrance into the K.'s Palace; And sending to know the reason, the K. returns him a severe Message.

S. Montfort created Earl of *Leicester*.

[1] This

Anno Dom. MCCXXXIX.

[1] This Year the Pope by his Letters called home *Otto* his Legate; but the King fearing his Great Men would unanimously oppose him next Parliament, presently dispatch'd Messengers to his Holiness, with a Request to let him continue still in *England*, to appease the Troubles he expected there; which Licence the Legate some time after received by *Simon Norman*, who had been on purpose on that Errand; but when the Noblemen that were now come to *London* observed this, fearing the Legate's Wiles and the King's Subterfuges, they went home (slighting the King's fair Speech as meer Sophistry) without doing any Business.

[1] *Id. Ib.* *Otto* is again recalled, but at the K.'s Request continued Legate.

[2] Soon after *Easter*, the King being sensible of his own Indiscretion, in discharging the Bishop of *Chichester* from the Chancellorship, and removing him from Court, used all the Arts he could to prevail with him to return to his Office; but he refused it, still remembring how he had been treated by the King, in pronouncing his Election to the Bishoprick of *Winchester* void, when he had both Served him and his Father so long with great Fidelity and Integrity.

[2] *Id.* p. 485. The K. again offers the Bp. of *Chichester* the Seal; but he refuses it with good Reason.

[3] This Year in *Lent* Pope *Gregory* by his Bull *Excommunicated* and Anathematized *Frederick* the Emperour, because he justified himself in seizing and detaining certain Lands and Castles belonging to the Bishop of *Sardinia*, and would not hearken to his Holiness's Admonitions to the contrary. Upon which the Emperour was some time after, by the Pope's Mandate, denounced *Excommunicate* in St. *Paul's* Church, and afterwards all over *England*, without any Contradiction; tho the King (as being his Brother-in-Law) had more reason than any other Prince to have hindred it; but he was then so absolute a Vassal to the See of *Rome*, that he durst not refuse any thing that she was pleased to impose.

[3] *Id.* p. 486. *Frederic* the Emperor *Excommunicated* by the Pope.

See the Pope's Bull in *Matt. Paris*, and the Emperour's Answer to it.

But to return to Domestick Affairs of greater Importance to *England*: [4] On the Sixteenth of *June* following, Queen *Eleanor* was safely brought to Bed of a Young Prince at *Westminster*, who on the Fourth Day after, was Baptized *Edward* by the Legate in the Abbey-Church (although he was no more than a Deacon) the Archbishop of *Canterbury* being present, who only Confirmed him in the presence of several Bishops and Great Men.

[4] *Id.* pe 488. Prince *Edward* born.

[5] This Year *William*, one of the King's Messengers, being convicted of many Crimes, was condemned to die; but to prolong his own Life, he accused several of the Court of Treason, and among the rest *Ranulph Bretton*, Chanon of St. *Paul's*, and Treasurer, who was by the King's Writ to the Mayor of *London* apprehended, imprisoned, and laid in Irons in the *Tower*: Whereupon the Dean of *London*, with the Chanons, in the absence of the Bishops proceeded to *Excommunicate* all that were actually concerned in this Violation of the Church's Privilege; the King being admonished by the Bishop to correct his Error, and neglecting it, the whole City of *London* was threatned to be *Interdicted*, by the Legate, Archbishop, and Bishop of *London*. Thereupon the King (though against his Will) released him; but upon this Condition, That he should appear whenever he should be called upon to his Trial: But the Church would not consent to it; so at length he was set at liberty, but discharged the Court.

[5] *Id.* p. 490. *Ranulph* Canon of St. *Paul's* is falsly accused of Treason.

And is set at Liberty, tho' discharged the Court.

Anno Dom. MCCXXXIX. *Stephen de Segrave* being now again become one of the King's Chief Councellors, behaved himſelf with more Prudence and Moderation than formerly; and ſoon after the Perſon that had defam'd *Ranulph* and many others, was executed on a Gibbet; and there he confeſſed, that he accuſed them only to prolong his own Life.

[1] *Id.* p. 497. The K. ſhews his ſudden Diſpleaſure againſt *S. Montfort* and his Lady for no cauſe.

[1] On the Ninth of *Auguſt*, many Great Ladies being met at *London* to accompany the Queen to her Churching; ſo ſoon as the King ſaw *Simon Montfort* Earl of *Leiceſter*, and his Lady there, he told him he was an *Excommunicated* Perſon, and prohibited both him and her (though his own Siſter) to be preſent at that Solemnity; adding withal, that he had firſt Debauched, and then (to avoid Scandal) Married her, and had gone to *Rome* to procure by Bribes the Pope's Confirmation of this unlawful Marriage: But when the Earl heard theſe ſharp Words from the King, he was quite out of Countenance, and not being permitted by him to Lodge in the Palace of the Biſhop of *Wincheſter* (which he had lent him) nor able by any means to appeaſe the King's Diſpleaſure, he that Evening hiring a Boat on the *Thames*, with his Lady and ſome few Attendants, took Shipping, and went beyond Sea: But what ſhould be the occaſion of this ſudden Alteration of the King's Favour, beſides the Fickleneſs of his own Humour, I cannot find.

[2] *Id.* p. 498. The Biſhops conſult how to relieve the Church from the Exactions of the Legate, but in vain.

[2] On the laſt of *July*, the Biſhops met at *London*, to conſider upon a very great, but difficult Undertaking, which was how they might relieve the Church of *England* from thoſe many Oppreſſions it lay under, by the perpetual Exactions of the Pope's Legate; but inſtead of eaſing them, he demanded freſh *Procurations* from em; to whom they briefly anſwered, *That the Church had been ſo often ſqueezed by him and others from* Rome, *that they could endure it no longer:* So the Synod was diſſolved, not without great Murmurs and Complaints; yet he extorted a great Sum of Money from the Religious Orders.

[3] *Id. ib.* The Legate is refuſed entrance into *Scotland* by that King.

[3] Soon after this the Legate went towards *Scotland* with a Guard of *Engliſh*, to ſecure himſelf from any treacherous Attempts; but before he entred that Kingdom, he was met by the King of *Scotland*, who told him plainly, 'That never any Legate had entred there before, and there was no occaſion for any at this time; for *Chriſtianity* (he thanked God) flouriſhed there, and the Church was in a proſperous Condition: But when Words began to multiply and grow high on both ſides, and the King was about to prohibit his Entrance, then through the Interceſſion of the Great Men of *England*, it was agreed under the Hand and Seal of the Legate, that this ſhould not be drawn into a Precedent; whereupon (as the Chronicle of *Melroſs* informs us) the Legate entred *Scotland*, and held a Council or Synod at *Edinburgh*, and having ſcraped together what Money he could there, returned into *England*.

[4] *Id.* p. 513. Articles of High Treaſon are again exhibited againſt *H. de Burgh*.

[4] About this time ſeveral Articles of Treaſon and High Miſdemeanours were again, by the King's Order, exhibited in his Court againſt *Hubert de Burgh* Earl of *Kent*, pretended to be committed by him while the Management of the King's Affairs paſſed through his

his Hands; To all which he answered by *Laurence* a Clerk of *St. Albans* (his sure Friend in all his Adversities) with such Modesty and Submission and yet so fully to the purpose, that all that heard him were satisfied with the Earl's Innocence; although the King and all his Lawyers or Pleaders did what they could to prove him Guilty: However, the King's Wrath was no whit abated, until he had resign'd into his hands Four of his best Castles, namely, *Blanch-Castle*, *Grosmund* in *Wales*, *Screwsbrith*, and *Hatfield*. The Articles against the Earl and his Plea to them, are very long, together with their Answers, and are found at large in the [1] Additaments of *Matthew Paris*, to which I refer the curious Reader.

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[1] *Id.* p. 516. Which are answered on his behalf by *Laurence* a Clerk.

[1] p. 149.

[2] But to say something of Foreign Affairs; This Year the Pope wrote to the King of *France*, to let him know, that he had by the Advice of his Brethren the Cardinals, *Excommunicated* and Deposed *Frederick* the Emperor, and had made choice of Count *Robert* the King's Brother to succeed him in the Empire; and then promised not only his own, but also the Assistance of the Universal Church to establish him in the Possession of the Imperial Crown: To which the King of *France* (by the prudent Advice of his Council) answered, That he knew not by what Authority so great a Prince was Deposed, nor was satisfied that the Crimes laid to his Charge were ever proved; and if they were, it ought to be done by the Act of a General Council, and not by the Pope, who was his Capital Enemy: Nor had he found so much Religion in his Holiness as in him; and therefore would not be engaged in so dangerous an Affair. Which when the Pope's Envoys heard, they went away confounded: Then there was sent solemn Ambassadors from the King of *France* to the Emperor, and they gave him a full Account of the late Message from the Pope; to which the Emperor made a Noble and Generous Reply, highly reflecting upon the Pope's Piety; which since it is not within our Province, I refer the Reader to our Author.

[2] *Id.* p. 517.

Robert Brother to the King of *France*, chosen Emperor by the Pope and Cardinals.

The King of *France* declines to engage himself in that Affair.

[3] This Year K. *Henry* kept his *Christmas* at *Winchester*, where he Knighted *Baldwin de Rivers*, and then made him Earl of the *Isle of Wight*, and Married him to the Daughter-in-Law of his Brother *Richard* Earl of *Cornwal*: Then on the *Octaves* of *Epiphany* (or Thirteenth of *January*) the Archbishops and Bishops, with many Great Men, met at *London*, the Legate being present, where before the King in his own Court, the Bishops made grievous Complaints of his Injuries, Oppressions, and Desolations, that were brought upon the Church by his means, contrary to his Charters and Oaths, by keeping many Churches void for a long time, and taking the Profits of them to his own Use; as also for hindring Canonical Elections: And about Thirty Chapters of Cathedrals seconded the Bishops in their Complaints against the King; and at length they proceeded to *Excommunicate* all those his Councellors who had enclined his Mind to such Enormities.

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[3] *Id.* p. 523.

Complaints against the Injuries and Oppressions laid upon the Church.

Those who moved the K. to these Enormities are *Excommunicated.*

This

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[4] *Id. p.* 524. The Emperor's complaint against the K. and on what ground.

[4] At which time also the King received an Express from the Emperor, wherein he complain'd, that sure the King had forgotten he had married his Sister, when he had suffer'd the Pope's Sentence of *Excommunication* against him to be published in his Realm, and had inconsiderately called in, and still continued in his Kingdom the Pope's Legate, as *Coadjutor* in these Practices against him; wherefore he desired that the Legate might be thrust out of *England* as an Enemy and Pillager of his Subjects; to whom the King most shamefully answered, *That he ought to obey the Pope, and his Ecclesiastical Commands because he was his Tributary and Feudatory*: However, after some Consultation with himself, he advised the Legate to leave his Kingdom, lest by his stay here he should incense the Emperor; the Legate reply'd, That he had called him into his Kingdom, and therefore required safe Conduct for his Return. Thus the King, instead of Excusing, rather shewed himself guilty of greater Weakness; yet he being willing somewhat to appease the Emperor, wrote to the Pope on his behalf, beseeching him, that for Affinity's sake, he would deal more mildly with him: But in the mean while, the Legate was not Idle in Collecting and Forcing the Clergy to pay their *Procurations*. Moreover, hearing (as he said) that some that had undertaken the *Crusado*, and were unable to fight, had gone to *Rome* for Absolution from their Vow, he by his Letters invited all such as were desirous of Absolution, and willing to spare their Labour and Expences, to come to him, and upon the Payment of a Sum of Money, they should be Absolved from their Oath, since he had received the Pope's Command, that he ought not barely to Absolve them, but also to compel them to redeem their Vow, that is, to compound for their Absolution by Money.

The K's mean Answer, yet at last he advises the Legate to withdraw.

Vid. Dr. P's Ap. N. 168, 169.

[5] *Id. ib.* Simon Montfort returns into *England*, and kindly received by the K.

[5] In *April* following *Simon Montfort*, Earl of *Leicester*, return'd again into *England*, and was very kindly received by the King and Court, but he designed to make no stay here, only to furnish himself with Money by sale of his Lands and Woods for his Journey to the *Holy-Land*; but his Lady being big again with Child, remained still beyond Sea.

A great difference between the Scholars and Townsmen of *Oxford*.

About this time also there arose such a Difference between the Citizens and Scholars of *Oxford*, that many of them removed from thence, and settled at *Cambridge*, where the Scholars had before obtained certain Liberties from the King against the Townsmen; and that by his Grant or Charter: About the same time also the King

The K. causes the Citizens of *London* to swear Fealty to Pr. *Edward*.

caused the Citizens of *London*, and the Wardens of the *Cinque-Ports*, with many others, to swear Fealty to Prince *Edward*, his Eldest Son.

[1] *Id. ib.* *Llewellyn*, Pr. of *Wales* dies, and *David* his Son succeeds, who does Homage to the King for that Principality.

[1] *Llewellyn* Prince of *North-Wales* died this Year in *April*, after a long Reign of Fifty six Years, Prince *David* his Eldest Legitimate Son succeeded him, who on the Fourteenth of *May* following performed to King *Henry* his Homage for that Principality, and the Lands which King *Henry*'s Barons held there; and then both the King and Prince submitted themselves as to all Disputes and Differences between them, to the Arbitrement of Cardinal *Otto* the Pope's Legate, and the Bishops of *Norwich* and *Worcester*, with the Earl of *Cornwall*, and *John de Monmouth* on the King's Part; and on Prince *David*'s Part were appointed the Bishop of *St. Asaph*, *Idenevet Vaghan*,

Vaghan, and *Ynyguan Vaghan*; and both Parties bound themſelves by Oath, that they would ſubmit to the Juriſdiction and Sentence of the Legate, ſo long as he ſtaid in *England*, to compel either Party by Eccleſiaſtical Cenſure, who ſhould not obſerve the Articles of the ſaid Arbitration, or who ſhould refuſe to make ſuch Amends for any Tranſgreſſions againſt them, as he ſhould Award. Then they ſubmitted themſelves to the Juriſdiction and Coertion of the Archbiſhop of *Canterbury*, and his Succeſſors; and farther by this Peace, all the Homages of the Barons of *Wales* were to be performed to the King; and all Burnings, Slaughters, and other Miſchiefs done on both parts were to be remitted.

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The K. and new Prince ſubmit themſelves to the Arbitrament of the Pope's Legate, concerning all Differences between them

This Agreement is not to be found in any of our Printed Authors, but is upon [2] Record in the *Tower*.

[2] *Rot. Clauſ. 24 H. 3. M. 4. Dorſ. Vid.* Dr. *B's* Ap. N. 163.

[3] About that time the Archbiſhops, Biſhops, Abbots, and ſome of the Great Men of *England* met at *Reading*, to hear from the Legate what the Pope's demands were. When they were aſſembled together, and Silence was made, the Legate declared the Pope's Love and Charge in ſecuring the Peace of the Church againſt the Aſſaults of the Emperor *Frederick*; wherefore, for that and his Holineſs's Support, he required on *Fifth* Part of all their Goods: The King had before given his conſent to it, affirming, He neither would nor could oppoſe the Pope; but the Biſhops looked upon this as an inſupportable Burthen, and that it highly concerned the *Engliſh* Church; wherefore they deſired time to deliberate upon an Affair of ſo great Importance.

[3] *Id.* p. 526. An Aſſembly of the Biſhops and Great Men of *Reading*, where the Legates demands a Fifth Part of all Goods.

[4] After ſome conſideration, the Archbiſhop of *Canterbury* conſented to pay the *Fifth* Part of his Rents, which amounted to Eight Hundred Marks, and the reſt of the Prelates of *England* followed his Example.

[4] *Id.* p. 527. At laſt the Bps conſent to pay it.

[5] But ſome time after, when the Archbiſhop ſaw the Church of *England* was every day more and more oppreſſed, ſpoiled, and deprived of its Liberties, without any hopes of Remedy; and that the Eight hundred Marks he had given the Pope availed nothing; he not long after left *England*, and retired to the Abby of *Pontigny* in *France*.

[5] *Id.* p. 532. The A.B. being tired out, leaves *England*.

[1] Some time after, the King ſent Juſtices-Itinerant, through all the Counties of *England*, who under the pretence of correcting Enormities, and doing Juſtice, only gathered a great Sum of Money for the King and the Pope's Legate's Uſe, who now remitted over to him a vaſt Sum of Money, by one of his Clerks; and thus the King and the Pope ſhared all the Riches of the Kingdom between them.

[1] *Id.* p. 533. The K. ſends Juſtices-Itinerant all over *England*, to fleece the People.

[2] But to add ſomewhat more concerning the Papal Oppreſſions; this Year the Pope ſent his Precepts or Breves, directed to the Archbiſhop of *Canterbury*, and to the Biſhops of *Lincoln* and *Salisbury*, commanding them to prefer no leſs than Three hundred *Romans* or others to the firſt vacant Benefices in *England*, and not to collate any Others, till they were all ſufficiently provided: [3] And the Pope had alſo lately ſent into *England* one *Peter Rubeus* to be his Collector, who went about to the Chapters of Religious Houſes, and of ſome he gained a Promiſe to pay ſo much Money for uſes not mentioned, but only as ſuch a Biſhop, or ſuch an Abbot, had engaged

[2] *Id.* p. 532.

[3] *Id.* p. 533. *Peter Rubeus*, the Pope's Nuncio, his cheating Contrivance to ſqueeze Money out of the Religious Houſes.

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engaged to do before, and then urged their Examples to Others, whereby many were seduced and cheated of their Money: But when the Abbots were sensible of this detestable Practice, two of them, namely the Abbots of *St. Edmunds*, and *Battle-Abbey* went to the King, and made known their Grievance to him, urging, That if such Exactions were suffer'd, the Baronies they held of him would not answer the Services that were due to his Crown; and therefore they humbly besought him for Remedy and Redress; But the King received them with Frowns, and told the Legate, (who was then present) that he might do what he pleased with them, adding, That he would lend him one of his Castles to imprison them; upon this some yielded to the fore-mentioned Exactions; but others refused to bring themselves under such a detestable Servitude.

Two Abbots represent this Grievance to the King, who receives them with Frowns, and leaves them to the Legate to do what he pleased with them

[4] *Id.* p. 334. The Bps are also tried, but they cunningly put it off.

[4] Thereupon the Legate with *Peter Ruben*, met the Bishops at *Northampton*; but they being warned by the late Example of the Abbots, they could get no positive Answer from them, but only several Exceptions against these Contributions, too long here to insert. Then he summoned the Rectors of the Churches in *Berkshire* to attend him and his Accomplices, and endeavoured both by Promises and Threats, either to allure or affright them into a Compliance; [5] But they resolutely stood it out, affirming, They ought not to contribute any thing against the Emperour, because he neither was Convicted nor Condemned by the Judgment of the Church, nor yet had possessed himself of the Patrimony of St. Peter: They also farther urged, *That as the* Roman *Church had its own Patrimony, so other Churches had theirs also, by the Grants and Beneficence of Kings, Princes, and other Great Men, no ways Tributary to the Church of* Rome. And likewise, *That although the Care of the Church belonged to the Pope, yet the Dominion and Property did not.* Again, *That their Revenues were so small, that they could scarce supply them with Necessaries; therefore they ought not to be compelled to any such Contribution.*

[5] *Id.* p. 335. The Rectors of Churches in *Berkshire*, are also tamper'd with, who refuse to consent, and give divers notable Reasons against it.

[1] *Id.* p. 536. The Legate's Policy to gain his Ends.

[1] When the Legate and his Partisans saw the great Unanimity and Firmness of the Clergy to each other, they endeavoured to divide them, and so went to the King, and soon inclin'd him to favour the Pope's Cause. Then his Instruments tamper'd with divers Bishops and Archdeacons, some of whom they gained by Promises of Preferments and Rewards; by which means the Unanimity and Firmness of the *Universitas. Body of the Clergy was broken.

*Universitas.

[2] *Id. ib.* The Earl-Mareschal is reconciled to the King.

This Year also [2] *Gilbert* the Earl-Mareschal was, through the powerful Intercession of *Richard* Earl of *Cornwall*, reconciled to the King, and *Maurice*, Justiciary of *Ireland*, came to *London*, and by the King's means the Earl-Mareschal and he were made Friends, and all the Faults of Earl *Richard* were passed by; [3] And soon after this *Richard* Earl of *Cornwall*, having the Year before taken upon him the *Cross*, began his Pilgrimage to the *Holy-Land*, and having recommended his Son *Henry* to the King his Brother's Care, took Shipping at *Dover*; not long after, *William Longespee* Earl of *Salisbury*, with several other *English* Noblemen followed him: And soon after this *Simon Norman* the Chancellor, and the King's chief favourite, and the Legate's close Friend, was removed from the

[3] *Id.* p. 536. *Richard* E. of *Cornwall* goes on Pilgrimage to the *Holy-Land*.

Chan-

Chancellorship, and all his other Preferments, except the Archdeaconary of *Norwich*.

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This Year likewise *Edmund* A.B. of *Canterbury* died of Grief in *France*; a Pious and Constant Prelate, [4] who did whatever he could by his Letters to make the Pope sensible of the Oppression the *English* Church then lay under, by reason of the King's keeping the Bishop's Sees so long vacant, purely for his own Advantage; as also his interposing by Letters and Menaces, to hinder the due Elections of Bishops and Abbots: but Pope *Gregory* was so far from contributing to have these Abuses redress'd, that he rather join'd with the King in promoting them; saying, That it was contrary to the King's Prerogative to restrain him; so that all the Archbishop's pious Intentions came to nothing; and this made the King hereafter more bold to impose the Election of *Boniface*, his Wife's Uncle, upon the Monks of *Canterbury*, contrary to the Liberties of that Church: But as for this Archbishop, he was not long after Canonized a Saint by the Council of *Lyons*.

The Death of *Edmund* A.B. of *Canterbury*; His Character.

[4] *Id.* p. 545.

[5] But before I conclude this Year, I cannot omit some other Passages, which though of less Moment, yet deserve our notice: Among which, is the Arrival of *Thomas* Earl of *Flanders* in *England*, with a great Retinue, being received by the King himself, attended by the Citizens of *London* in great State; whither as soon as he came, he was presented with Five hundred Marks in New-Coined Sterling Money, and had a Pension of as much more granted him, to be Yearly paid out of the Exchequer, in lieu of the Homage which he then paid the King for it; so having received divers rich Presents from him, he, after some time, took his Leave, and return'd into his own Country. From whence we may observe, how easie King *Henry* was to part with so much ready Money for a mere Ceremony; and besides, this shews us, that Homage was paid in those Days by one Prince to another, not only for Lands and Territories, but for Pensions in Money too.

[5] *Id.* p. 532. *Thomas* Earl of *Flanders* arrives in *England*, and is Nobly presented by the K.

[1] This Year also, the Jews of *Norwich* privately stole away, and Circumcised a *Christian* Child, intending to Crucifie him before Easter; but the Boy being indued by his Parents, and upon search found in a certain Jew's House, all the Men of that Religion in the City were presently seized, and Four of them being convicted of this Crime, were drawn at Horse-Tails, and then hanged upon Gibbets. This is the second Offence of this Kind which we find recorded by our [2] Author, to have been committed by the Jews of this Place in five Years time; and if so, it declares their horrid Enmity to, as well as Hatred for the Christian Religion.

[1] *Id.* p. 532. The Jews of *Norwich* Circumcise a Boy, and intend to Crucifie him: For which Four of them are Executed.

[2] *Id.* p. 409. *Sub Anno* 1235

[3] This Year King *Henry* kept his Christmas at *Westminster*, being attended by many of the Great Men, where he Knighted the Legate's Nephew and another, a Provincial, and gave them Considerable Estates in Land; and four days after, the Legate received Letters from the Pope, commanding him without any more delay to come to *Rome*. Then having taken his solemn Leave of the King, with many Signs and Embraces, they parted, and he taking Shipping at *Dover* the Day after *Epiphany*, left *England*: [6] No Man but the King lamenting his Departure; for he had so pillaged the Clergy, (letting alone the Holy Vessels and Ornaments of their Churches)

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[3] *Id.* p. 564. The King Knights the Legates Nephew, and another Foreigner, and gives them good Places.

[6] *Id.* p. 549. he

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he left them not ſo much, as he had Extorted from them, beſides Three hundred rich Benefices and Prebendaries that were appropriated to the Pope's Creatures, kept for his own Uſe.

[5] *Id.* p. 556. The Earl of *Savoy* arrives in *England.*

[5] Alſo about this time, *Peter* Earl of *Savoy*, the Queen's Uncle (on whom the King had before conferr'd the Earldom of *Richmond*) arrived here in *England*, and had very great Donatives beſtowed upon him. Some time after, the *Jews* were Fined, and forced to pay the King Twenty thouſand Marks, upon pain of being Baniſhed, or perpetually Impriſoned.

[1] *Id.* p. 554. The Author's Account of the inſatiable Avarice of the *Roman* Church.

[1] At this time (ſays *Matt. Paris*) by the procurement or permiſſion of Pope *Gregory*, the inſatiable Avarice of the *Roman* Church, ſo much increaſed, that confounding Right and Wrong, and laying aſide all ſhame, like a common Strumpet that receives all Comers, ſhe counted *Uſury* but a ſmall Fault, and *Simony* as none at all: So that ſhe infected other Countries with her Contagion, and *England* amongſt the reſt, of which though he ſays he could ſhew many Examples, yet thought fit only to afford us this ſingle Relation. That the Pope had wrote to the Abbot and Convent of *Peterburgh*, commanding them to grant him one of their beſt Parſonages of the Yearly Rent of a Hundred Marks, (yet if it were double that value it would pleaſe him ſo much the better) and he would Rent it out to them again at a Hundred Marks by the Year, and the reſidue ſhould be their own; he likewiſe wrote to ſeveral *Italians* that were Beneficed in *England*, to ſollicite and further it by their Admonitions, if not, to compell them to a Compliance with his Deſires; But the Monks anſwered, They could do nothing without the King's Conſent, who was their Patron and Founder, and that alſo their Abbot was now abſent; thereupon the *Italian* Clerks who came over into *England*, going to *Peterburgh*, were very inſtant with them to do it, though without either the Privity of the King or their Abbot; but this the Monks utterly refuſed, yet deſired they might not be preſſed for an Anſwer till their Abbot came home, whom, in the mean time, they acquainted with the whole Buſineſs:

The Pope's unreaſonable Demands from the Abbot and Convent of *Peterburgh.*

The Monks refuſe to comply.

[2] *Id.* p. 555. The K. diſpleaſed with the Practice of the *Italian* Clerks.

[2] Whereupon he preſently ſent *William de Burgh* his Chaplain, to the King, to let him know how dangerous the Conſequence of ſuch a Matter might prove. When the King was made ſenſible of the Detriment the Church would hereby ſuſtain, and deteſting the Covetouſneſs of the Court of *Rome*, he ſtrictly prohibited them from proceeding any further in ſuch *enormous Attempts*: But this is the firſt Example of the King's Courage, in refuſing the Pope's Unreaſonable Demands.

[3] *Id.* it. *Boniface* of *Savoy* is by the King's means choſen A. B. of *Canterbury.*

[3] In *April* following, the Monks of *Canterbury*, through the Contrivance and great Induſtry uſed by the King in that Affair, Elected *Boniface* of *Savoy*, (a Graceful Perſon, yet whoſe Learning and Parts were wholly unknown to them) Archbiſhop of that Place, who was approved of and confirmed both by the King and the Pope.

[4] *Id.* p. 565. *Gilbert* Earl-Mareſchal killed near Tornaming by his Horſe.

[4] This Year, on the Seven and Twentieth of *June*, *Gilbert* Earl-Mareſchal was kill'd by the Unruſineſs of his Horſe, whoſe Reins breaking in a Tourneament at *Hertford*, he was flung down, and his Foot being engaged in the Stirrup, cauſed him to be almoſt kick'd to Death: and at the ſame time *Robert Say* one of his Knights was

was likewise slain, and divers Esquires wounded and hurt: yet could not these unfortunate Accidents make the Noblemen quit this rough and dangerous Recreation, notwithstanding they had the Pope's Inhibitions, and the King's Commands to the contrary. *Anno Dom.* MCCXLI.

[5] *Otto*, the Pope's Legate, had, at his departure, left behind him, *Peter Rubeus*, and *Peter de Supine*, armed with the Pope's *Bull*, by which they had Power to collect *Procurations*, to *Excommunicate*, *Interdict*, and by several ways to extort Money from the *English* Church; by which Authority this *Peter* carried himself as if he had been a Legate, and wrote to divers Abbots in a Commanding manner to make them contribute under the name of *Procurations*; and in the mean time *Peter de Supine* went by the King's permission into *Ireland*, carrying the Pope's Bull, where with great severity he exacted the like unreasonable Payments, and then return'd back into *England* in Autumn, bringing over no less than Fifteen hundred Marks from that Poor Kingdom.

[5] *Id.* p. 556. *Petir Rubens*, and *Peter de Supine*, are left by the Pope's Legate to extort Money from the Clergy.

[1] As for Civil Affairs, this year affords little, only that *Griffin*, the Base Son of *Llewellin* Prince of *Wales*, was treacherously imprison'd, by his half Brother *David*, who would not be perswaded to release him: Upon this *Richard* Bishop of *Bangor* first *Excommunicated* him, and then applied himself to King *Henry* for farther Remedy; whereupon he sent to *David*, and severely blamed him for his Treachery and Unkindness to his Brother, and commanded him to give him his Liberty; To whom *David* return'd a Malepart Answer, affirming, That *Wales* would never enjoy Peace, if he were set free: [2] But when *Griffin* understood this, he sent privately to King *Henry* to let him know, That if he would procure him his Liberty, he would become his Vassal, and pay him Two hundred Marks a year for his Land, and Swear Fealty to him, and would also assist him in subduing the Rebellious *Welsh*: At the same time also *Griffin* the Son of *Madoc*, a most Potent Man among the *Welsh*, promised the King his utmost Assistance, if he would but enter *Wales* with a good Force.

[1] *Id.* p. 569. *Griffin* is treacherously dealt with by his Brother Prince *David*, who is therefore *Excommunicated* by the Bishop of *Bangor*.

[2] *Id.* p. 570. *Griffin*, to obtain his Liberty, promises to become the K's Vassal.

[3] The King having such an Advantageous Offer made him, joyfully accepted it, and summoned all who owed him Military Service to meet him at *Gloucester* with Horse and Arms at the beginning of Autumn, and from thence with a great Army, he marched towards *Chester*, which so affrighted Prince *David*, that he presently capitulated, and instead of seting his Brother free, delivered him up to the King; But the Poor Man's Condition was not at all the better for it, because he was immediately sent Prisoner to *London*, with several Noblemen of *Wales*, that were Hostages for Prince *David*, under the Conduct of *John de Lexington*, to be secured in the *Tower*: Then about Eight days after *Michaelmas* Prince *David* came to *London*, and having done his Homage, taken an Oath of Fealty, and given Security to the King to observe the Peace, he was dismissed, and so returned home in safety: These things were done between the Eighth of *September*, and *Michaelmas* following.

[3] *Id. ib.* The King accepts the offer, and prepares to march into *Wales*. *David* frighted with this News, makes an Agreement with the King, and delivers up his Brother to him. He is imprison'd in the *Tower*. *David* does his Homage to the King, and returns home.

But since we may receive a great deal of light, as to the History of these *Welsh* Transactions, from the *Tower* Records, I shall give you an Abstract of them from Dr. *Brady*'s *History* and *Appendix*, where

A more exact Account of the *Welsh* Transactions from the *Tower* Records. *Id.* p. 578.

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where it appears by a Charter of this year, * That ſome time before Prince *David* had thus delivered into the King's hands his Brother *Griffin*, *Senana* his Wife complain'd to him, that Prince *David* had Impriſon'd her Husband, with his Son *Owen*, for whoſe Releaſe ſhe, in the Name of her ſaid Husband, offer'd the King Six hundred Marks, provided that he by the Judgment of his Court, and according to the Law of *Wales*, would put him in Poſſeſſion of that part of his Father's Inheritance, which he ought to enjoy, and which *David* by Force then with-held from him; At the ſame time alſo ſhe undertook, that her Husband his Heirs ſhould pay to the King and his Heirs Three hundred Marks *per Annum*, *viz.* one Third part in Money, another Third part in Oxen and Cows, and the laſt Third part in Horſes, at *Shrewsbury*, to be deliver'd to the Sheriff of *Shropſhire*: She alſo Engaged for her Husband, That if at any time any *Welſhman* rebell'd againſt the King or his Heirs, he ſhould at his own Coſt compel him to give Satisfaction; and for the Performance of all this, in the Name of her Husband *Griffin*, ſhe offer'd the King as Pledges, or Sureties, *Ralph Mortimer*, *Walter de Clifford*, *Roger de Montealt*, Steward of *Cheſter*, with ſeveral other Noblemen, her Friends.

* *Cart.* 25 *H.* 3 M. 3. *Dorſ. vid.* Dr. *B.*'s *Ap.* N. 167.

* *Vid.* Dr *B.*'s *Ap.* N. 168.

* Then follow the ſeveral Inſtruments or Charts of thoſe Noblemen to the King, That what *Senana* had propos'd ſhould be truly perform'd; † After theſe, are ſet down the ſeveral Charts of *Mereduc ap Howel*, *Owen ap Howel*, and thoſe Noblemen of *Wales* that favour'd *Griffin*'s Cauſe, which alſo Teſtifie, That they had Sworn Fealty to King *Henry*, and would faithfully ſerve him with all their might during their Lives whenever he wanted their Aſſiſtance; with ſome other Articles needleſs to be here recited: And for the Obſervation of theſe things, they put themſelves under the Juriſdiction of the Biſhops of *Hereford* and *Coventry*, whom the King had appointed to *Excommunicate* their Perſons and *Interdict* their Lands, if they did any thing contrary to this Agreement; which bears Date *Auguſt* the Sixteenth.

* *Ib.* N. 169.

Yet notwithſtanding, all theſe fair Propoſals and Articles came to nothing, for Prince *David* out-bid his Brother *Griffin*, and inſtead of ſetting him free, (as he ought to have done) deliver'd him up to the King (as you have heard) who kept him Priſoner, till he broke his Neck by a fall, in endeavouring to make his Eſcape out of the *Tower*, as you will find hereafter.

* *Cart.* 25 *H.* 3. M. 3. Dr. *B.*'s *Ap.* N. 164.

The King had ſummon'd Pr. *David* to appear before him at *Worceſter*.

The ſame * Roll alſo gives us a more exact Account of ſome other former Proceedings with this Prince *David*, than what we find in our Hiſtorians; for it there likewiſe appears, that the King had the *February* before ſummon'd *David* Prince of *North-Wales* to appear before him at *Worceſter*, to appoint Arbitrators in the room of ſuch as were named in the Inſtrument of Peace made between them the year before, (and who were then beyond Sea) that they might do Juſtice according to that Form. It thereby farther appears, that *David* came not, but ſent Three Meſſengers to the King, but indeed without ſufficient Power to do what was required; and therefore the King by a Letter, dated the Nineteenth of *February*, commanded him by virtue of his Allegiance (all Excuſes laid aſide) Perſonally to appear at *Shrewsbury* a week before *Palm-Sunday*, before

fore such Commissioners as he should send thither to Transact that Affair; and a day in the last week in *April* was assigned for him and the Lords Marchers to appoint Arbitrators in the Place of those beyond Sea, who were to do and receive Justice according to the Form of Peace agreed on between the King and him. *Anno Dom.* MCCXLI.

And we farther find by another * Record of this very year, that Prince *David* in obedience to the King's Letters, sent *Thudy* his Steward, and *David* his Chancellour, and *Philip ap Ivor*, as his Procurators or Commissioners, with full Power to do what was so desired; and that *Ralph Mortimer*, *Roger* Steward of *Chester*, and others for themselves, and the rest of the Lords Marchers, appear'd, and desired that Justice might presently be done according to the Proofs and Allegations of Witnesses at *Shrewsbury*, before *Stephen de Segrave*, and his Fellow Judges, who were sent thither for the King; where, after Two days Debate, instead of *Otto* the Legate, (who was at first appointed, but was gone away) the Bishops of *Worcester*, *Norwich* and *Coventry*, *John Fitz-Geoffrey*, *Hubert Fitz-Matthew*, and *Walter de Clifford*, were chosen (in his stead) Arbitrators, and another day was then set, a month after *Whitsunday*, at *Maneford-bridge* beyond *Shrewsbury*, to hear what Proof could be made out concerning the Injuries done on either side; on which day the Matter being fully heard, another day was appointed for Judgment to be given by the Arbitrators, according to the Proofs before them.

* *Rot. Cl.* 25 *H.* 3. *M.* 8. *Dors.* Dr. *B.*'s *App.* N 165. New Arbitrators chosen between the King and Pr. *David*.

And it also appears by another * Letter of the King's to Prince *David*, bearing Date from *Merlbridge* the Fifteenth of *July*; and which is also upon † Record, that not long after this the King was inform'd, That *David*, contrary to his Oath lately taken, had confederated with, and drawn off the Sons of *Madoc*, and certain of the King's Subjects in *Kerry*, and had received them into his Country; and that he had begun to commit Burnings and Slaughters in the Lands of *Ralph Mortimer*, and others the King's Feudataries; and also had by Force seized the Lands of *Owen Vaughan*, and his Nephews, against all Right and Justice, and which had been adjudged to them in the King's Court; That he had caused a Ship belonging to *Chester* to be stayed in his Country laden with Wheat and other Victuals, making no Satisfaction to those that own'd the Goods; That when the King sent his Commissioners to *Shrewsbury*, *David*, in Contempt, neither came, nor sent any Procurators to meet them; wherefore he admonish'd him, that he should not fail to acquaint him before the First of *August*, what Satisfaction he would make for these Outrages committed by his Orders.

* *Rot. Cl.* 25 *H.* 3. *M.* 7. *Dors.* † Dr. *B.*'s *App.* N. 166. The King had notice of a Confederacy by Pr. *David* against him.

[4] Whereupon on the Nineteenth of the same month, Prince *David* despairing to succeed by Force, sealed his Charter of Submission to the King, which is found at large in *Matt. Paris*, and is also upon * Record in the *Tower*, to this effect:

[4] *Id.* p. 570. Prince *David* Seals a Charter of Submission to the King, with the Articles therein contained.

First, That he would deliver his Brother *Griffin*, or *Gruffith*, and his Son, to the King.

Secondly, That he would stand to the Judgment of the King's Court, whether *Griffin* ought to be kept Prisoner, or not; and also for the Portion of his Father's Inheritance, which he claimed according

* 25 *H.* 3. *M.* 1. *Dors.*

Anno Dom. MCCXLI. cording to the Custom of *Wales*, and was to hold of the King *in Capite*.

Thirdly, That he would restore to *Roger de Monte-Alt*, Steward of *Chester*, his Lands of *Montalt*, (or, as it is now commonly called *Mould*,) with its Appurtenances.

Fourthly, That he would restore to the other Barons Marchers all such Lands, Lordships, and Castles, as had been taken from them, since the beginning of the Wars between King *John* and his Father *Llewellyn*, Prince of *Wales*.

Fifthly, That he would defray all the Charges of King *Henry* in the last Expedition against him.

Sixthly, That he would make Satisfaction for all the Injuries done by him, or his, unto the King or his People; and also that he would restore unto him all the Homages which King *John* had, or which he ought to have, especially of the Noblemen of *Wales*.

Seventhly, The Land of *Ellesmer*, with the Appurtenances, was to remain to the King for ever.

Eighthly, That *David* would not receive any of the King's Subjects within his Country of *Wales*, that were Outlaw'd or Banished.

Ninthly, And that for the Performances of this, he would give Pledges and Security according to the King's Will and Pleasure, and obey all his Commands, and stand to the Law in his Court.

* 5 *H.* 3. M. 2. *Dors. vid.* Dr. *B.*'s *App.* N. 171. He seals another Charter, wherein he engaged, that he and his Heirs would faithfully serve the King, *&c.*

After this, on the Thirty first of *August*, he Seal'd another Charter to the King, (extant on *Record) freely and willingly; whereby he engaged, that he and his Heirs should faithfully serve the King and his Heirs, and assist him all the days of their Lives; and if at any time they should act contrary to that Engagement, then all his Lands and Territories should be forfeited to the King, for him and his Heirs to enjoy them for ever; and for the farther Confirmation of this Agreement, he caused the Bishops of *Bangor*, and *St. Asaph*, to put their Seals, as Witnesses, to this Charter.

I have been the more particular in these Transactions, not only because I find them mention'd by none besides Dr. *Brady*, but also to shew the infidelity of these *Welshmen*, who having begun a fresh and needless War against King *Henry*, Three years after fled to the Pope for Protection, as the Reader will find anon. But to return to our *English* Affairs.

[5] *M. P.* p. 572. *Walter*, Brother to the late Mareschal, is at first refused by the King to be invested in his Earldom, and Office, but is afterwards prevailed upon to grant him them.

[5] About this time *Walter* the *Mareschal*, next Brother to *Gilbert* late deceased, applied himself to the King, to be invested in his Office and Inheritance; but the King in a great Heat and Passion denied him both, urging against him the Treasons and Disobedience of his Brother, as also his own Undutifulness in being at the Torneament at *Hartford*, contrary to his Commands; but at length through the Intercession of the Queen, the Bishop of *Durham* and other Noblemen, he was prevailed with, the *Sunday* before *All-Saints*, to restore him to the Honour, Office and Estate of his Brother, and to invest him with his Earldom and *Mareschalsie*, reserving only to the Crown Two Castles in *Wales*, *Kaermarden* and *Cardigan*, which the King Garrisoned to secure his new Acquisitions there.

[1] I

[1] I shall conclude this year with an Account of Forreign Affairs; *Richard* Earl of *Cornwal*, and Titular Earl of *Poictou*, being now in the *Holy Land*, *Lewis* King of *France* on *Midsummer-day*, knighted his Brother *Alphonso*, and interested him with the Title, and Earldom of *Poictou*; most part of which that King now enjoyed by the Conquest of King *Philip* his Grandfather: at this Affront, offer'd to himself as well as his Brother *Richard*, King *Henry* was highly incensed, but it seems to no purpose.

[2] This year also Tin Mines were first discovered in *Germany*, both finer and more plentiful than those in *England*, which Mettal before was no where to be found but in *Cornwal*; by which Discovery the Price of Tin was very much lessened abroad.

[3] The same year deceased Two Ladies of the Blood Royal of *England*; First, *Isabella*, Empress of *Germany*, the King's Eldest Sister, who died in Child-bed, to the great Grief of the Emperor her Husband; [3] The other was *Eleanor*, Daughter of *Geofrey* Earl of *Bretagne*, and Sister to Duke *Arthur*; who having been kept Prisoner many years, now deceased in the Castle of *Bristol* without ever being Married; She is said to have been a Lady of a high Spirit, and who insisted upon her Right to the last; but tho King *Henry* might obtain by her death a more indisputable Title to the Crown than he had before, yet I do not find that the King of *France*, or any other Forreign Prince, ever espoused her Interest, or made any scruple to acknowledge *Henry* as Lawful King all her Life-time.

[4] As for Ecclesiastical Affairs, Pope *Gregory* dying about the end of *August* this year, for Grief (as was supposed) that he could not subdue the Emperor *Frederic*; Immediately upon this Pope's decease, there happened a great Division among the Cardinals at *Rome* about the Election of a new Pope, Five of them chusing *Geofrey* Archbishop of *Milan*, (whose Election the Emperor congratulated) and the other Three Cardinals chusing *Romanus*, (late Legate in *Greece*) which produced a great Schism in the *Roman* Church, no Pope being Lawfully chosen till the year following.

[5] Not long after the death of the Pope, the Emperor dispatched a Messenger to give King *Henry* the first notice of it, that he might seize the Money the Pope's Collectors had gathered in *England* for his Holiness's Use; but they were too quick for him, and escaped into *France* with all their Prey; yet afterwards being met with by the Emperor's Servants somewhere in his Dominions, they were taken and imprisoned, and all their Treasure paid into the Imperial Exchequer.

[1] This year King *Henry* kept his *Christmas* at *Westminster*, where *Peter* of *Savoy*, Earl of *Richmond*, being now resolved to return home, resigned up into the King's Hands all those Castles which were committed to his custody, lest his sudden Advancement should displease the Great Men of *England*; but before he had taken Shipping, he was remanded by the King, and perswaded, (tho seemingly against his will) to accept the Government of *Dover* Castle.

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[1] *Id.* p. 561. The *French* King makes his Brother *Alphonso* Earl of *Poictou*, which much displeases King *Henry*.

[2] *Id.* p. 570. Tin Mines, when first discovered in *Germany*.

[3] *Id.* p. 578. The Decease of the Empress the King's Sister. And of *Eleanor* of *Bretagne* his Cousin.

[3] *Id.* p. 574.

[4] *Id. Ib.* The Death of Pope *Gregory*, upon which happen'd a great Schism at *Rome*.

[5] *Id. Ib.*

Anno Dom. MCCXLII.

[1] *Id.* p. 578.

[2] But

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[2] *Id.* p. 579. A War begun in *France* by the Earl of *Marche*, (King *Henry*'s Father in Law) and on what occasion.

He applies himself to the King for Protection, offering to help him to recover his lost Dominions.

The King thereupon calls a Parliament at *London*.

Id. ib. The Earl of *Cornwall* returns home from the *Holy Land*.

[3] *Id.* p. 580, 581. The Parliament being met, dissuade the King from engaging in a War against *France*, and their Reasons for it.

The King not being able to prevail with the whole Body of the Nobility, discourses with them apart, but to little purpose.

They giving him very resolute Answers.

[2] But the chief Affair of this year was, That *Hugh* Earl of *Marche* (a Principal Nobleman of *Poictou*, and who had Married King *Henry*'s Mother) having through the Pride of that Princess refused to do Homage to *Alphonso*, Brother to the *French* King, now Earl of that Province; *Hugh* thereupon applied himself to the King of *England*, his Son in Law, for Protection, perswading him, That by the help of the *Poictovins* and *Gascoigne*, with the Assistance of the King of *Arragon* and Earl of *Thoulouse*, he might easily recover those Dominions he had lost; Whereupon the King giving credit to these Pretences, wrote to all the Great Men of *England*, viz. Archbishops, Bishops, Abbots, Priors, Earls, and Barons, streightly Commanding, That they should all come to *London* on *Tuesday* before *Candlemas-day*, to Treat of such Publick Matters, as would not bear any delay.

In the mean time, viz. the day after *Epiphany*, *Richard* Earl of *Cornwall*, the King's Brother, landed at *Dover* from his Pilgrimage to the *Holy Land*, where he had made an Honourable Truce with the Sultan of *Babylon*, and was received by the King, Queen, and Nobility, with all the Demonstrations of Joy and Affection imaginable. Upon his return to Court, the *Poictovins* endeavoured all they could to perswade him to a War with *France*, for the Recovery of *Poictou*, which was to be his when regained, who therupon confirmed the King in his Resolution to attempt it.

[3] At the day appointed all the Nobility of *England*, as well Prelates as Earls and Barons, met at *London*, according to the Summons; but when they were assembled, and understood that the Earl of *Marche* had engaged the King in a War against *France*, they resolved to oppose both him and the *Poictovins* who advised it, adding, That the Kingdom stood [illegible] and the Treasure [illegible] had been already exhausted from them, and unprofitably spent; and therefore they would not consent that they more should be granted to be so unduly misspent and abused. When the King saw he could not prevail with the whole Body, he would needs try what he could do with them severally, and therefore sent for them one by one, telling them that such an one had promised so much, and another so much, but this Stratagem only rendered him the less considerable to them as to the Majority. Then he attempted those Great Men who were his Favourites and Domesticks, urging, That they were Honourable Men, and ought to be very desirous to have the antient Rights of the Kingdom recovered, and the Injuries done to it vindicated by force of Arms, therefore he wondered with what confidence they could oppose and desert him, when he had Promised and Sworn to prosecute what he had undertaken; but they also answered, *The great Sums of Money had been already [illegible] and the People of the Realm had been [illegible] already, yet all the Treasure was wasted and gone; and the [illegible] gold by it; Moreover they very much wondered, he would undertake to hazard a War, without ever consulting his Natural Subjects; and that the Truce between Him and France, was not as yet expired, which good Kings had Sworn inviolably to observe; Besides, those Noblemen that advised him to this War, were the King of France's Subjects, and the King might expect but little Faith from such who had*

proved

proved *Traitors* to their Natural Prince, adding withal the unsuccessful Attempts that his Predecessors had made in this nature; when the King heard all their Answers, he was much displeased, and in a great Passion swore, *That their Words should neither affright nor hinder him from prosecuting what he had designed; but that after Easter he would pass over Sea, and try the Fortune of a Battel*: And so the Parliament was dissolved.

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At which the K. is highly displeased, and falls into a Passion.

[4] This is our Author's Account of this *Colloquium*, or Parliament, wherein he mentions much hard Language given unto the King by the Great Men, even unto his face: Upon which Passage [5] Dr. *Brady* observes, That in the Relation which immediately follows this, and which (this Author says) was written as a perpetual Memorial of the Barons Answer to the King, it appears they never spoke, nor had any personal Conference with him, but only heard his Pleasure, and the Business he had with them, from his Commissioners or Messengers, *viz. Walter* Archbishop of *York*, *Richard* Earl of *Cornwal*, and *Walter* Provost of *Beverley*, by whom, upon mature Deliberation, They advised the King rather to send to his Cousin of *France* for Satisfaction, if he had done any thing contrary to the Articles of the Truce between them, and not to declare War until the time thereof were expired; but if he had done any Injury that could be proved, and that then he denied Restitution, they would assist him according to their Abilities: Then they reckoned up the many Aids they had given him, and remembred especially the last of a *Thirtieth* Part of their *Moveables*, which was by stipulation to have been expended by the Advice and Oversight of four Barons, for the Benefit of the King and Kingdom: And seeing they had never heard that any of it was expended by their Advice, they believed the King had all that Money by him, which he might now make use of; And further minded him, That by keeping so many Bishopricks vacant in his hands, as also by the Escheats of the Lands of Earls, Barons, and Knights, by Fines and Amercements which his Itinerant Justices had set upon Counties, Hundreds, Cities, Burghs, and Towns, he had of late raised great Sums of Money; insomuch, that by such Exactions and other Aids already given, the People of the Kingdom were so impoverished, that they had scarce any thing left them to subsist upon? And since the King, after their giving the last *Thirtieth* Part, had never observed the *Great Charter*, yet had engaged by another Additional Charter, That such Exactions should never be brought into Consequence; they answered positively, That at present they would grant him no further Aid. But when the King's Commissioners asked them, What if the King of *France* should break the Truce before it expired? to pacifie them they then farther engaged, on the behalf of the King, That if he had injured any of the Great Men, he would make them Satisfaction according to the Judgment of *Peter* of *Savoy* and others of his Council. To the *First* the Barons answer'd, as they had done before; and to the *Second*, they said, That they heard the same things formerly, when they granted the *Thirtieth* Part of their Moveables; but whether they had been performed or not, they left that to the

[4] *Id.* p. 541.

[5] *Compl. Hist.* p. 582.

The Answer of the Barons in a Body more civil than what they spoke severally and a-part.

Anno Dom. MCCXLIIIM

King himself to consider: And so remained resolute in not granting him any Aid at all.

Dr. Brady would make the Author inconsistent with himself, without just cause.

Here the Doctor farther remarks, That there is not one Word of any *Billingsgate* Language or Reviling of the King, which he says this Monk's Relations do very much abound. Thus the Doctor would fain make his Author (to whom he gives much Credit in other Matters) to contradict himself in this Relation. Yet I can see no Reason for such a Conclusion; for this Author was then living, and might very well write an Account of what passed between the King and Barons at their first Meeting, and before they were retired to consult in a Body, and to whom being so assembled he sent his Deputies above-mentioned, by whom they returned him this last solemn Answer, the former passing only by way of Discourse.

But if *Matt. Westminster* may be credited in this Affair, the King discoursing with divers of the Prelates apart (using the Subtilty of the *Roman* Legates) brought them at last to his Will, and got a good round Sum of Money from them, which was in great part distributed to such Knights as wanted it to go over with him. This Author also further relates, That the King being still pressed by Messages from the Earl of *March*, and other Great Men of *France*, he scraped together all the Money he could raise, bestowing the whole Lent in this Employment, looking upon those who refused to assist him, as his declared Enemies, and vexing them by his Officers with many Oppressions; for the Earl of *March* had sent him word, That he need only take care to provide Money, for as to Men he would procure them.

[1] *Id.* p. 582. The K. summons all his Military Tenants according to the usual Tenor; but instead of their Service to bring Money.

[1] Against *Easter* the King sent out his Summons to all those that owed him Military Service, to meet him at *Portsmouth*, not with Horse and Arms, according to the usual Tenure, but (in lieu of their Service) to bring each a good Sum of Money with them (which our Author says was more like a Banker than a General:) So the King having committed the Custody of the Kingdom to the Archbishop of *York*, and received into his Favour the Bishop of *Chichester*, formerly his Chancellor, and recalled *Ralph Fitz-Nicholas*, and *Godfrey Crancumb* to Court, took Shipping at *Portsmouth* with Queen *Eleanor*, Earl *Richard*, and Seven other Earls, and landed at *Gascoigny* at the Mouth of the River *Garonne*, where they were received by *Reginald de Pons*, and the Great Men of *Xantoigne*. And in the mean while, for the better Security of his Affairs at home, a Marriage was agreed upon between his Daughter *Margaret*, and *Alexander* Eldest Son to the King of *Scots*; and that part of the Kingdom which bordered upon *Scotland*, was thereupon committed to the care of that King, during the time King *Henry* should remain beyond Sea.

He commits his Kingdom to the Abp. of *York*, and passes beyond Sea.

A Marriage agreed on between the K.'s Daughter and the K of *Scots*.

The *French* King sets out a small *Fleet*.

But let us see what was doing in the mean while in *France*: When King *Henry's* Designs were known to King *Lewis*, he presently equipped Twenty four Galleys to hinder the *English* from landing at *Rochel*; and *Peter* Earl of *Richmond* and the Bishop of *Hereford*, being sent into *Poictou* to secure what Friends and Assistance they could among the People of that Province, they hardly escaped be-

ing taken by the *French*; therefore they returned into *England*, without effecting any thing considerable.

[2] The King of *France* was not idle all this while, but prepared a mighty Force, which consisted of Four thousand Knights compleatly Armed, and Two thousand Esquires, besides Cross-bow-men and Common Soldiers to many more. This War was commenced by his seizing of the Goods and Persons of the Merchants both in *Kingsland* and *France*, that King first beginning it, to his great Dishonour, since it had not been practised in *France* till that time. Then King *Lewis* marched with his Army, and sate down before *Fontenay*, a strong Castle of the Earl of *March*'s. During this Siege, the King of *England* sent *Ralph Fitz-Nicholas* and *Nicholas de Molis*, to the King of *France*, to denounce War unless he would agree to his Demands; The King received them civilly, letting them know, That he much wondred he could so openly break the Truce, that had been confirmed by their mutual Oaths to last for Three Years; Adding further, That he was so far from breaking the Truce, that he was willing it should be continued for Three Years longer, and would consent to deliver to their King the greatest part of *Normandy* and *Poitou*, provided he would not hinder him from revenging himself upon those Enemies and Traitors, who only trusted to their King's Assistance, and admired that his Cousin of *England* should think he infringed the Truce in the least, when he endeavoured only to correct and repress the Insolence of his own Rebellious Subjects; and yet admired that he should be so much wheedled by the Earls of *March* and *Tholouse*, and therefore thought that he had violated the Truce, in thus receiving and encouraging his Rebels and Enemies.

[3] With this Answer the Messengers returned to the King of *England*, who being over-perswaded by the crafty *Poictovins* against his own Interest, would by no means embrace those Honourable Proposals, but utterly refused to renew the Truce, and sent some *Knights Hospitallers* in his Name to defie the King of *France*, because he made War upon his Father-in-Law the Earl of *March*.

[4] When King *Lewis* found those so fair Overtures of Peace thus slighted, though he expressed his Sorrow that the King of *England* should be so drawn in by the Earls of *March* and *Tholouse*, yet shewed himself most concerned for the Oaths his Father had made to King *Henry*, when he left *England*, of delivering up his Dominions in *France*. But one of his Great Men replied, That the Oath was Mutual, and the King of *England* had violated it on his part, when he broke his Promises to *Lewis*'s Accomplices, and caused *Constantine* a Citizen of *London* to be hanged for defending your Father's Honour. This poor Pretence satisfied the King's Scruples for the present, and then he proceeded to make a vigorous Attack upon the Castle of *Fontenay*, which after Fifteen Days Siege, was gained by Assault, contrary to the Confidence of all the *Poictovins*, and the Earl of *March*'s Son who kept it, who with all his Accomplices, being above Four hundred, were made Prisoners. But when some about the *French* King advised, that they might be executed for a Terror to other Rebels, he replied, *The Son has obeyed his Father, and the rest the Command of their Lord, and upon that account*

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[2] And makes much greater Prepararations by Land; with the Number of the *French* Army.

K. *Henry* sends Messengers to K. *Lewis*; who are kindly received. The Answer that was returned by them, was very advantageous for the King.

[3] *Id.* p. 488. Who is perswaded by the *Poictovins* not to accept of its Truce.

[4] *Id. ib.* K. *Lewis* seems concerned for the Oath his Father had made to King *Henry*; and is satisfied by one of his Great Men.

His Success against the Earl of *March*; takes his Son Prisoner, and refuses to put him to death.

Anno Dom. MCCXLII. neither of them deserved Death; a wise and merciful Answer, and worthy so pious a Prince: However he sent them Prisoners to *Paris*.

They are sent Prisoners to *Paris*.

This put the rest of the Defendants of the Earl of *Marche* his Castles into such terrour, that some of their own accord came in, and delivered up their Keys to the King of *France*; and others Capitulated upon his appearing before them: After which, That King took divers other Castles of the Earls, some by Force, and others by Surrender.

[5] *Id.* p. 589. The Earl of *Marche*, and the *Poictovins* repent their having begun this War.

[5] These uninterrupted Successes made the Earl of *Marche* and his *Poictovins* almost desperate, but they now began to repent they had ever engaged themselves against their Lord the King; in the mean time the King of *England* came before the City of *Taillebourg*, and Encamped in a Meadow over against it; but when the King of *France* heard of it, he marched with his Army towards that Place, and so soon as the Citizens had notice of his approach, they went out to meet him, and opened their Gates to him and his Army: The King of *England* seeing himself thus disappointed, and that he must now Fight the *French* with the few Men he had with him, he called to the Earl of *Marche* and asked him, How he had performed his Promise of procuring Men enough to baffle the *French*, if he supplied him with Money? The Earl replied, He never made any such Promise: Then Earl *Richard* produced the Charter of Agreement between them; which the other denied it was ever made or sealed by him, or that he had ever encouraged the Undertaking of this Expedition, but that it was the sole Contrivance of his Wife, the King's Mother. When he heard the Earl's reply, he was very much concern'd at it; but Earl *Richard* seeing the danger the King was in of being made a Prisoner, presently disarmed himself, and with a Truncheon in his Hand went to the *French* Camp, where he was kindly and honourably received; and being introduced to the King's Presence, he desired a short Truce, which the King granted for one Day and the Night following.

K. *Henry* being fail'd by them is much distressed.

[1] *Id.* p. 590. The Earl of *Marche* denies his Promise to the K. and lays the Fault on his Wife.

Earl *Richard* goes to the *French* Camp, and obtains a short Truce.

So soon as the Earl had obtained this, he return'd to King *Henry*, and advised him to make his Escape with as much speed as he could, otherwise he would be taken Prisoner; Thereupon the King following his Counsel, took Horse that Night, and never stopped till he came to *Xaintes*; and the whole Army followed him, though not without great hazard, and some loss. The next day the King of *France* decamped, and marched with his Army towards *Xaintes* in pursuit of King *Henry*; then after several Skirmishes, and some few days intervals, both Armies met not far from *Xaintes*, where they had a sharp Engagement; and had the *English* equalled the *French* in number, they had gained the Victory, which the *French* Historians relate to have fallen to them: But the Number of those that were slain on either side is not mentioned; the Prisoners that were taken were exchanged; and those that behaved themselves with most Courage and Resolution in this Battle, were *Simon Montfort* Earl of *Leicester*, the Earl of *Salisbury*, *Roger Bigod* Earl of *Norfolk*, *John de Burgh*, *Warin de Mauchensy*, with divers others.

[7] During which the K. flies to *Xaintes*.

A sharp Engagement between the *English* and *French*.

[2] When

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[2] Whenthe Earl of *Marche* saw how successful the King of *France* was in every thing he attempted, and that his Strength daily increased, he began to consider how he should regain his Favour, and be reconciled unto him, and therefore privily sent to the Earl of *Provence* to desire him, That he, with the Bishop of *Xaintes*, would use their Endeavours with the King of *France* to procure his Pardon; Upon this they both went to the King, and assured him, That the Earl of *Marche* was sensible how much he had offended against his Majesty, and implored his Mercy and Favour, desiring to know upon what Conditions he pleased to impart it.

[2] *Id.* p. 591. The Earl of *Marche* endeavours to be reconciled to the King of *France*.

[3] The King of *France* accepted the offer, and was reconciled unto him upon these Terms: *First*, That whatsoever Places belonging to the Earl the King had possessed himself of during this War, should be for ever annexed to the Crown. *Secondly*, That all those Castles that were then in his possession, whether of his own, or his Vassals, which were judged any ways prejudicial to the King of *France*, should be delivered into his hands for three Years, and then not to be restored, unless the King was satisfied with his Fidelity. *Thirdly*, That he should with Two hundred armed Men enter into his Service, and faithfully serve him for Three Years at his own Charges, against all Enemies of the Church and Crown of *France*. *Fourthly*, That he should surrender up his Charter, whereby the King of *France* was obliged to pay him Ten thousand Pounds a Year for defence of the *Marches*, and should quit any such claim for the future. And further the *French* Historians relate, That the Queen his Wife, and her Sons, were all Sworn to observe the Covenants now made. To these hard Conditions this proud Earl was now reduced to obtain his Pardon, and then was presently sent against the Earl of *Tholouse*, his old Friend, and the King of *England*'s Confederate.

[3] *Id. ib.* He deserts K. *Henry*, and enters into the *French* Service, and on what Terms.

[4] All this was concluded privately, without the knowledge of K. *Henry*, who had by Charter given the City of *Xaintes* to *Hugh le Brun*, the Earl of *Marche*'s Son, the King's Half-Brother, without the Consent of the Citizens whereby he lost their Affections; for that they hated *Hugh*, as being an insolent Young Man. However, the King thought himself safe and secure there, till he was informed by one from the *French* Camp, That King *Lewis* designed to come and besiege that City very suddenly, and was resolved not to stir from thence till he had made him his Prisoner; which was likewise confirm'd by another, who assured him, That the Earl of *Marche* was revolted to the *French*, and if the King continued there one Night longer, he would be besieged. King *Henry* being by this Second Messenger pretty well persuaded, that the News was true, fled presently to *Blaye* a Town in *Gascoigny*, about Forty or Fifty *English* miles from *Xaintes*, and his Army followed him as fast as it could, but was so harrassed with the length and suddenness of the March, that they were unfit a good while for any Service. Upon this the Cities of *Xaintes*, *Pons*, and all the rest of *Poictou* forthwith submitted to the King of *France*; only *Harould* Governor of *Mirabel*-Castle went to the King of *England*, and implored his Protection; To whom the King replied, He was betrayed by the Earl of *Marche*, and was scarce able

[4] *Id.* p. 592. K. *Henry* loses the Affections of the Citizens of *Xaintes*; and on what Occasion.

The King informed of his being like to be taken, flies to *Blaye*.

Whereupon all *Poictou* submits to the K. of *France*.

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able to secure his own Person, and therefore gave him Leave to act according to his Direction. Thereupon he went to the King of *France*, and submitted himself to his Mercy and Protection; to whom the King replied, That he truly had behaved himself faithfully to his King, and therefore received the Castle and himself very kindly, and having first taken an Oath of Fealty, restored it to him again.

[5] *William de Nangis* in his Life of King *Lewis* under this Year, and in the relation of this Story, is in some things more particular, and in others less than *Mat. Paris*, though in the main they agree. The *French* Historian saith, That the Earl of *Marche* sent his Eldest Son, *Hugh*, who made Peace with the King of *France* upon these Terms, *viz.* That such Territories and Places as the King of *France* had taken from his Father, should remain to the Earl of *Poictou*, the King of *France*'s Brother, and his Heirs; but as to the rest of the Lands the Earl of *Marche* and his Wife, with their Children, were to stand to the Pleasure and Courtesie of the King of *France*, for whose greater Security the Earl was to deliver up three strong Castles, *viz.* That of *Merbin*, his Castle upon the River *Creuse*, and Castle *Archand*; all which accordingly received Garisons, and that thereupon the Viscount of *Thouars*, and most of the Barons and Great Men of *Poictou*, did Homage to the King of *France*.

P 411, 412 Dein. *William de Nangis* gives a more particular Account of this Transaction.

[1] In the mean time, the King of *France* resolved to pursue the King of *England* to *Blaye*, and from thence to *Bourdeaux*, if he fled thither; but secret Factions among the Nobility, as also the want of Victuals and Forage hindered all; the Pestilence which raged in his Army, being deprived of near Fourscore Noblemen who were either Dead, or carried home Sick; together with his own Indisposition, (being naturally of a tender Constitution) made him alter those measures he had before resolved upon; so that instead of pursuing the War, he made a Truce with the King of *England* for Five Years, and then returned into *France* by *Xaintes*, and in a short time recovered his Health. This unfortunate Expedition is an Instance, that the Kings of *England* have scarce ever succeeded in any Enterprize, which they have undertaken without the Advice and Consent of the Great Council of the Kingdom. But whilst King *Henry* was engaged in this unlucky War, the Queen his Wife lay in at *Bourdeaux*, of a Daughter called *Beatrix*.

M. P. p. 594. K. *Lewis* for several Reasons makes a Truce with K. *Henry* for Five Years.

[2] *Wil. de Nangis.*

[3] During the King's being in *France*, a Scutage was exacted throughout all *England* of every Knight's Fee Three Marks, or (as *Matth. Westminster* relates) but Twenty Shillings; In the mean while, King *Henry* having retired to *Bourdeaux*, spent his time with his Queen in Idle Jollity, as if no Disturbance had befallen him; and during his stay there, (about *Michaelmas*) Earl *Roger Bigod*, with the Earl of *Winchester*, and many other Great Men, came to the King, desiring leave to return into *England*, which he granted them. After about the same time *William de Marisco*, a Knight of *Ireland*, having been long Outlawed with divers of his Accomplices, exercised Piracy in the *Welsh* and *Irish* Seas, making the Isle of *Lundy* (of which they had then possessed themselves) their Receptacle; but being there surprized by some that were sent for that Purpose, and brought to *London*, he and Sixteen more of his Company were

M. P. p. 595. Three Marks Scutage laid upon every Knight's Fee in *England*.

Several of the Nobility desire leave to return into *England*.

William de Maris is taken and Executed.

were condemned to be drawn, hanged, and quarter'd; but at his execution he utterly denied, that he had ſuborned the Mad-fellow (already mentioned) to take away the King's Life.

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[1] About this time likewiſe, the King treated *William de Roſs* Baron of the *North*, very unkindly, who after he had ſpent all his money in his Service, and ſo could not ſtay any longer in *France*, becauſe he had not wherewithall to maintain himſelf, had notwithſtanding his Lands ſeized without the Judgment of his Peers; But when Earl *Richard* perceived how hardly he had been dealt with, he went to the King and blamed him for it; but he was received by him with great Paſſion and ſome Threats, to which Earl *Richard* made no return; but when he ſaw the King continued obſtinate, and would not be guided by his Advice, [5] He, with *William* the Mareſchal, the Earl of *Hereford*, and many other Great Men, left him at *Bourdeaux*, and came over into *England*, though not without great danger of Shipwreck, being driven upon a certain Iſle on the Coaſt of *Cornwall*.

[1] *Id.* p. 595. The King's Unkindneſs to *William de Roſs*, a Northern Baron. Which is proſecuted to the Ruin by his Brother Earl *Richard*. [5] *Id.* p. 596. Whereupon *William* the Mareſchal, and other Noblemen, returns into *England*.

[1] In *October* following, King *Henry* ſent to the Archbiſhop of *York*, (to whom he had committed the Government of the Kingdom in his abſence) commanding him to ſeize the Grain belonging to the Archbiſhoprick of *Canterbury*, and all other Biſhopricks that were vacant, with the Bacon, Salt, and other Winter Proviſions, alſo to provide a great quantity of Cloath for his Soldiers, and without delay to ſend them to him at *Bourdeaux*, which was done accordingly: Moreover, he commanded the Archbiſhop, that he ſhould confiſcate the Eſtates of thoſe that withdrew themſelves from his ſervice; but the Archbiſhop prudently declined to execute thoſe ſevere commands, becauſe he knew that Neceſſity had forced them to retire; and alſo they that continued with the King at *Bourdeaux*, (namely *Simon* Earl of *Leiceſter*, *William* Earl of *Salisbury*, and ſome other Noblemen) had contracted ſuch vaſt Debts, that they were reduced to Great Want.

The K. writes to the A. B. of *York*, to ſend him over Proviſions and Cloaths for Army. As alſo to ſeize the Eſtates of thoſe that had deſerted his Service.

[2] *Id. ib.* The K's Extravagance at *Bourd. aux* reduces him to great Neceſſity, notwithſtanding the Supplies that had been ſent him.

[2] The King at this time gave himſelf wholly up to ſoftneſs, and unprofitable Expence of Money, and was now abſolutely Govern'd by the Council of the King of *Arragon* and Earl of *Tholouſe*, who yet never ſtood by him in any Exigency; however he was ſtill deluded and led away by them, as alſo by the *Poictovins* and *Gaſcoigns*; ſo that notwithſtanding the Scutage he had Extorted, and the many other ſupplies of Money and Proviſions, beſides the Cloaths for his Soldiers; yet [3] he was reduced to ſuch great ſtreights, that in *October* he again wrote to the Archbiſhop of *York*, his Juſtitiary or Lieutenant, to deſire of the *Ciſtercian* Order, one Year's Profit of all their Wooll, from which they endeavoured by divers plauſible pretences to excuſe themſelves; but when they were preſſed by the Archbiſhop to comply with the King's deſires, who always was ready to ſuccour their Neceſſities, One of the Abbots of that Order anſwered, *That the King was ſworn to do Juſtice, and they never deſired any thing of him in particular, which he was not obliged to do for them in general; Let him therefore* (ſaid the Abbot) *Govern as by Law, and commit no Oppreſſion contrary to Juſtice*; [4] *and then if he would give them any thing for the Health of his Soul, and the good State of the Kingdom, they were ready to receive it:* An honeſt blunt Anſwer, and worthy an old *Engliſh* Abbot.

[3] *Id.* p. 597. He writes again to the A. B. for more Supplies, and to take the Wool belonging to the *Ciſtercian* Order. A notable Anſwer of an Abbot of that Order. [4] *Id.* p. 598.

[5] This

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[5] This Year King *Henry* kept his *Chriſtmas*, and ſpent the reſt of the Winter at *Bourdeaux*, without doing any thing conſiderable, except the ſubduing ſome *Gaſcoign* Rebels, who had fortified certain Caſtles belonging to the King's Feudataries within the Diſtrict of that City; the Particulars of which our Author does not think worth mentioning, only that at the taking of a Church belonging to a Monaſtery called *Verines*, which was held by theſe Rebels, a certain Clerk and ſpecial Councellor of the King's, called *John Manſel*, a Stout and Brave Man, having had his Leg broken by a Stone let fall from the top of the Church, had been there killed by a ſhower of Stones caſt upon him, had he not been ſaved by the broad Targets of ſome of his Friends, and being carry'd off and recovered, was by the King not long after admitted as one of his Chiefeſt Directors, for his great Courage and Fidelity: This I take notice of (though otherwiſe of no great Moment) to inform the Reader upon what ſcore this Man became one of the King's Chief Miniſters of State, and of whom you will hear a great deal hereafter.

[5] *Id. ib.* The K. does little in *Britain*, ſave ſubduing ſome *Gaſcoign* Rebels.

John Manſel, at the taking of a Church, near being kill'd.

Being recovered, is made one of the K.'s Chief Councellors.

From *Bourdeaux* in the beginning of *March* following he again wrote to the Archbiſhop of *York* to ſend him more Proviſions and Money, complaining he had received neither, ſince the Abbot of *Eueſham* came to him. This amazed the Archbiſhop, who had ſo lately ſent ſuch large Supplies; but he thought that the Sea had devoured it; wherefore he made further Proviſions both of Victuals and Money, and deſigned to ſend them unto him: But the Wardens of the Cinque-Ports refuſed to undertake it, unleſs he would provide a Convoy of Ships ſufficient to protect them againſt the Piracies of the Earl of *Bretaigne* and thoſe of *Calais*, who had already thrice ſet upon them, and ſpoiled them of their Men, Ships, and Goods, to their irreparable Loſs and Damage: But when the Archbiſhop heard their Anſwer, he ſignified the ſame to the King, and deſired him to haſten his return into *England*.

He writes for freſh Supplies to the Abp. of *York*.

The Wardens of the Cinque-Ports refuſe to carry it.

[1] On St. *Gregory's* Day (being *March* the Twelfth) the Five Years Truce between the King of *England* and *France* was ſolemnly confirmed by both Parties; and by this Agreement the King of *France* was to retain whatever he had got by the Sword, nay even thoſe Caſtles which the King of *England* had acquired by the help of the *Gaſcoigns*, were to be reſtored to him; and he was alſo to pay to the King of *France* Five thouſand Pounds *Sterling* every Year: to ſo mean Terms was this poor Prince by his own Raſhneſs and Obſtinacy now reduced.

[1] *Id.* p. 600. The Truce renew'd between *France* and *England*, and on what Conditions.

[2] I cannot here paſs by one very remarkable Paſſage in our Author, tho' it is omitted by Dr. *Brady* in his *Compl. Hiſt.* viz. That about this time the City of *London* was compelled to a moſt grievous Ranſom, (which is there called a Taillage) made after this manner: The King's Officer came to this and that Citizen in particular, telling him, That the King being now engaged in a Foreign War, and in great want of Money, he muſt lend him ſuch and ſuch a Sum: And thus they extorted from the poor Citizens what they pleaſed to rate them at; but all this and more our Author ſays

[2] *Id. ib.*

Money extorted from the City of *London* by way of Loan.

says the Citizens would have willingly lent, if they had been satisfied it was bestowed for the good of the King and Kingdom. I have noted this, to let the Reader see, that forced Loans to the Crown, though they were no new things, yet were always looked upon as against the Rights and Liberties of the City and Nation; but this Dr. *B.* endeavours to conceal. *Anno Dom.* MCCXLIII.

[3] About the same time the King wrote to the Archbishop to provide such a Fleet as might secure his Passage into *England*; and further commanded all the Great Men to be in a readiness at *Portsmouth* to receive him at his Landing: But by many cross Accidents his Passage was still delayed; for either the Queen was not as yet well recovered from her lying in, or else had some other Infirmity; and besides, the Citizens of *Bourdeaux*, and all the *Gascoigns*, were unwilling to part with so profitable a Guest, being liberal in his Bounties to them; so that his departure raised a Tumult among them, which he hearing of, after he was embarked, was forced to land again, and return to *Bourdeaux* to appease it: And on the other hand, the Archbishop and Great Men of *England* were tired out with their long attendance: But at length, after he had settled *Gascoigny*, and committed the Government of that County to *Nicholas de Molis*, he again took Shipping, and landed at *Portsmouth* on the Twenty fifth of *September*, and was received at *Winchester* by almost the whole Nobility, with all the Demonstrations of Joy and Respect they could shew; by the Citizens of *London* with variety of inestimable Presents; and by the Clergy with a pompous Procession on the Thirteenth of *October* following.

[3] *Id. ib.* The K.'s passage into *England* retarded by many cross Accidents.

He commits the Government of *Gascoigny* to *N. de Molis*.

He lands in *England*, and is received at *London* with great Demonstrations of Joy.

[4] The King, soon after his return, forced the *Jews* to pay him a great Sum of Money, and took from one *Aaron* a rich *Jew* of *York* no less than Four Marks of Gold, and Forty thousand Marks of Silver: As for the Gold which every *Jew*, both Man and Woman paid, he did them the Favour to receive it with his own Hands, but left the receipt of the Silver to his Officers: The Abbots also and Priors presented him with many rich Gifts; and if he did not answer his Expectation, he rejected them, and required others of greater value.

[4] *Id.* p. 605. The K. makes the *Jews* pay him a great Sum of Money.

[5] After which, on the First of *November*, *Beatrix* Countess of *Provence*, the Queen's Mother, arrived in *England*, being received at *London* with great State and Magnificence; she brought with her her Daughter *Cinetia*, who was married to Earl *Richard* at *Westminster*, on the Twenty third of that Month; and the Marriage was celebrated with great Pomp and Feasting, there being no less than Thirty thousand Dishes provided for the Wedding Dinner.

[5] *Id.* p. 606. E. *Rich.* marries *Cinetia*, Daughter to the Countess of *Provence*.

[1] This Year afforded no Ecclesiastical Affairs of moment, except the Election of a new Pope, after the See had been vacant a Year and half; he was called by the Name of *Innocent* the *Fourth*, but before known by that of *Sinebaldo* of *Genoua*: And so soon as he was Consecrated, he confirmed the Consecration denounced by his Predecessor against *Frederick* the Emperor.

[1] *Id. ib.* The Election of P. *Innocent* IV.

Anno Dom. MCCXLIV.

[2] *Id.* p. 613. The K. keeps his *Chriſtmas* at *Wallingford*-Caſtle. The Counteſs of *Provence* leaves *England*.

[2] This Year King *Henry* kept his *Chriſtmas* at *Wallingford*-Caſtle, being nobly entertained by his Brother Earl *Richard*, as likewiſe were moſt of the Nobility; his Lady *Cincia* appearing there alſo, with the Counteſs *Beatrix* her Mother: ſhe ſoon after, upon the news of the Earl of *Provence* her Husband's being very ſick, took her ſolemn Leave of the King and Court, and embarking at *Dover*, had a good Paſſage to her own Country.

[3] *Id.* p. 368. The K. ſummons a great Council, and deſires an Aid.

[3] I ſhall now return to Secular Affairs of greater moment: Immediately after *Chriſtmas*, the King ſummoned the Great Men of the whole Kingdom, the Archbiſhops, Biſhops, Abbots, Priors, Earls, and Barons, to meet at *Weſtminſter*; and being there aſſembled, he with his own Mouth demanded a *Pecuniary Aid* of them, with which he indeed deſigned to bring the King of *Scots* to Reaſon (who now began to oppoſe him;) Yet the King only pretended, that he had the Year before by their Advice paſſed into *Gaſcoigny*, where he had contracted great Debts, of which he deſired them to eaſe him. To this the Barons anſwered, They would conſult together about it. Then the Archbiſhops, Abbots, with the Priors treated of it apart by themſelves; and after that, they asked the Earls and Barons, if they would pleaſe to conſent to what they had reſolved, in relation to their Anſwer to the King's Demands? Who replied, That without the whole * *Body* or *Community* of the Kingdom, they would act nothing; and then by common Aſſent, there were choſen on behalf of the Clergy *Boniface* Archbiſhop of *Canterbury*, the Biſhops of *Wincheſter*, *Lincoln*, and *Worceſter*; and on behalf of the Laiety, Earl *Richard* the King's Brother, Earl *Roger Bigot*, *Simon Montfort* Earl of *Leiceſter*, and the Earl *Mareſchal*: On behalf of the Barons, *Richard de Montfichet*, *John de Baliol*, with the Abbots of *Ramſey* and *Bury*: And what theſe Twelve ſhould agree, ſhould be communicated to the whole *Body*, that ſo nothing ſhould be offered to the King without the Common Aſſent.

The Clergy treat of it by themſelves.

* *Univerſitas Regni.*

They agree.

[4] *Id. ib.*

The Reſult of their Reſolutions ſeems to be thus: [4] That becauſe the Charter of Liberties, which the King had regranted ſome time before (and for the Obſervation whereof *Edmund* Archbiſhop of *Canterbury* had ſworn and undertaken) was not kept; nor the Aids ſo often given, diſpoſed of to the Benefit of the King and Kingdom, and that through the Fault of the Chancellor, Writs were granted contrary to Juſtice, they therefore deſired, that ſuch a Juſtitiary, and ſuch a Chancellor might be made, that the State of the Kingdom might be eſtabliſhed upon its former Baſis. But all theſe reaſonable Requeſts proved ineffectual; for the King (leſt he ſhould be thought to do any thing by Compulſion of this Council) would not grant the Petition of the Great Men, only promiſed in general to amend what he was by them informed to be amiſs. Whereupon their Meeting was adjourned until Three Weeks after *Candlemas*: But they firſt reſolved, That if in the mean time the King would of his own accord chuſe ſuch Councellors, and take ſuch care of the Rights or Laws of the Kingdom, as to ſatisfie the Great Men, then they would give him an Aid; yet on that condition, That it ſhould be expended for the Benefit of the Kingdom, by Advice of the Twelve Repreſentatives above mentioned. When

The K. refuſing to grant their Requeſts the Council is adjourned.

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the King saw he could not prevail upon them in a joint Body, then tried the Clergy a-part, what they would do upon the Pope's late Letters, in which he exhorted them to give the King a liberal Assistance in Money. *Anno Dom.* MCCXLIV.

[5] But the King finding he could do no good with the whole Clergy, desired the Prelates (that is, all Bishops, Abbots, and Deans) that they would meet in the Infirmary of the Abbey of *Westminster*; and when they were thus assembled, the King sent the Earl of *Leicester* and other Noblemen to perswade them to contribute some Money towards the War of *Gascoigny*, and to repress the Insolency of the *Welsh*. But whilst they were debating about it, the King came to them himself, and repeating his former Requests, further told them, *That his Honour and theirs should be inseparable*: But when they deferred their Answer, and desired longer time to advise about it, the King withdrew: The last Result of the Bishops and Prelates was, That they could not divide themselves from the *Common Assent* or *Agreement* of the Great Men of the Kingdom; and so all Affairs were put off till their next Meeting, and then this Synod broke up. [5] *Id.* p. 640. The K. tries the Clergy a-part, to obtain an Aid of 'em, but without effect.

It also appears by our Author, [1] That this great Council or Parliament had contrived a new Method of Government, which they intended to have offer'd to, and put upon the King, if they could; to wit, That Four of the most Potent and Discreet Men of the Kingdom should be chosen by *Common Assent*, and then sworn of the King's Council; and these should transact all Affairs relating to both King and Kingdom, and should do Justice to all, without respect of Persons; and that these should still follow the King, and Two of them at least were always to be present with him, that so they might hear and relieve the Complaints of Persons oppressed: The King's Treasury was likewise to be managed by them, and all Aids were to be expended as they thought most for the Advantage of the Nation: In shore, they were to be the Conservators of the Publick Liberties; and as they were chosen by *Common Assent*, so they were not to be removed out of their Office but by the same *Assent*; when one died, another was to be chosen by the Three Survivors: And without the Consent of these Four, the Great Council was not to meet. So that if this Design had taken effect, the King had been a meer Cypher, and had had little or no share in the Government. [1] *Id.* p. 641. A new method of Government design'd in this Parliament.

But it seems this Project came to nothing, by reason that the Clergy, who had a great hand in these designed Alterations, were now taken up with other Affairs that more nearly concerned them; [2] for about this time Pope *Innocent* had sent a Clerk or Chaplain of his called *Martin*, as his Nuncio into *England*, with Power to Excommunicate and Suspend whomsoever he should find refractory to his Commands; which Authority he soon exercised on several Prelates, until they would make such a Provision for the Pope's Clerks and Kinsmen as he demanded, who thought no Revenue under Thirty Marks *per Annum* worth their acceptance. Moreover, he directed his Letters to several Abbots and Priors, strictly enjoining them to lend him such Horses as were fit for the Pope's own Chaplain; and if they refused, and made any excuse, though never But the Design is defeated, and why [2] *Id.* p. 643. The Pope's Nuncio's unreasonable Demands.

Anno Dom. MCCXLIV. never so reasonable, they were forthwith suspended, as particularly the Abbot of *Malmesbury*, and the Prior of *Merton*, until they would make full Satisfaction: And when any Prebendaries of Churches became void, he presently seized them, and by virtue of the Pope's Authority, disposed of them as he pleased; and gave one of the Richest Prebendaries of *Salisbury* to a little Boy, who was the Pope's Nephew, against the Will of the Bishop and the whole Chapter.

[3] *Id.* p. 642. The Pope demands Money of the Clergy.

And what yet further perplexed them, was, [3] that this Mr. *Martin* produced other Letters from the Pope, in which he required a great Sum of Money of them to pay off the Debt, that his Predecessor *Gregory* had contracted in a War (as he pretended) for the Catholick Faith, Ecclesiastical Liberty, and the Patrimony of the Church.

These Transactions, and several others of this Year, are not put together in due Order of Time, as they ought to have been by our Author, and therefore I have endeavoured to correct that Defect as well as I could: I shall now give an account of what was done at the next Session of this Parliament; [4] When the Great Men and Prelates met again at *London* according to their late Adjournment, Three Weeks after *Candlemas*, to treat about the King's Demands of an Aid, he there again renewed and promised entirely to keep the Charter of Liberties, which he had sworn to at his Coronation, and gave the Bishops leave, in their respective Dioceses, to Excommunicate himself and all others, that should act contrary to it in any Article: Yet for all this, he could only obtain Twenty Shillings of every Knight's Fee to marry his Eldest Daughter, of all those who held of the King *in Capite*, the one half to be paid at *Easter*, and the other half at *Michaelmas*.

[4] *Id.* p. 643. The Parliament meet again.

The K. promises better to observe the Charter of Liberties, under pain of Excommunication.

Id. p. 643. When Mr. *Martin* the Pope's Nuncio saw that the Great Men had given the King this Aid, he pressed his Business to the Clergy as earnestly as he could, making them a very cunning Speech, That since they had assisted the King their Temporal Lord, could they now do less for their Spiritual Father the Pope? But the Prelates were as cunning as the Legate, and laying their Heads together, answered by the Mouth of the Dean of *St. Paul's*, That what he demanded, particularly concerned the King, the Archbishops, and all the Bishops and Prelates of *England*; and that since the King by reason of Sickness, and the Archbishops and several Bishops were likewise absent by reason of Business, they could not for the present give him any other positive Answer: Upon which Words came in *John* the *Mareschal*, and forbid all the Prelates, who held Baronies of the King *in Capite*, to oblige their Lay-Fees to the See of *Rome*, whereby the King would be deprived of the Service due to him. Nor did the Legate meet with any better Success upon other fresh Letters, which he produced from the Pope in a lesser Assembly of the Prelates, who met during the absence of the rest, and then gave Mr. *Martin* their positive Answer, That the present Poverty of the Kingdom, and their Fears of new Wars which were like to break out upon them, would not permit them to consent to this Exaction; besides, many other good Reasons were added, which the Reader may find in our Author, and more at large in the

Annals

Annals of *Burton*, if he will give himself the leisure to peruse them: And then upon the Nuncio's threatning of them, they only sub-join'd, That they were also afraid of the Emperor's Threats, if they gave any Money; for he had by his Letters lately forbid both the King and them to contribute any thing to the Pope; so that it seems all the Nuncio could do, was to lay his hands on the Revenues of vacant Benefices, and to scrape Money together by all the exactive means he could think of. But to return to Temporal Matters: *Anno Dom.* MCCXLIV.

[5] In the same Month of *February*, the King made some Alterations in his Court and Council, which whether they were for the better or the worse, I will not determine, only that he put in Sir *Paulinus Piper* Steward of his Household, and took *John Mansell* Chancellor of St. *Paul's*, into his Council; and Mr. *Lawrence* of St. *Martin's* was made President of his Council, and his Procurator in all Ecclesiastical Affairs; This *John Mansell* was one in Orders, and being a very Politick Person, was afterwards made one of the King's Chief Ministers and Favourites. [5] *Id. p. 616.* He makes Alterations in Court and Council.

Not long after, [1] on the first day of *March*, hapned an Accident, which though it was of no great moment, yet seems to have encouraged *David* Prince of *Wales* to rebell; for *Griffyn* his Half-brother, being weary of his long Imprisonment in the *Tower*, having made a long Line of the Furniture of his Chamber tied together, thought to slide down by it from the top of a Tower; but the Rope breaking with his weight, he being a very large and heavy Man, he fell down, and dash'd out his Brains: He was a Person of great Courage, and as long as he liv'd, his Brother the Prince could never have dared to attempt any thing against the King, for he should thus have been let loose against him; but being thus taken off, it was no wonder if the Peace did not long continue. [1] *Id. ib.* *Griffyn* Brother to Prince *David*, falls from the *Tower*, and dashes out his Brains.

[2] For in the beginning of this Summer, the *Welsh* Prince, notwithstanding the solemn Oaths and Charters which he and his Great Men had made to King *Henry*, in token of their Homage and Subjection to him, they revolted from his Obedience, and made War upon him and his Lord *Marchers*, viz. the Earl of *Clare*, the Earl of *Hereford*, *John de Monmouth*, *Roger de Mortimer*, and other Noble Barons, who gathering their Forces by the King's Command, came to an Engagement with the *Welsh*, in which there fell about a hundred on both sides. [2] *Id. p. 638.* The *Welsh* rebell against K. *Henry*.

[3] Then on the Eleventh of *June*, the King being at St. *Albans* Abbey, received the ill News of the *Welsh* Insurrection; at which time also he heard, that the King of *Scots* had publickly declared, That he would not hold the least Piece of Earth of the King of *England*; for ever since the last Marriage of the *Scottish* King with the Daughter of *Engelram de Cusey*, a Potent Nobleman of *France*, and an utter Enemy to King *Henry*, the good Intelligence between the Two Crowns was so much abated, that at last it ended in an open War. [3] *Id. ib.* The King of *Scots* renounces his Homage to the King.

For not long after, the Quarrel between these Two Princes rose to that heighth, [4] that King *Henry* summoned all the Great Men of *England*, as well Bishops and Abbots, as Lay-Barons, who held [4] *Rot. Cl. 28. H. 3. M. 8. Dors.*

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held of him *in Capite*, to provide their Services ready at *Newcastle* upon *Tyne*, to force the King of *Scots* to make Satisfaction, unless he would hear their Advice, where they appeared accordingly at the appointed time, being the Fifteenth of *August*, and they had a serious Treaty about this Weighty Affair; and then by the Mediation of Earl *Richard*, and other Great Men of both Nations, there was a Peace made upon these Terms, That the King of *Scots* and his Heirs, should keep Perpetual Faith and Friendship towards his Liege-Lord King *Henry* and his Heirs; That he should not make any Leagues with the King's Enemies; That the Peace should stand Good, that was made in the Presence of *Otto* the Pope's Legate at *York*; as also the Agreement concerning a Contract of Marriage to be made between the King of *Scot's* Son, and the King of *England's* Daughter, all which appears by [5] King *Alexander's* Charter, which you may find at large in our Author, as also the Pope's Bull to confirm it.

K. *Henry* summons all Tenents *in Capite* to march against the K. of *Scots*.

The Peace is renewed between them; and on what Terms.

[5] *Id.* p. 646.

No sooner had the King dispatched these great Affairs in the *North*, but he was called back by a fresh Insurrection of the *Welsh*, [1] who having now invaded the *English* Borders, burnt and plundered all before them, when the King too much despising the Forces of his Enemies, dispanded most part of his Army, and going himself for *London*, only sent *Herbert Fitz-Matthew* with Three hundred Horse to subdue them; whereupon the *Welshmen* taking Courage fell upon and defeated the Forces of the Earl of *Hereford* and *Ralph de Mortimer* before *Herbert* could get up to them, and when he attack'd them the Day after, they put him to flight, and so they continued Victors for the rest of this Year.

[1] *Id.* p. 647. The *Welsh* make fresh Invasions on the *English* Marches, and rout the Forces of the Lords Marchers.

[2] In the beginning of *November*, the King again Assembled the Great Men of the Kingdom, of whom he required an Aid against the *Welsh*, which was denied him; but whether it was out of anger, because of the King's late ill Conduct, in not sending greater Forces against them, or that the Nobility thought they might be reduced without an Aid in Money, I can not determine.

[2] *Id.* p. 650. The K. requires an Aid against the *Welsh*, but is denied.

But not long after, the King received news, which highly incensed Him and the Great Men against *David* Prince of *Wales*, [3] who desiring to cast off the Yoke of Subjection to King *Henry* his Uncle, and notwithstanding the Charters of Homage and Subjection which he had made to the King about Three Years since, [4] sent privately to the Pope, some time last Summer, offering to hold his Countrey of him at the Yearly Tribute of Five hundred Marks, provided he would protect him against King *Henry*, and for a round Sum of Money obtained the Pope's [5] *Bull*, directed to the Abbots of *Aberconway* and *Kemmer*, by which he constituted them his *Inquisitors*; whether Prince *David* by Force and Fear was compelled to stand to the Arbitration of the Bishop of St. *Asaph*, and others; and if they found it to be so, then to dispense with, Release, and make void his Oath and Engagements; and by vertue of which *Bull*, the said Abbots summoned the King to appear before them on the *Vigil*, or Eve of *St. Agnes*, (that is, *January* the Twenty First) at *Keyrus* in *Wales*, to answer Prince *David* concerning the Contents of the said *Bull*: But when the King had received this Insolent Summons from these Abbots, it so enraged Him

[3] *Id.* p. 627.

[4] *Id.* p. 650. *David* Pr. of *Wales* privately offered the Pope to hold his Country of him, at an Yearly Tribute.

[5] *Id.* p. 651. Recited at large in our Author.

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and the Great Men of the Kingdom, that they resolved to march against the *Welsh* as soon as the Season would permit.

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But since the *Welsh* Historians give a far different and larger Account of the Grounds and Progress of this War, I shall from Dr. *Powel*'s Chronicle under this Year, shew you what they assign as Reasons to Justifie Prince *David* in thus breaking the Peace, which he had so solemnly sworn to observe; as *First*, That King *Henry* had the Year before began very much to oppress the *Welsh*, by turning them out of their Estates without any just Title, or sufficient Cause, and that after the Death of *Griffyn* above-mentioned, King *Henry* had Entituled his Eldest Son *Edward* to the Principality of *Wales*.

The Account the *Welsh* Historians give to justifie their Prince's breaking the Peace.

And to give you all the *Welsh* Transactions of this Year together, though confusedly set down by our Authors; Upon this News, Prince *David* understanding the King's design to disinherit him, used all the means he could for the Defence of his just Right; but finding himself unable to withstand the *English*, resolved to effect that by Policy, which he could not obtain by Force; wherefore the Year before he privately sent Messengers to the Pope, complaining against the King of *England*, as you have already heard above.

Then Prince *David* finding that the Pope only minded his own Interest, and delayed to do Justice upon his Complaints against the King of *England*, thought it was to no purpose to wait any longer for his Decision, but judged it more adviseable to vindicate himself by the Power of his Arms: Having therefore mustered up his Forces together, (being now reconciled to, and followed by most of the Nobility of *Wales*) he drew his Army towards the *Marches*, to be revenged upon the Lords of those Parts already mentioned, who (as he pretended) had injured and oppressed his People, and with these Noblemen he fought divers times this Summer, with various Successes.

Dr. *Powel*'s Chron.

Prince *David* finding no Remedy from the Pope, takes up Arms and Invades the *English* Borders.

But as for this Relation, though it may be in great part true, especially as to what concerns Prince *David*'s addressing himself to the Pope for Protection against King *Henry*, yet I do not find from any good Authority, that the *Welsh* Prince had received any Provocation from King *Henry*, sufficient to Justifie him in the breach of the last Articles of Peace between him and the King; for there is no mention in our *English* Histories concerning any such violent taking away of the *Welshmens* Estates, as is given us in the above-mentioned Relation; and if there had been any such thing, yet could it no ways have vindicated this War, since he ought by the said Articles to have first complained to the King for redress, before he had taken up Arms; and if he had not been then satisfied in his Lawful Demands, he might have had some colour of righting himself by War: But as for King *Henry*'s Entitling his Son *Edward* to the Principality of *Wales*, (for which Dr. *Powell* quotes no less an Authority, than the Records of the *Tower*, yet without giving us the Year, or Number of the Roll,) I find no such thing mentioned in any of our Historians; though when any such Record can be found, I shall agree with this Author's Relation, but till then I think I may boldly affirm, that there is no such thing. And

The *Welsh* Historians not to be credited in this Point.

as

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as for Prince *David*'s Allegation to the Pope, that his late Charters of Homage and Fealty to King *Henry* were gain'd by Force and Fear, it is certain, the Matter of Fact was otherwise, and that Prince *David* being then in perfect Liberty, might have defended himself if he had pleased, against the King's demands, supposing he had thought them too Unjust and Unreasonable to be comply'd with.

But it is now time to look abroad, and see what was done in Foreign Parts, during this busie Year in *England*; about the beginning of which [1] the King of *France* assembled at *Paris* all such of his Subjects that had Possessions in *England*, and declar'd to them, That he thought they could not serve faithfully two different Lords at the same time; and then gave them their Choice to whom they would adhere; and after that they were to relinquish their Lands and Possessions in the other Prince's Dominions; upon this some kept their Estates in *England*, and left those in *France* and came over hither, whilst others did the contrary, according to their different Interests and Inclinations. When this was made known to the King of *England*, He commanded all the Estates that the *Normans* then enjoy'd in his Realm, to be forthwith seized to his own use, and would not give them their Liberty of choice, (as the King of *France* had done,) which Prince they would adhere to, which was by the *French* looked upon to be a Breach of the Truce: But their King was not so well recovered of his late Sickness, or at leisure to prosecute this pretended Violation by a new War, but wisely endeavoured to appease and repress the querulous Invectives his *Norman* Subjects made against the King of *England*.

[1] *Id.* p. 614. The K. of *Fr.* his offer to his Subjects that had Estates in *England* and *France*; But K. *Henry* wou'd not leave the *Normans* to their Choice.

As for the Affairs of *Germany*, I find little considerable to have happened this Year, only that the Emperor *Frederick*, the King's Brother in Law, about the beginning thereof, sent Mr. *William D'ocra*, and others his Ambassadors with Letters to the King, offering to justifie himself from the Imputation of Contumacy and Disobedience to the Pope, and that he would submit his Cause to the Judgment of the Kings of *England* and *France*, and the Baronage of their Kingdoms; and then complaining of the Pope's Severity and Injustice, desired the King not to permit any Contributions in Money to be made to him by his Subjects, threatning besides, if the King did not comply with his desires, to revenge it upon such of the *English*, whom he should find within his Dominions.

As to such Ecclesiastical Affairs, as had no dependance upon the Civil, I find none considerable, only that *William de Raule* Bishop of *Winchester*, having been long kept out of *England*, and from his Bishoprick, by the King's Unjust Severity, was about Midsummer, by the Pope's Mediation call'd home, and restored to the King's Favour, at which all true *Englishmen* were much rejoiced, except some Court-Chaplains, who being Fomenters of Discord, were afraid, lest his Prudence should render them wholly useless, by promoting the Welfare of both King and Kingdom.

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[2] The King now kept his *Christmas* at *London*, with many of his Noblemen, where he Knighted *John Gatesden* a Clerk in Deacon's Orders, who having by his Prudence and Industry in Publick Affairs acquir'd a good Estate, he resign'd his Benefices, and soon after married the Daughter of *Rose de Bruis*, and leaving off the dangerous Care of Souls, aspired to the Dignity of a Nobleman.

[3] On the Sixteenth of *January* following, the Queen was brought to Bed of a Son, who was Christ'ned *Edmond*, and afterwards created by his Father, Earl of *Leicester* and *Derby*.

[4] So soon as the Season would permit, the War was afresh renewed against the *Welsh*; for in the beginning of *Lent* the Constable of the Castle of *Montgomery*, with such Forces as he had with him, by a Stratagem overcame the *Welsh*, and killed above Three hundred of them; but the same Week Prince *David*, to revenge this Defeat, wasted the *English* Borders with Nocturnal Incursions, against whom when the Militia of the Country began to March, they were assaulted by the *Welshmen* in the narrow Passes and Streights of the Mountains, with Darts, Arrows, and Stones, one of which knock'd down, and kill'd on the Place *Herbert Fitz-Matthew* (already mentioned) Chief Commander; The *English* were so dismay'd at this, that they presently retreated, carrying off the Dead Body along with them. The *Welsh* being animated with this Success, Prince *David* mustered up his Forces, and laying Siege to the Castle of *Montalt*, took it by Assault, and killed most of those he found in it, but miss'd of *Roger de Montalt* the Owner of it, whom he thought to have found there. I read of nothing further done against the *Welsh*, till towards the End of this Summer, notwithstanding the King and his Nobilities late resolutions of undertaking a speedy Expedition against them; but it seems they were so taken up with contriving how to put some stop to the Papal Exactions, that they could not mind Military Affairs.

[5] For *Martin* the Pope's Nuntio still continued his wonted Oppressions of the *English* Church and Clergy, by his unjust Exacting of *Procurations*, and by conferring great Benefices upon the Pope's Creatures and Relations; and our Author tells us, that his Greediness and Extortions were so Notorious, that he conceals the Particulars out of meer Reverence to the *Roman* Church: Yet notwithstanding, the King still supported the Nuntio against the Clergy, because his hold the Pope might do him the like good turn, whenever there was occasion for it.

[1] But at last Matters were reduced to that Extremity, that they required some speedy Redress, and therefore some Great Men deploring the lamentable State of the Church and Kingdom, took the Courage to give Orders, That if any more Bulls from the Pope came into *England* to exhaust the People of their Money, they should be stopt. Now it happened about this time, that a Messenger from the Pope arrived at *Dover*, whom the Warden of that Port presently seized, with all his Bulls and Letters, containing divers new Inventions to get Money; but when Mr. *Martin* heard of his being taken up, he went presently to the King, and made his Complaint of it: But he not daring to own the Action, immediately gave or-

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[2] *Id.* p. 653. The King Knighted John Gatesden a Clerk in Orders.

[3] *Id. ibid.* The Queen brought to Bed of a Son.

[4] *Id.* p. 654, 655. The War renewed against the *Welsh* with ill Success.

[5] *Id.* p. 657. The Pope's Nuntio continues his Extortions.

[1] *Id.* p. 657. Some of the Great Men order the Pope's Messenger to be seized.

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der, that the Messenger should be released, and all his Bulls and Letters restored to him, which was done accordingly, though it was so much to the King's Dishonour, as well as to the Prejudice of the Kingdom.

Whom the K. releases.

[2] M. p. 658. The K. begins to be sensible of the Avarice of the Roman Church. The vast Revenues of the Italians in England.

Yet some time after, his Eyes began to be opened, for about *Whitsuntide* following, he ordered a strict Enquiry to be made in each County of the true Value of the Livings and other Benefices which the *Italian* Clergymen then enjoyed in *England* by the Gift of the Pope; and they were found to amount to Sixty thousand Marks *per Annum*, which then exceeded the whole Revenue of the Crown; upon this Report the King came to himself, and being moved with Anger, began to detest the insatiable Avarice of the *Roman* Church, yet durst he not in Person declare against it, only he permitted a bold but elegant Epistle to be written in the Name of the General Body or *Representative* of the whole Kingdom, in which they set forth the *Execrable Extortions* and *Exactions* of the Pope's Legates and Nuntioes, and sent it to the Council then sitting at *Lyons*, by Earl *Roger Bigod*, *John Fitz-Geoffrey*, *William de Cantelupe*, *Philip Basset*, *Ralph Fitz-Nicholas*, and Master *William Pomeric* their Clerk or Secretary, in the Name of the whole Body of the Nation, who were to declare the insupportable Burthens thereof, as also by reason of the Pope's Exacting the Tribute, granted by King *John*, to which they had never consented, and ordered them to seek for Redress against it.

[3] Id. p. 659. The Representative Body of the Kingdom write a bold Letter to the Council at *Lyons*.

But the high and active Spirits of the *English* Nobility and Gentry could not endure so much delay, therefore they resolved to take a more speedy Course; but the King fearing before-hand their violent Proceedings forbad them to meet, upon the Account of a Tournament: yet for all this, on the Thirtieth of *June* (not long after) they assembled in a great Body both at *Luton* and *Dunstable* in *Bedfordshire*, and there resolved to bear no longer with the Pope's Nuntio: from thence they sent *Falk Fitz-Warin* (one of their Number) to the New-Temple at *London*, to Mr. *Martin* the Pope's Nuntio, and chief Instrument of his Exactions. When *Falk* came thither, he looked upon him very sternly, and *bad him begon out of England immediately*: Who commands me to do this, said Mr. *Martin*? Is it your self? To whom *Falk* answered, *No, not I, but the whole Body of armed Knights, that lately appeared at Luton and Dunstable, do by me command you to be gone*, and bad him be gone again, or else he and his Followers should in Three days be cut in Pieces. Mr. *Martin* much affrighted at this rough Salutation, went immediately to the King, and told him what he had heard, and desired to know if it were done by his Authority? The King told him he was not the Author of any such thing, *but* (saith he) *you have contriv'd matters so, as to set the Barons against me, for that I have so long suffered your Depredations and Injustice in my Kingdom*. Upon this Discourse with the King, he requested his Pass-port to be gone, which was readily granted, and for his greater Security the King sent with him *Robert Norris*, one of the Messengers of his Court to conduct him to the Sea-side, and so embarking he went away, to the great Satisfaction of the Kingdom.

[4] The Military-Men resolving to hold a Tournament send a severe Message to *Martin* the Nuntio, commanding him to be gone.

Whereupon the K. not being willing to protect him he is forced to go away.

[5] But

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[5] But I must not here omit a remarkable Passage in our Author, since it shews the Insolence and Haughty Temper of this Pope; for when this *Martin* return'd to him and complained of his harsh Usage here, the Pope remembring that not only King *Henry*, but the Kings of *France* and *Arragon* had lately refused him admittance into their Kingdoms, he presently bending his Brows, said to him, (yet so loud that he might be heard) *Well, we must make Peace with the Head*; (meaning the Emperor) *That so we may humble these Rebellious Petty Princes; for the great* Dragon *being once pacified, the smaller* Serpents *will be easily trampled under Foot.*

[1] *Id.* p. 660.

But to return again to *England*: We may observe that this *English* roughness did more good, than all their Remonstrances to the Council of *Lyons*: [1] For when the Procurators of the Body of the Nobility of *England* before-named had arrived there, Mr. *William Poweric* their Clerk or Secretary propounded the Grievances of the Kingdom of *England*, and on behalf of the said Body lamentably complained of the Tribute* injuriously imposed on the Kingdom by the Court of *Rome*, to which neither the Ancestors of the said Nobility, nor they themselves had ever consented, nor ever could consent; whereupon they desired Justice, and speedy Remedy; to which Complaint the Pope made no immediate Answer. Then *William Poweric* after a little Silence presented the Epistle it self, which declared at large the many Extortions made in *England* by the Legates and Nuntio's of the *Roman* Church.

[1] *Id.* p. 666, 667. The Procurators of the *English* Nobility at the Council of *Lyons*, represent their Grievances;

* *i.e.* The Tribute granted by K. *John*

[2] These Letters being publickly read, the Pope would return no positive Answer to them, for he said, That so weighty an Affair required great Deliberation; so the Answer was for that time deferr'd, though the Ambassadors pressed for a speedy One: Yet however, they then added one more Great and Important Grievance to all the rest; to wit, the Violent Oppression and Impudent Exaction, occasioned by that wicked Clause of *Non-obstante*, which was frequently inserted into the Pope's Bulls and Letters; which deserves our Notice, since the like Clause (though copied from the *Roman* Court) within some Years then following, crept into the King's Charters, as you will find hereafter.

Vid. The Epistle it self in *Matt. Paris.*

[2] *Id.* p. 668.

Especially that wicked Clause of *Non-obstante* in the Pope's Bulls.

But as for these Ambassadors above-mentioned, [3] when they had waited a great while at the Council to no purpose, they were at last fain to depart thence without any Satisfactory Answer; yet at length after their departure, I find in this [4] Author, (though under the next Year) that the Pope during this Council granted a Bull directed to all Patrons of Churches both Ecclesiastical and Secular, that they might freely present whom they pleased to the Benefices in their Gift, without any Lett or Hinderance of himself or his Legates. [5] And also another, that upon the death of the Incumbent, being an *Italian* one of the same Nation should not immediately succeed: But these, as all other Privileges signified nothing, by reason of the Bar of a *Non-obstante*, wherever he pleased to make use of it.

[3] *Id.* p. 670. The Ambassadors not obtaining a Satisfactory Answer, leave the Council.

[4] *Id.* p. 696.

[5] *Id.* p. 697.

[1] However, these Ambassadors did not fail, before their departure, to make a solemn Oath of Protestation, that they would never pay, nor permit to be paid to the *Roman* See, that detestable Tribute granted by King *John*: But the Politick Pope passed by

[1] *Id.* p. 681.

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and dissembled all these Things; yet was so far from giving up any thing, that he only waited for an Opportunity of acting more severely; and therefore to let the King see he would keep what he had got, he not long after sent to all the Bishops of *England*, streightly commanding them, that each of them should set his Seal to that Charter of Tribute which King *John* of unhappy Memory had long since granted, that being thus strengthned it might be the better perpetuated for Time to come; which these Timorous Bishops performed, to the Unspeakable Prejudice of the King and Kingdom, as well as Reproach of themselves. But when he had heard what they had done, he fell into a great Passion, and swore, That although the Bishops had thus basely Complied, yet he would stand firm for the Liberties of the Kingdom, and would never whilst he lived pay this Pension or Tribute any more. And without doubt he then meant to do as he said; But alas! This Poor Prince had neither the Courage nor Constancy to set himself free; for not long after he return'd to his wonted Tameness and Submission: This (as also the Passage concerning *Non-obstante's*, when they first began) I thought fit to take notice of, being omitted by Doctor *Brady* in his Compleat History. But to return to Civil Affairs.

The Pope makes the *English* Bishops attest K. *John's* Charter by their Seals.

But the King swears never to pay that Tribute.

[2] About the end of *June*, the King by his Letters summoned all the Earls, Barons, Knights, and others, who owed him Military Service, that they should prepare to attend him into *Wales*; since he, being no longer able to endure the Ravages and Incursions of that Nation, was resolved forthwith to make an Expedition thither: In order to which the King not long after came to St. *Paul's* Church, and there civilly took leave of the Citizens, according to the Custom of that time.

[2] *Id.* p. 660. The K. summons all Military Tenents to attend him into *Wales*.

[3] Yet notwithstanding all these great Preparations, the King did not reach *Wales* with his Army, till the beginning of *August*, upon whose arrival near *Snowdon*, the *Welshmen* retreated to their Mountains, Woods, and Fastnesses, and took their opportunity now and then to destroy some Parties of the *English*; so that all that the King did in near Two Months time, was, to build the Castle of *Ganoc*, which when he had finished, with great difficulty, and put a strong Garrison into it, the Winter now too fast approaching, he, first having destroyed all the Victuals and Forage upon the Borders, and in the most Inner parts of *Wales*, returned into *England* with his Army, presently after the Feast of St. *Simon* and *Jude*.

[3] *Id.* p. 681, 684. The K. does not arrive there till *August*, but then the *Welsh* retreat to their Fastnesses.

The K. having only built a Castle on the Borders, returns home.

[4] This Summer also, the *Irish* by the King's Command landed in the Isle of *Anglesey*, (which was the Place of Refuge for the *Welsh*) and burnt and destroyed the whole Country. I have nothing farther to note concerning this Expedition, but that the King then sent to *Maurice Fitz-Gerald* his Justitiary of *Ireland*, to pass over into *Wales* with some Forces to assist them; But he coming too late, though he had a fair Wind to transport his Men, was for this Neglect put out of his Office of Justitiary, and *John Fitz-Geoffrey* sent thither in his stead.

[4] *ib.* The *Irish* destroy the Isle of *Anglesey*.

[5] No-

[5] Nothing else remarkable happened this Year in *England*, except the Death of *Walter* Earl of *Pembroke*, Mareschal of *England*, about the End of *November* or Beginning of *December*; and although his Brother *Anselme* (then Dean of *Salisbury*) succeeded him in his Honours, yet he dying without Issue three days before *Christmas*, the Noble Earldom of *Pembroke*, with a vast Estate in *England*, *Ireland*, and *Wales*, fell to be divided between his Five Sisters, who were married to divers great Noblemen of *England*.

Anno Dom. MCCXLV. [5] *Id.* p. 686. The Death of *Walter* the Earl-Mareschal, who is succeeded by *Anselm* his Brother, but he dies not long after.

Thus fail'd this Noble Family of *Striguil*, in the Third Generation, after it was raised to that Heighth by Earl *Richard* their Grandfather, the First *Englishman* who obtained the Kingdom of *Leinster* in *Ireland*, partly by Marriage, and partly by Sword, as you have already heard: but whoever is curious to enquire into the Cause of the sudden Failure of the Heir-Males of this House, may find it in our Author, who ascribes it to the Curse of an *Irish* Bishop upon Earl *William* their Father, for taking away some Lands belonging to his See, and upon his Son's refusing to restore them, he prayed that God would shew some remarkable Judgment upon his Family; but for this I do not give you my own, but the Author's Opinion.

Id. p. 687.

I shall here conclude with some Ecclesiastical Affairs, which have no dependance upon the Civil. [1] This Year the King began to pull down the old Abbey-Church at *Westminster*, and new build it in that Magnificent manner in which it remains to this Day, it being one of the most lofty Fabricks in *Europe* of the *Gothick* Model.

[1] *Id.* p. 661.

The Pope having left *Italy* for fear of the Emperour, came the last Year to *Lyons*, where some time after, he Confirmed and then Consecrated *Boniface* of *Savoy* Archbishop of *Canterbury*, with his own hands, being a Prelate better skill'd in Matters of War, than those of Learning, having been promoted to this Dignity in respect to his High Birth, and near Relation to the Queen.

Id. ib.

Whilst the Pope continued at *Lyons*, he there held a pretended General Council, to which divers Bishops of *England* were summoned, some of whom went thither, but others excused themselves from this troublesome Journey, by reason of their publick Employments, or Old Age.

In this Council the Emperour *Frederick* was again *Excommunicated*, and *Deposed*, as far as the Pope and Council were able to do it; but the Emperour valued it not, for He kept the Crown Imperial on his Head as long as he lived, in spight of his Holiness and all his Adherents: Here likewise many Decrees were made, which being only either for the Reformation of the Clergy, or Advancement of the Papal Power, I omit.

Id. p. 668.

[2] This being the Thirtieth Year of King *Henry*'s Reign, he kept his *Christmas* at *London*, in the Company of his Queen and her Sister, the Queen of the *Romans*, with her Husband King *Richard*, many other of the Noblemen of the Kingdom being likewise present with him; where they enjoy'd and refresh'd themselves Cheerfully and Pleasantly, after the Hardships of the late *Welsh* Expedition; but before *Twelfth-tide* the King received the ill News, that his Mother-in-Law, *Beatrice*, Countess of *Provence*, had contrary to her Promise

Anno Dom. MCCXLVI. [2] *Id.* p. 691. A great *Christmas* kept at *London*.

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K. *Henry* received news that his Mother-in-Law the Countess of *Provence* had delivered all that Country to the K. of *France*.

Promise and Agreement, delivered up all that Country to the King of *France*, together with Sixteen Castles and their Territories, which King *Henry* was to have enjoyed as part of his Wife's Portion, and as his share of that Earldom; and for the fortifying and maintaining of which Castles, the King had expended for divers Years before no less than Four thousand Marks; This she did in consideration that *Beatrice* her Youngest Daughter should marry *Charles* Brother to King *Lewis*, as was some time after performed.

But the *French* Historians more truly relate, That *Raymond* the last Earl of *Provence* left his Fourth Daughter *Beatrice* by his Testament sole Inheretrix of that Earldom, and that in her Right *Charles* Duke of *Anjou* became Earl of *Provence*, in which Family it continued for divers Generations.

[3] *Id.* p. 695. *David* Pr. of *North-Wales* dies.

[3] In the beginning of the Spring, *David* Prince of *North-Wales*, the King's Nephew, deceased, in the Sixth Year of his Reign, who dying without Issue, the Lords and Barons of *Wales* ([4] passing by *Gladys* his Sister and Heir, because she was married to the Lord *Roger Mortimer* an *English-man*) at a Great Council of their Nobility Elected *Llewellyn* and *Goche* his Brother, Base Sons to *Gryffith* (Brother of *David*) Princes of *Wales*: Which shews that the *Welsh* Nobility at that time thought their Princes to be Elective, and that they could *alter whenever they pleased the Common Course of Succession*. But to return to *England*:

[4] *Vid.* Dr. P.'s *Chron.* p. 314. The *Welsh* Nobility Elect *Llewellyn* and *Owen* Princes of *Wales*.

[5] *M.P.* p. 693. The City of *London* made to pay a Ransom of 1000 Marks.

[5] About the same time the Citizens of *London*, though they thought themselves secure under the King's Clemency and Protection, were yet made to pay a Ransom of a Thousand Marks, to their great Damage and Impoverishment.

[1] *Id.* p. 691. Severe Laws made against Robbers of Parks and Warrens. * Pag. 156.

[1] This Year also in a Parliament at *London*, divers severe Laws were made against such as Robbed Parks and Warrens, for which I refer you to the Laws of this King, set down at the end of his Reign, and also to the Author's * *Additaments* at the end of his History.

[2] *Id.* p. 698. The Parliament again assembled, and the Pope's Oppressions again represented.

[2] On *Mid-Lent Sunday* the same Parliament of the whole Kingdom met at *London* according to Summons, where the King conferr'd with the Bishops a-part, the Earls and Barons a-part, as also the Abbots and Priors a-part, concerning the means how to redress the Grievances of the Nation, proceeding from the Exorbitancies of the *Roman* Court; which were these that follow:

[3] *Id.* p. 699. A Catalogue of those Grievances.

[3] *First*, That the Pope, not content with the Payment of *Peter-Pence*, oppressed the Kingdom, by extorting from the Clergy great Contributions without the King's Consent, against the ancient Customs, Liberties, and Rights of the Kingdom, and against the Appeal of the Procurators of the King and Kingdom in the General Council of *Lyons*.

Secondly, That Church and Kingdom were oppressed, in that the Patrons of Churches could not present fit Persons to them, because they were letten by the Pope's Letters to *Romans* (*i. e. Italians*) who understood not the *English* Language, and carried the Money out of the Kingdom, to the great Impoverishing of it.

Thirdly,

Thirdly, The Nation was oppressed by the Pope's Exactions of Pensions from Churches.

Fourthly, The Church and Nation suffered, for that *Italians* succeeded *Italians*, and the *English* were forced to prosecute their Right out of the Kingdom against both Customs and written Laws, and therefore against the Indulgences of the Pope's Predecessors granted to the King and Kingdom of *England*.

Fifthly, The Church and Nation infinitely suffered, by reason of the above-mentioned Clause of *Non-obstante*, which weakned and enervated all other Customs, written ancient Laws, Grants, Statutes, and Privileges whatsoever.

Sixthly, The Church and Kingdom suffered, for that in the Parishes where the *Italians* were Beneficed, there were no Alms, no Hospitality, no Preaching, no Divine Service, no Care of Souls, nor Reparations done to Parsonage Houses.

[4] The Result of the Conferences upon these Grievances, was, That they should all again supplicate the Pope by Letters to remove this intolerable and insupportable Yoke: In pursuance of which, [5] the King wrote by himself, the Bishops by themselves, the Abbots by themselves, and the Earls and Barons with the Nobles and other Great Men, and the Inhabitants of the Sea-Ports, all by themselves, and that in the Name of the whole Clergy and Laity of *England*, as appears by each of their particular Letters extant in [1] *Mat. Paris*; all filled with loud Complaints against these Oppressions, with their earnest Desires that he would remove them, or else that they should be forced to make use of other Methods to ease themselves.

[2] But notwithstanding these just Complaints, the Pope, a little before the Dissolution of the Council of *Lyons*, caused the *English* Bishops to put their Seals to the Charter of King *John*, above-mentioned; And though *Fulk* Bishop of *London* was very unwilling to do it, yet at last he suffered himself to be overcome by Fear: The Bishops at the same time also signed an Instrument approving the late Deposition of *Frederick* the Emperor by the Pope; [3] And not yet content with this (to the great Prejudice of the King and Kingdom) he sent his Apostolick Commands to the Bishops, that some of them should find Fifteen, others Ten, and others Five Stout and Brave Men, well Horsed and Armed for one Year, as the Pope should direct; and lest the King should make any Provision against this Exaction, the Bishops were commanded not to discover it under pain of *Excommunication*.

And not satisfied with this, [4] the Pope now also claimed the Administration of the Goods of all Clergy-men dying Intestate, and committed the execution of this Decree to the *Minors* and *Preachers*; which nevertheless the King prohibited, because he found it would tend to the Damage and Impoverishment of his Kingdom: But this Decree being very unreasonable, the Pope himself, by the Mediation of the Cardinals was forced to revoke it.

[5] To redress these great Grievances and Exactions of the Pope, *William Powerick* and *Henry de la Mare* were sent to *Rome* by Common Consent of the King, Bishops, Earls, and Barons; but in the mean time the Pope exacted a fresh Talliage by the Bishops of *Winchester*, *London*,

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[1] *Id. ib.* They agree to write fresh Letters to the Pope.

[2] *Id. p.* 701, 702. The K. and each Order of Men write by themselves.

Universitat. Chri & Popul.

[1] *Id. ibi.*

[2] *Id. p.* 667. Four Bp. of *London* seals to K. *John*'s Charter, as well as the rest, who also sign an Instrument for the Deposition of the Emperor.

[3] *Id. p.* 701. The Pope imposes other Charges on the Bishops.

[4] *Id. p.* 705. He also claims the disposition of the goods of Intestate Clergymen, which is prohibited by the King.

[5] *Id. p.* 706. Other Ambassadors are sent against these Grievances:

Anno Dom. MCCXLVI. *London*, and others, (whom he had appointed his Collectors) which ſo exaſperated the King, that he wrote Two Letters to the Biſhops and other Prelates, in the Firſt of which he commanded them not to pay the ſaid Talliage, as they hoped to keep their Provinces which they held of him; and in the [1] Second, (when he found the former not to be obſerved,) he reproved them for not obeying his Letters or Writs both Patent and Cloſe, by which he had commanded them not to pay any Aid or Talliage to the Pope; And in that ſame Letter he again commanded them not to comply with any of his Exactions, contrary to the Proviſions made by themſelves, and other Prelates, with the Earls and Barons in the late Council at *London*, nor to do any thing farther in the ſame, till the return of the Meſſengers from *Rome*.

Yet freſh Talliages are impoſed on the Biſhops by the Pope; Which the King forbids to be paid.

[1] *Id.* p. 708.

[2] On the Seventh of *July*, there was a great Council holden at *Wincheſter* of the King and Noblemen of the Kingdom, about the Deſolation of the Church; for *William de Poweric* and *Henry de la Mare*, that had been lately ſent to the Court of *Rome*, were by this time returned, bringing back no hopes of any Moderation from the Pope, concerning the Oppreſſions of the Kingdom and Church of *England*, of which they had complained; for he continued reſolute in his Demands; which ſo incenſed the King, that he commanded Proclamation to be made in all Towns, Markets, and Publick Places, that no Man of the Kingdom ſhould conſent to any Contribution to the Pope, or ſend him any Aid: But when his Holineſs heard of it, he wrote ſharply to the Prelates, charging them under pain of *Excommunication* and *Suſpenſion* to pay in the Money he had impoſed, to his Nuncio at the *New Temple* at *London*; and whereas the King was firmly reſolved to defend the Freedom of the Church and Kingdom, he at laſt, by the Threats and Perſwaſions of his Brother Earl *Richard* (who then ſided with the Pope) and ſome of the Biſhops, but eſpecially of the Biſhop of *Worceſter*, who (as it was ſaid) had Power to *Interdict* the Nation, ſubmitted, and gave up the Cauſe; ſo that this Contribution was paid: And thus all the Endeavours and Hopes of maintaining the Freedom of the *Engliſh* Church and Kingdom came to nothing.

[2] *Id.* p. 709. A Council at *Wincheſter*, where the K. again conſults with the Great Men about the Deſolation of the Church and Kingdom.

The King inceenſed by the Pope's Exactions, Iſſues a Proclamation, that no Man ſhould pay any Money to the Pope.

Yet at laſt, by the Threats of his Brother, and ſome of the Biſhops, the K. is forced to yield to thoſe Exactions.

[3] Upon this the Pope, taking great Confidence from what he had already done, Commanded more imperiouſly than he was wont to do, That all Beneficed Clerks that reſided upon their Livings, ſhould pay him a Third Part of their Goods; and ſuch as did not reſide on them, to pay one Half; and he appointed the Biſhop of *London* to execute this Project: He with ſome others met at St. *Paul's* to conſider of this Matter, to whom the King ſent *John de Lexington* a Knight, and *Laurence* of *St. Martin* a Clerk, on the Eighth of *December*, prohibiting them to conſent to that Contribution; whereupon they broke up their Meeting, to the great Satisfaction of all ſuch as were called before them: If any Man think it worth his Labour to peruſe the Anſwer of the Clergy to this unreaſonable Exaction, he may ſee it in *Matt. Paris*.

[3] *Id.* p. 716. Whereupon the Pope exacts great Talliages from all the Beneficed Clergy.

[4] About this time the Biſhop of *Lincoln*, at the Inſtigation of the Friers *Preachers*, and Friers *Minors*, made very ſevere Inquiſitions by his Archdeacons and Rural Deans, concerning the Continency and Manners both of Noble and Ignoble Perſons, to their great

[4] The Biſhop of *Lincoln* makes ſevere Inquiſitions into the Lives and Manners of the Laity, which is complained of, and ſtrictly forbidden.

great Scandal, and the blasting of their Reputations. The King hearing the grievous Complaints of his People concerning these Proceedings, by the Advice of his Court, sent his Writ to the Sheriff of *Hertfordshire*, commanding him, That as he loved himself and all he had, he should not permit any Lay-man of his Bialiwick for the future to meet in any place, to make Inquisitions or Attestations upon Oath at the pleasure of the Bishop of *Lincoln*'s, Archdeacons, or Rural Deans, unless in Matrimonial and Testamentary Causes. This deserves our notice, since it shews the Antiquity of the King's Prerogative to grant Prohibitions to hinder the Proceedings of Bishops when they medled with what did not belong to them. *Anno Dom.* MCCXLVI.

The K.'s ancient Prerogative to grant Prohibitions.

This Year being chiefly taken up in setting forth the Grievances and Oppressions of the Pope, affords us little of Civil Affairs; [5] only that Queen *Isabel* the King's Mother, and Wife to the Earl of *March* (her first Lover) died in *France*, being a Lady of no very good Humour or Reputation, by what our Historians mention concerning her: Also many other Persons of great Note deceased this Year, for whose Names I refer the Reader to my Author.

[5] *Id.* p. 710. The Death of Q. *Isabel* the K.'s Mother.

Also some time this Year * *Hugh Bigot* Earl of *Norfolk*, after frequent Sollicitation, was, in right of his Lady *Maud*, Eldest Daughter of *William* the *Mareschal* Earl of *Pembroke*, made *Mareschal* of *England*; but this Great Office remained not long in that Family, as you will see hereafter in the next Volume.

* *Ib.* 705.

[1] This Year King *Henry*, with many of his Great Men, kept his *Christmas* at *Winchester*, where he was the Day after splendidly entertained by the Bishop of that Place; by which the King signified that he had forgotten all former Offences, and in the presence of the whole Court received the Bishop into Favour. *Anno Dom.* MCCXLVII.

[1] *Id.* p. 719. The K. reconciled to the Bp. of *Winchester*.

About the same time the King summoned his Great Men with the Prelates and Archdeacons of *England* to him at *London*, to consider how the Contributions exacted by the Pope should be raised; but at the Day appointed, all the Bishops absented themselves on purpose, that so they might not appear openly to oppose the Pope's Desires.

A Council again summoned to prevent the Pope's Exactions.

The Bishops absent themselves on purpose.

[2] Yet these continual Exactions of the Pope's Legates and Collectors, opened every one's mouth against him, but especially in *France*, where they did not spare his *Holiness*, but loaded him with bitter Reproaches for the Extortion and Rapine that was practised by his Ministers; [3] insomuch that the Great Men of that Kingdom decreed, and by Oath established, That no Clerk or Laick for the future should compel any one to appear before the Ordinary, or his Ecclesiastical Judge or Delegate, unless upon the account of *Heresie*, *Matrimony*, or *Usury*, upon Forfeiture of all his Goods, and loss of one of his Members. This Resolution of the *French* very much chagrin'd the Pope, so that he endeavoured by all means to soften them into a Compliance; wherefore he bestowed many Ecclesiastical Benefices among their Relations, giving them licence to obtain more, with other Indulgences; and besides,

[2] *Id. ib.*

[3] *Id.* p. 720. The Great Men of *France* take an Oath, that no Clerk or Laick should for the future appear before Ecclesiastical Judges, unless for Spiritual Causes.

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he was bountiful in his Gifts among the Noblemen of that Kingdom, which brought many over to him from their former Reſolution.

[4] *Id. ib.* The Parliament meet again at *London*.

[4] The Day after *Candlemas* the Parliament met again at *London*, where the King was informed that the King of *France* had a Deſign upon *Gaſcoigny*; and he was ſenſible that it would not only be a Diſhonour, but a great Prejudice to him to ſuffer it to be loſt, ſeeing he received yearly from *Bourdeaux* alone a Thouſand Marks. When the Archdeacons and a great part of the Inferior Clergy of the whole Kingdom met the Great Men there, they complained of the Pope's frequent and intolerable Exactions, affirming to the King, That if theſe Men were ſuffered, his Kingdom would be endangered, and both Laiety and Clergy would be ruined by a Deſolation unknown to former Times. Upon this it was reſolved, That ſome other diſcreet Meſſengers ſhould be ſent to the Court of *Rome*, with Letters both to the Pope and Cardinals, on behalf of the Community of the whole Clergy and Laiety of the Realm, ſetting forth their Grievances and Oppreſſions.

Where the Archdeacons and Inferior Clergy make great Complaints againſt the Pope's Exactions. They again agree to write Letters to the Pope, ſetting forth their Grievances.

[5] *Id.* p. 721. The Contents of their Letter to the Pope.

[5] The Contents of their Letters to the Pope were, 'A Profeſſion of 'their readineſs to obey his *Holineſs*; but to deſire his Pardon, if 'they could not then comply with his Demands; for although 'their Country yielded plenty of Fruits for the Nouriſhment of 'its Inhabitants, yet it afforded no Money, neither was it ſufficient 'to ſupply what was demanded; for their King's Neceſſity required 'what they could ſpare towards the Defence of his own Domini'ons againſt the Aſſaults of his Enemies; and concluded, that any 'further Burthens would prove inſupportable to them.

[1] *Id. Ib.* The Contents of thoſe to the Cardinals.

[1] Their Letter to the Cardinals was to this effect; They firſt gave them an Abſtract of their Grievances, and what they had contributed ſince the laſt *Lateran* Council; firſt, a Twentieth part for Three Years for an Aid to the *Holy Land*; then a Tenth to the Pope; afterward ſeveral other Payments for different Uſes, at the Command of the Apoſtolick See: And then they urged the great Neceſſity and Wants their own King lay under, whom they were bound to aſſiſt as their Temporal Lord; and that they themſelves were now reduced to ſuch Penury and Want, that if all they had were expoſed to Sale, it would not be ſufficient to anſwer what was demanded of them: Wherefore they humbly beſeeched them fairly to preſent their Condition to the Pope, and endeavour to divert not only his Thoughts but his Councels and Inſtruments from ſuch grievous Oppreſſions.

[2] *Id.* p. 722. The Pope grants the K. a plauſible but inſignificant Privilege.

[2] About the ſame time the Pope granted to King *Henry* a plauſible but yet a deceitful Privilege, That no *Italian* or *Nephew* of his own or the Cardinals, ſhould henceforward be ſent into *England* to be Beneficed, unleſs he or his Cardinals ſhould firſt ask and obtain Leave of the King to have him provided for, which the Pope knew could be eaſily got whenever they pleaſed. Before the Council was ended, *Peter* of *Savoy* Earl of *Richmond* came to the Court at *London*, and brought with him ſeveral Young Ladies from his own Country, to be Married to the Young Noblemen that were the King's Wards, which thing much diſguſted his own Native Subjects.

Many Foreign Ladies are brought over to be Married to the King's Wards.

[3] This

[3] This Year alſo *John* and *Alexander*, Two Friers *Minors*, *Engliſhmen* by Birth, were ſent from the Pope with his Authority, to be Collectors (or rather Exactors) of his Money in *England*, pretending to ask Charity only, and to uſe no Force; and by this means they obtained the King's Licence to come over; but they were no ſooner here, but they went to the Chief Prelates, and very ſaucily required of them Money for the Pope's uſe; and ſometimes demanded Twenty Shillings for a Procuration, which was to be paid without delay; if not, they produced the Pope's Thundering Letters to affright and conſtrain them to it. When they came to the Biſhop of *Lincoln*, who was a great Admirer of that Order, he ſtood amazed at their Habit (which was more Soldier-like than Religious) but yet when they had ſhewed him the Pope's Letters, and demanded of him Six thouſand Marks to be forthwith paid out of his Biſhoprick, he anſwered with great Grief of Heart, That ſuch Exactions were never heard of before, and were very unjuſt, becauſe it was impoſſible to anſwer them; And ſeeing it concerned the whole Body of the Clergy and Laiety of the Kingdom, he could give them no anſwer in ſuch a difficult Affair, until he had firſt conſulted the *Community* of the ſaid Kingdom. Upon this they parted from him, and went to *St. Albans*, and demanded of the Abbot there Four hundred Marks, to be paid to them for the Pope's uſe; but they received much the ſame anſwer from him as they had before from the Biſhop of *Lincoln*.

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[3] *Id. ib.* Two Friers *Minors* coming into *England*, under pretence to ask Charity, prove very ſawcy in their Demands for the Pope. The Bp. of *Lincoln* amaz'd at their Confidence, denies to contribute any thing.

[4] About the ſame time the Pope, by the like Meſſengers, the Friers *Preachers* and *Minors*, ſent to all the Chief Prelates in *France*, and deſired them to lend him Money according to every one's Ability, and whatſoever they lent ſhould be repaid them without fail, when he was able; but as ſoon as this was known to the King of *France*, he prohibited them under pain of forfeiting all their Goods from lending ſuch Sums, leſt thereby his own Kingdom ſhould be impoveriſhed.

[4] *Id.* p. 723. The Pope tries the ſame Trick in *France*, but that K. commands his Clergy not to lend any Money.

[5] This Year one *Godefrid*, Son to the Præfect of *Rome*, was ſent Legate into *England*, although there was no occaſion for any ſuch, and Maſter *John Rufus* into *Ireland* inſtead of a Legate, that he might thereby elude the Privilege lately granted to King *Henry*, who ſo well managed his Maſter the Pope's Buſineſs there, that he extorted from them Six thouſand Marks, which Sum was conveyed to *London* by certain Religious Perſons (or *Friers*) and paid into the Pope's Treaſury.

[5] *Id. ib.* A new Legate ſent into *England*, without any juſt occaſion.

[1] The ſame Year King *Henry* followed the Example of the Great Men of *France*, who by their King's Conſent and Approbation had lately entred into a Confederacy, and made a ſtrict Decree againſt the inſatiable Avarice and Oppreſſion of the Court of *Rome*; and that the like Exactions and Extortions might for the future be prevented here, the King now ordained that theſe following Orders ſhould be inviolably obſerved throughout *England*. *Firſt*, That no Laick ſhould bring any Cauſe before an Eccleſiaſtical Judge, unleſs it concerned a Marriage or Teſtament. *Secondly*, The King likewiſe preſcribed the Biſhops a certain Form, whereby to proceed in Caſes of Baſtardy, *viz.* to enquire whether they were born before or after Matrimony. *Thirdly*, That Clerks were prohibited

[1] *Id.* p. 727. The K. in imitation of the Kingdom of *France*, iſſues out Orders that no Lay-man ſhould appear before an Eccleſiaſtical Judge, unleſs for Eccleſiaſtical Cauſes.

Anno Dom. MCCXLVII. hibited by the King's Writ to commence any Action for Tythes before an Ecclesiastical Judge, by the Writ called *Indicavit*. *Fourthly*, That an Oath should be administred to Clerks by the King's Justices, to discover whether they had proceeded in any case contrary to the King's Prohibition, whereas before they were not bound to swear but before an Ecclesiastical Judge in Spiritual Causes. *Fifthly*, Also concerning Clerks being taken by the King's Officers for Crimes laid to their Charge by Laicks upon Common Fame.

With other good Regulations of the Spiritual Courts.

[2] *Id.* p. 728. The Pope's Exactions renewed upon the Abbey of *St. Albans*.

[2] In the beginning of *Lent*, the fore-mentioned *John* the *Minorite* again demanded of the Abbey of *St. Albans* Four hundred Marks by virtue of his Authority, and cited the Abbot to appear at *London* Three days after, either in Person, or by his Proxy, to satisfie the Pope's late Demands: The Abbot hereupon sent his Archdeacon to appear for him at the Day appointed; who after he had demanded, and with difficulty obtained a Copy of the *Brief*, answered, That the Abbot designed to send special Messengers to *Rome* to acquaint the Pope with these Grievances, and for Remedy appealed to him, because both the Abbot and Convent thought they should meet with more Favour from his Holiness than they could expect from him: But *John*, to be revenged on the Abbot, wrote Letters to the Pope, containing great Complaints against him; wherefore when his Messengers came to *Lyons* (where the Pope then resided) they were very coldly received, and met with great Difficulties and some Checks; as namely, that they did not give that Respect, and pay that Reverence which was due to the Pope's Nuncio; and that their Abbot was the only Person amongst all the Abbots of *England*, who refused to yield Obedience to his Commands: But when they saw how they were treated, and that there was no Remedy to be expected, they compounded for Two hundred Marks, and their Expences amounted to One hundred more. But when Frier *John* saw the Clergy (especially the Abbots) so unwilling to yield to his Demands, he wrote to the Pope to have his Power enlarged: The Pope's Answer, together with the Letters of his additional Powers, see *in Additament. to Matt. Paris*, p. 155, 160.

The Abbot threatens to appeal, but finds the Remedy worse than the Disease.

[3] *Id.* p. 730. Another Council summon'd at *Oxford* to consult about the Pope's Exactions.

[3] About the same time the King finding the State of his Realm still more endangered and impoverished by these Papal Exactions, and the Money carried out of his Kingdom without any Advantage either to Church or State, summoned the whole Nobility of the Kingdom to meet at *Oxford* to consult about it; but the Prelates in a more especial manner, that they might consider how the Church should be relieved from those Oppressions it now lay under; and although some of the Prelates had resolved to refuse the aforesaid Contributions, yet their Hearts failing them when they met, they, contrary to all Expectation, consented to a Contribution to the Pope of Eleven thousand Marks; and the Clergy were constrained to pay it into the hands of the Bishops of *Worchester* and *Norwich*; and such as refused were wearied into a Compliance, by the Troubles and Damages they sustained from Frier *John* the *Minorite*: Nor did the Abbot of *St. Albans* fare one jot the better, for all he had sent the Pope Fourscore Marks the Year before;

The Bishops being faint-hearted, agree to another Contribution.

before; and they had now great reaſon to fear, leſt by a private and mutual Agreement between the Pope and the King, both the Church and State ſhould be expoſed to the like Exactions, ſince the Pope had wrote not long ſince to the Great Men of *England* to promote their giving Money to the King. *Anno Dom.* MCCXLVII.

[4] This Year (being almoſt wholly taken up with theſe Contentions between the Pope and Temporal Princes) affords very little of Civil concerns at Home, only that *Baldwin*, the Titular Emperour of *Conſtantinople*, being driven from thence by the *Greeks*, came into *England* to ſollicite for Relief, yet he found here no very great effects of it. [4] *Id.* p. 731. The Titular Emperour of *Conſtantinople* arrives in *England*.

[5] Not long after this, *Guy de Luſignan*, *William de Valence* and *Athelmar* a Clerk, all Three Sons to *Hugh le Brun*, Earl of *Marche*, (and the King's Half-Brethren by his Mother Queen *Iſabel*) came into *England* to make their Fortunes; where *William*, the Second Brother, being not long after Knighted, married *Joane* Daughter of *Guarin de Montgenſil*, and was ſome Years after, in her Right, made Earl of *Pembroke*; and the King did all he could to Enrich them, though to his own great Diſadvantage and Detriment. [5] *Id.* p. 732. The K's Half-Brothers by the Mother, come over hither to make their Fortunes.

[1] Alſo the Sterling-Money of *England* was now ſo very much defaced by Clippers, that not only all the Letters thereof were cut away, but they ſcarce ſpared the Inner-Ring; whereupon the King's Council began diligently to examine and conſider of a Remedy to prevent it for the future; and it then ſeem'd convenient in divers Prudent Mens Judgments, rather to change the Matter, than the Form of it, ſince by reaſon of that, rather than this, the Money had ſuffered ſo great a Diminution: But what was done in this Affair, you will find under the following Year. [1] *Id.* p. 733. The Coin much defaced in *England* by Clippers.

As for the Foreign Affairs of this Year, [2] the Day after *Michaelmas* ſome of the Princes of *Germany*, to whom the Right of Election belonged, met, and Choſe *William* Earl of *Holland*, a Young Nobleman of about Twenty Years of Age, King of the *Romans*; [3] but it was by the Procurement and Recommendation of the Pope, who had privately ſent him a great deal of Money to make War againſt the Emperour *Frederick*, that had been before depoſed in the Council of *Lyons*; yet for all this he could not be deprived, but made War againſt the Pope though with various Succeſſes. [2] *Id.* p. 735. *William* Earl of *Holland*, Elected K. of the *Romans*. [3] *Id.* p. 730.

[4] *Richard* Earl of *Cornwall* went this Autumn into *France*, to demand his Right of that King, before he undertook his Voyage to the *Holy-Land*, but return'd from thence towards the End of *October*, without obtaining any thing from him, though he was willing in himſelf to do Juſtice; but yet he was kept from it by the powerful Perſuaſions of his Great Men and Counſellors, who were the Earl's Enemies. [4] *Id.* p. 739. The Earl of *Cornwall* goes into *France* to demand his Right, but returns as he went.

[5] King *Henry*'s Ambaſſadors alſo at the ſame time made a freſh Demand of *Normandy*, but all the Anſwer they could get, was, That the King of *France* had been now in the quiet Poſſeſſion of it for Forty Years: But this being no Satisfactory Anſwer, the King referred it to the Biſhops of *Normandy*; who thereupon gave their Opinions, That the *French* King had moſt Right to it, becauſe King *John* had undergone the Judgment of his Peers; But to this our [5] *Id. ib.* As did alſo the K's Ambaſſadors, who went to demand *Normandy*.

Author

Anno Dom. MCCXLVII. Author answers very well, That that King ought not to be Judged by his declared Enemies, neither should the Son suffer for the Iniquity of his Father.

Anno Dom. MCCXLVIII. This Year King *Henry* kept his *Christmas* at *Wincheſter*, with many of his Great Men; [1] Soon after which he ſummoned the Nobility of the whole Kingdom of *England* to meet him at *London* eight days after *Candlemas*, where (beſides a great number of Barons, Knights, and Noblemen, as alſo Abbots, Priors, and Clerks,) there appeared nine Biſhops, and as many Earls; of the former were theſe, the Archbiſhop of *York*, and Biſhops of *Wincheſter*, *Lincoln*, *Norwich*, *Worceſter*, *Chicheſter*, *Ely*, *Rocheſter*, and *Carliſle*; of the latter, Earl *Richard*, the Earls of *Gloceſter*, *Leiceſter*, *Wincheſter*, *Hereford*, *Oxford*, and *Roger Bigot*, (now Earl-Mareſchal) with the Earls of *Lincoln*, *Ferrars*, *Warren*, and *Richmond*; but the Archbiſhop of *Canterbury* was then beyond Sea, the Biſhop of *Durham* infirm, and the Biſhop of *Bath* lately dead. When they were aſſembled, the King required of them a pecuniary Aid; but they reproved him for aſking it without Bluſhing, (as our Monk bluntly expreſſes it) ſeeing when they granted the laſt, he promiſed by his Charter, That he would not any more burthen his Great Men; Moreover they blamed him for his repeated Kindneſs and Liberality to Foreigners, and Contempt of his Native Subjects, for not Encouraging the Trade of his own Kingdom, and in taking and enacting unreaſonable Gifts from Merchants; And laſtly, For keeping Biſhopricks and Abbeys void in his own Hand: To theſe they added, That neither the Juſticiary, Chancellor, nor Treaſurer, were made by the Common-Council of the Kingdom, as they were in his Predeceſſor's Reign.

[1] *Id.* p. 743. A general Parliament ſummon'd at *London*.

The King requires a *Pecuniary* Aid, but is refuſed it; and why.

They then ſum up their Grievances.

[2] *Id.* p. 744. [2] Now when the King heard theſe things, he ſeemed ſomewhat out of Countenance, and promiſed, That what was amiſs ſhould be ſpeedily amended; to which the Whole Body of them replied, That as they had often, ſo they would now patiently wait a while, and ſee whether he intended as he ſpake, and according as he performed his Promiſe, ſo would they their Obedience to him in all things: Upon which, the farther Conſideration of this Affair was put off till Fifteen days after *Midſummer*; but in the mean time the King's Heart became hard'ned, and ſo exaſperated againſt his Subjects, that he took no care to correct thoſe Exceſſes, according to the Promiſe he had ſo newly made them.

[3] *Id.* p. 749. The Parliament meet again; and the K. makes them a notable Speech.

[3] At the Day appointed the Nobility of all *England* met again at *London*, and the King made them a Speech to this Effect, That they had not treated him very Civilly, but would impoſe mean and ſervile Conditions on him; and that which every one of them in private thought to be his Right, was yet denied Him, even that Authority which every Maſter exerciſed in his own Family, who might uſe whoſe and what Counſel he pleaſed, and put out and put in what Servants he thought fit in his own Houſe, but this, ſays He, You deny your King; and as Servants ought not to Judge, or impoſe any Difficulty upon their Lord, ſo neither might Vaſſals on their Prince; and therefore he was reſolved, neither to remove the

the Chancellor, Juſtitiary, nor Treaſurer at their Pleaſure: But as to the other Propoſals, though Beneficial to the Kingdom, he gave dilatory Anſwers, and then added, That he expected from them a Pecuniary Aid for the Defence and Recovery of his Rights beyond the Seas, (which alſo was their own concern;) but they all Unanimouſly replied, That they would no longer impoveriſh themſelves to enrich Strangers, as they had formerly done, when they gave Money towards his laſt Expedition to *Gaſcoigny* and *Poictou*.

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And tells them he would remove none of his Officers at their Pleaſure. Yet obtains nothing from them thereby.

Whereupon the Parliament was Diſſolved in great diſorder, without any Benefit or Satisfaction either to the King or themſelves: inſomuch that the King was thereby reduced to very great neceſſities, [4] which forced him to expoſe to ſale his Jewels, Plate, and other Houſhold Utenſils; and ſuch Veſſels as were curiouſly wrought and guilded, were ſold, not according to their Value, but Weight. But as the King was enquiring where he ſhould find Buyers, upon ſome Body's anſwering in *London*, He replied, *If the Treaſury of Octavian* (meaning, I ſuppoſe, *Auguſtus*) *were to be ſold, on my Conſcience the City of* London *were able to purchaſe it*; and then added to this Effect, *Theſe ill-bred Citizens, who call themſelves* Barons, *abound in all things, and are indeed an inexhauſtible Magazine of Treaſure*; from which time the King reſolved to take the firſt Opportunity to ſpoil them of their Goods.

The Parliament is Diſſolved in great diſorder.

[4] *Id.* p. 794. The K. ſells his Plate and Jewels for ready Money to the Citizens, but owes them a Grudge for it.

[5] This Year alſo (though our Author has not given us the Day) all Clipt and Light Money was called in, and forbad to be paid or received, by Proclamation; and diligent Inquiſition was made to find out theſe Falſifiers and Corrupters of the Coin, and upon ſtrict ſearch the *Jews*, the *Courſini*, or *Italian* Uſurers, as alſo the Wooll-Merchants of *Flanders*, were all found guilty of this Crime.

[5] *Id.* p. 747. All Clipt Money is called in, and the Clippers enquired after, and found.

[1] But this ſudden calling in the Money did very much impoveriſh the People, for Exchange of Money was uſed but in very few Cities; and when they came thither, beſides the Loſs in Weight, they were fain to allow Thirteen Pence in the Pound for the bare Coinage; ſo that beſides the Labour and loſs of Time, the People received ſcarce Twenty Shillings of New Money for the Old they paſſed with: But as for the New Coin, it differ'd nothing from the Old in Figure, only that the Croſs now paſſed through the very Letters in the outward Rim. I have taken notice of this, to let the Reader obſerve, That no Alteration of Coin was ever made without great Loſs to the Nation.

[1] *Id.* p. 748. The People ſuffer great Loſs by the Alteration of the Coin.

[2] This Year on the Thirteenth of *October*, the King with many Prelates and Great Men met at *London*, to celebrate the Feaſt of the Tranſlation of St. *Edward*, and cauſed a new Fair to be proclaimed at *Weſtminſter*, to continue for Fifteen Days, and prohibited all other Fairs that uſed to be kept at that time of the Year, throughout *England*; and alſo all Trading in the City of *London* within doors and without, during that time, that ſo this Fair at *Weſtminſter* might be the more plentifully ſtored and frequented with all ſorts of People and Commodities; which Oppreſſion highly incenſed the City at that time.

[2] *Id.* p. 751. A new Fair proclaimed at *Weſtminſter*; during which no Trading was to be in *London*.

But

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But as for Eccleſiaſtical Affairs, [3] the Pope continued his wonted Extortions from, and Oppreſſions of the *Engliſh* Nation, and again ſent his *Italians* to be without delay beneficed in *England*, one of whom going to the Abbot of *Abbindon* to be provided for, made choice of the Church of *St. Hellens* in the ſame Town, worth one hundred Marks *per Annum*; but the ſame day it became void the King ſent his Mandate to the Abbot, to confer it upon *Ethelmar* his Half-Brother, and that the King would protect and indemnifie him in ſo doing, whereupon the Abbot yielded to the King's Command; after which, on the Complaint of this *Italian*, the Pope cited the Old Abbot to appear before him at *Rome*, and then he being deſerted by the King, was conſtrained to take that wearifom and tedious Journey, where, after many Difficulties and Expences, he was at laſt forced to compound for Fifty Marks.

[3] *Id.* p. 754. Several freſh Inſtances of the Pope's Oppreſſions.

In Foreign Parts, that which happened worth taking notice of this Year, was, [4] That *Lewis* King of *France*, having long before undertaken the *Cruſado*, in *Autumn* began his Voyage for the *Holy-Land*; and paſſing by *Lyons*, he there took his Leave of the Pope, and ſo going on to *Marſeilles*, he Embarked there as many of his Army as he could carry along with him; the reſt being left behind for another Opportunity.

[4] *Id.* p. 749. The K. of *Fr.* begins his Voyage for the *Holy-Land*.

[5] Alſo in *Germany*, *Conrade*, Son to the Emperor *Frederick*, marching with his Forces to the Relief of *Aix la Chapelle*, then beſieged by the Pope's Legate, and the Great Men of *Germany*, that Prince's Army was routed, and the City thereupon ſurrender'd to Mercy; in which not long after *William* Earl of *Holland* was crown'd Emperor (according to Cuſtom) by *Conrade*, Archbiſhop of *Cologne*, few of the Temporal Electors being preſent.

[5] *Id.* p. 750. *Conrade* being routed at *Aix-la-Chapelle* is taken, and *William* the New Emperor is Crown'd there.

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[1] This Year the King kept his *Chriſtmas* at *London*, and required of the Citizens large New-Years Gifts; and not being content with this, he ſome time after ſent to the ſame Perſons to ſupply him with Money: This Meſſage they received with heavy Hearts, and complained, That the Liberties of the City which were ſo often Bought, Granted and Sworn to, could not protect them from being treated as Slaves: So at length (though not without great reluctancy) they were conſtrained to pay Two thouſand Pounds; but this would not ſatisfie the King's wants, therefore he was forced to apply himſelf to his Great Men one by one, and requeſted them to lend him Money, both to ſupply his Neceſſities, and pay his Debts, and alſo to Enable him to recover thoſe Rights which the King of *France* had invaded; and then in a moſt ſubmiſſive manner made his urgent Neceſſities known to the Prelates and Abbots, begging of them either to give, or lend him ſuch a Sum of Money, yet could obtain nothing but Excuſes and Denials, unleſs from the Abbot of *St. Albans*, from whom he received Sixty Marks. [2] This encouraged the King to hope for the like Succeſs from other Abbots and Priors, and accordingly he wrote to thoſe of *Eſſex* and *Hertfordſhire*, to lend him Money for his preſent Neceſſities; and at the end added his Promiſe faithfully to repay the ſame.

[1] *Id.* p. 757, 758. The K. requires large New Years-Gifts of the Citizens; beſides ſends to divers of them to borrow Money.

And to ſeveral Great Men and Prelates.

But receives nothing but Excuſes and Denials, unleſs from the Abbot of *St. Albans*.

[2] *Id.* p. 759.

[3] The

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[3] The Pretence for borrowing this Money, was, That the Truce between himself and the King of *France* being now almost expired, he should be at great Charges to recover his lost Rights beyond the Seas; whereas indeed he durst not undertake any such Enterprize, the Pope having by his *Nuncio* lately forbid him, (though privately) under pain of *Excommunication* to disturb any of the King of *France*'s Territories, during his absence in the *Holy War*; but the true Reason was, That the King, during his last Expedition in *Poictou*, had so deeply run in Debt to the People of those Parts, that all the Money he could by any means take up, or extort in *England*, would not serve to discharge those Obligations.

[3] *Id. ib.* The K's Pretences for borrowing of Money were, to recover his Rights in *Fr.* But indeed were for another end.

This Year [4] *Nicholas* Bishop of *Durham*, being sensible of his great Age and Infirmities, resigned his Bishoprick, and withdrew himself from all Publick Affairs to a Private Life; whereupon the King recommended *Ethelmar* his Half-Brother to the Convent, and by Messengers and repeated Intreaties would fain have perswaded them to chuse him for their Bishop: But they replied, That at his Coronation he had sworn to Preserve the Church's Liberties, and that the Person recommended was neither of sufficient Age, nor Learning for so great a Charge: [5] The King answered, *Then he would keep the Bishoprick eight or nine Years in his own Hands, and by that time he would be capable of it.*

[4] *Id. ib.* *Nicholas* Bp of *Durham* resigning his Bishoprick, the K. recommends *Ethelmar* his Half-Brother to be *Elected*, but is refused.

[5] *Id.* p. 760.

[1] This Year in *June*, *Simon Montfort* Earl of *Leicester* (although he had a little before undertaken the *Crusado*) went over into *Gascony*, and subdued all that were in Rebellion against King *Henry*, and in every thing behaved himself with such Fidelity and Courage, that he gained the Applause of all the King's Friends, and the Name of a Worthy Patriot: Also a little after, on the Third of *July*, died *Alexander* II. King of *Scotland*, a Prince of great Virtue and Wisdom, leaving his Son *Alexander*, a Child of about eight Years old, to succeed him.

[1] *Id.* p. 667. *Simon Montfort* goes over into *Gascony*, and subdues the Rebels there.

Alexander K. of *Scots* dies.

There happened nothing else this Year worth the noting, [2] but that two Merchants of *Brabant* were robbed near *Winchester* of Two hundred Marks, and not being able to obtain Justice from the Countrey against some that were foully suspected of it, but instead of being found Guilty were acquitted by the Oath of their Compurgators; wherefore these Merchants came to the King who was then at that City, grievously complaining of the Injury and Injustice that had been done them; at which he being much incensed, called before him the Bailiffs and Freemen of *Hampshire*, charging them to find out and discover these Malefactors; and this was also enforced by the Bishops denouncing all those *Excommunicated*, who were any ways concerned in this Robbery. Now for the discovery of this, there were chosen a Jury of Twelve Men out of *Winchester*, and the County adjacent, to enquire in Particular concerning these Offenders: But this Inquest refusing to discover them, and pretending Ignorance who they were, this their Dishonesty and Remissness so provoked the King, that he commanded them to be clapt up in Prison, and another Inquest to be summoned out of the same Places; and these being afraid of the like Usage as the former had met with, if they offered to conceal any of those they knew to be Offenders, revealed and impeached a great many Men of

[2] *Id. ib.* The robbing of two Merchants of *Brabant*.

The Robbers are enquired into, and wilfully conceal'd by the Jury.

Whereupon the K. causes another to be summon'd, who impeach a great many Persons of Note.

Anno Dom. MCCXLIX. of good Substance and Reputation dwelling about *Southampton* and *Taunton*, and to some of whom the King had committed the Baiſiwick or Charge of the County for the Apprehending of Robbers: Alſo ſome of the King's own Servants and Croſs-Bow-men, were Accuſed, Convicted, and Executed, who at the Gallows confeſſed themſelves Guilty; yet excuſed themſelves, by alledging, That the King had for a long time ſtopt their Wages, ſo that having nothing to live on, they muſt either have ſold their Horſes and Equipage, or elſe rob upon the High-way. The Concluſion was, That about Thirty of the Ring-leaders of theſe Malefactors being executed, the Knot was pretty well broke, and the Countrey reſtored to its former Security: I have taken notice of this to let the Reader ſee, that this Age is not more Wicked and Corrupt than that which was Four hundred years ago, when even the Beſt Men in a County, nay the King's own Servants and Guards, made no Conſcience of turning Highway-men.

Some of the K's own Servants being alſo Convicted.

About Thirty of the Ring-leaders are executed.

Anno Dom. MCCL. This [3] Year King *Henry* kept his *Chriſtmas* at *Wincheſter*, and after the Celebration of that Feſtival came to *London*, about which time, *Cincia*, Earl *Richard*'s Lady, was brought to Bed of a Son, who was Chriſtned *Edmund*; ſoon after many of the Nobility of *England*, the Chief of whom were the Earl laſt mentioned, and the Earl of *Gloceſter*, *Henry de Haſtings* a Baron, *Roger de Thurkelby*, and divers other Nobles, beſides the Biſhops of *Lincoln*, *London*, and *Worceſter*, and with them the Archdeacons of *Oxford* and *Bedford*, and ſeveral other Clerks) went all beyond Sea. The Errand they went on ſeem'd only to accompany Earl *Richard* through *France*, who travelled with great Magnificence to treat with the Pope being then at *Lyons*; but the Biſhops took this Opportunity to go thither about their own private Affairs.

[3] *Id.* p. 772. Earl *Richard*'s Lady brought to bed of a Son

The Earl not long after goes beyond Sea, with great Attendance.

[4] On the Seventeenth of *March* the King himſelf, and many of the Nobility and Clergy undertook the *Cruſade*; there were in all about Five hundred Knights, beſides an innumerable Number of Eſquires and Common Soldiers. In *May* Earl *Richard* returned into *England* from the Pope's Court, where he had been received and treated both by the Pope and Cardinals in a moſt ſplendid and magnificent Manner, to the Admiration of all that were preſent at his Entrance, and ſaw his Reception. This occaſioned various Conjectures, but moſt People thought that the Pope, knowing him to be both Rich and Ambitious, then deſign'd to promote him to the Empire, and that this was the main Cauſe of his Journey; [5] with him the Earls of *Gloceſter* and *Leiceſter*, and ſeveral other Great Men and Biſhops, likewiſe returned into *England*.

[4] *Id. ib.* The K. with many of the Nobility undertake the *Cruſade*.

Earl *Richard* returns into *England*.

A ſhort Account of the deſign of his Journey.

[5] *Id.* p. 779.

[1] About *Midſummer* there was a great Diſturbance in the City of *London*, concerning ſome Liberties belonging to the Citizens, and which the King had granted to the Abbey of *Weſtminſter*; whereupon the Mayor, with the whole Community of the City, made their Complaint to the King, but without obtaining any Remedy; Then they applied themſelves to Earl *Richard*, and the Earl of *Leiceſter*, and ſome other Great Men, who went to the King, and ſeverely blamed him for infringing thoſe Charters which his Predeceſſors had granted to the City, and alſo ſharply reproved the Abbot,

[1] *Id.* p. 783. A great diſturbance in *London* about the K's granting certain Liberties to the Abbey of *Weſtminſter*.

The K. ſtops the Grant.

bot, as one that had occasioned and moved the King to this Violation; by which means the King was restrained from proceeding any further in his Grant to that Abbot. *Anno Dom.* MCCL.

Soon after this, [2] the King complained to the Pope, That his Great Men who had undertaken the *Crusado*, designed to begin their Journey to the *Holy Land* before he himself was prepared for it; and that they were more ready to follow the King of *France*, his Capital Enemy, than himself. Upon this, the Pope by his Letters, under pain of *Excommunication*, prohibited any from going without the King's Leave; who, to make the Prohibition more effectual, sent to the Wardens of his Sea-Ports to hinder any of his * Great Men, that had thus taken the *Crusado* upon them, from passing over Sea. [2] *Id.* p. 785. The Pope upon the K.'s Complaint, forbids the Great Men of *England*, who had undertaken the *Crusado* from going beyond Sea. * *Magnates.*

Also [3] this Year a rich *Jew* of the City of *York* named *Aaron*, being convicted of counterfeiting or falsifying a certain Charter, was severely fined, and paid to the King Fourteen thousand Marks, and to the Queen a proportionable Sum in Gold; so that it was computed that this *Jew* had paid to the King Thirty thousand Marks of Silver since his coming from beyond Sea, and to the Queen two hundred Marks of Gold, as the same *Jew* informed our Author *Matth. Paris*, * who says they were not to be pitied, because they were proved to be Corrupters of the King's Seals and Charters. [3] *Id. ib.* A rich *Jew* of *York* severely fined for falsifying a Charter. * Ib. n 50.

But here to intermix somewhat of Ecclesiastical Affairs: [4] The King having about this time granted to a certain Knight of mean Birth (because he had Married the Sister of *John Mansel* his Clerk or Secretary) *Free Warren* within the Lands belonging to *St. Albans* Abbey, and that contrary to the ancient Charters of his Predecessors; and being reproved for this by our Author himself (who was not afraid to do it) all his Excuse for it, was, *Why, does not the Pope do the same thing, adding in his Briefs or Letters,* * Notwithstanding any Privilege or Indulgence? Yet presently upon better Thoughts he said, *Well, well, we will consider further of it*: But for all this, the Remembrance both of his Words and Promises vanish'd with the speaking. This I take notice of, to shew the Reader after whose Imitation the Clause of *Non-obstante* then crept into the Grants of this King. [4] *Id.* p. 783. This K. excuses his using the Clause of *Non-obstante* from the P.'s Example. * *Non obstante.*

[5] About the same time the King, to get more Money, sent *Geoffrey de Langly* as his Officer or Inquisitor, to search into the Transgressions upon Forests, which Charge he executed with that Violence and Extortion (especially in the *Northern* Parts) as exceeded belief, clapping up Gentlemen in Prison for but muttering against his unjust Proceedings, and ruining divers of the best Quality for killing but a Deer, or a Hare, albeit it were in the very Highway; by which means, though he gain'd the King a great Sum of Money, yet it lost him the Affections of his People, when he came to stand most in need of them, as you will find hereafter. [5] *Id.* p. 785. The K. sends *Langly* to enquire into the Transgressors upon Forests, who executes his Charge with great severity.

But to add some other Ecclesiastical Matters: [1] About the end of *September*, *William Rale* Bishop of *Winchester* died at *Tours*; upon which News, the King sent very kind and obliging Letters to the Monks of that Convent, to perswade them to choose *Ethelmar* his Half-Brother for their Bishop: [2] Whereupon they were under great [1] *Id.* p. 800. The Bp. of *Winchester* deceasing, the K. recommends his Br. *Ethelmar* to the Monks to be Elected. [2] *Id.* p. 801.

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great Difficulties how to manage themſelves; for in the firſt place, they durſt not reject the King's Requeſt, for fear leſt further Inconveniences might enſue, becauſe they thought the Pope was the King's cloſe Friend; neither were they willing to elect one, whom they knew to be altogether inſufficient for ſo great a Truſt; yet at laſt, after many Diſputes, the King's powerful Requeſt, or rather Sermon, which he made them in their Chapter-Houſe upon this Text, *Righteouſneſs and Truth have kiſſed each other*, ſo far prevailed with them, that *Ethelmar* was choſen Biſhop; and forthwith Envoys were ſent to give the Pope notice of it, with Letters full of Intreaties and Promiſes, to induce him to approve of what was ſo very acceptable to the King.

Who upon the K.'s making a Speech to them, is Elected Biſhop.

[3] *Id.* p. 803. The Pope by a Meſſage deſires the K.'s Leave to ſtay for ſome time at *Bourdeaux*.

But [3] ſoon after this, the King received ſolemn Meſſages from the Pope, to deſire his Leave to let him reſide for ſome time at *Bourdeaux*, becauſe the Earls of *Poitou* and *Provence*, Brothers to the King of *France* (who was lately taken Priſoner by the *Saracens*) looked upon the Pope as the principal Author of his Misfortune, in that he had hindred thoſe who had undertaken the *Cruſado* from proceeding according to their Deſign, and for Money had abſolved many from their Vows: And there had paſſed hard Words between the Pope and thoſe Princes, inſomuch that they parted in great Anger; and therefore they made all the haſt they could into *England*, to ſollicite the King to afford them what Aſſiſtance he was able in this Juncture, for the Relief of the King their Brother; urging to him the Vow he at preſent lay under. This Requeſt of the Pope's reduced the King to great Streights; for if he conſented to it, he made the Emperor his Enemy, and beſides, the Pope might from *Bourdeaux* eaſily paſs into *England* (which he had often talk'd of) where his Company was not at all deſired; but again, if the King refuſed it, he incurred his Diſpleaſure; whereupon the King took longer time to conſider what Anſwer he ſhould return.

Whereupon the K. takes time to conſider of it.

[4] *Id.* p. 804. The death of *Frederick* the Emperor, with his Character.

In foreign Parts what had happened moſt conſiderable [4] was, the Death of the Emperor *Frederick* II. who notwithſtanding he had been *Excommunicated*, and Depoſed by the Pope and Council of *Lyons* divers Years, was a Prince of great Valour and Prudence; and for all that the Pope and his Confederates in *Germany* were able to do againſt him, maintained his Dignity till his Death.

[5] *Id.* p. 793. The K. of *Fr.* and his two Brothers taken Priſoners in *Egypt* by the *Saracens*.

But to ſay ſomething more of Foreign Affairs: [5] *Lewis* King of *France*, having the Year before taken the City of *Damiata* in *Egypt*, had great hopes likewiſe of getting all that part of the Country next *Paleſtine*; and therefore marching out this Year from *Damiata*, paſſed that Branch of the River *Nile* which runs by *Roſetta*, and tho' the King defeated the *Saracens* in ſeveral Skirmiſhes there, yet encamping at laſt near a place called *Pharamia*, *Sultan Melec* came upon him with a great Force, and the King's being much weakned with Sickneſs, he would fain have retreated with them to *Damiata*; but it was then too late, for his whole Army was cut in pieces in their return, and the King with his two Brothers *Alphonſo* and *Charles*, taken Priſoners; for whoſe Ranſom and his own, as alſo for all the other *Chriſtian* Captives that were taken Priſoners with them, the King was forced to ſurrender the City of *Damiata* to the

He is forced to ſurrender *Damiata*, and pay a great Sum of Money for his Ranſom.

Saracen

Saracen Sultan, beſides the payment of Four hundred thouſand *Livres*; and ſo making a Truce with this Prince for Ten Years, and the King and the reſt of the Princes being ſet free, they ſailed to *Acon*; but not daring to ſtay there neither, for fear the *Saracens* (who threatned to break the Truce) ſhould beſiege it, he ſent home his Brothers, and then quitting that Place, did nothing more worth taking notice of; but having viſited the Holy Places as a Pilgrim, returned home about Four Years after. *Anno Dom.* MCCL.

[1] This Year King *Henry* kept his *Chriſtmas* at *Wincheſter*, but by reaſon of his great want of Money, the uſual Plenty and Hoſpitality of his Court was laid aſide, and the accuſtomed Diſtribution of New-year's Gifts and Liveries were omitted; yet none were acceptable Gueſts at Court, who did not bring ſome Gift or Preſent to the King, Queen, or Prince *Edward*, and the Principal Courtiers. *Anno Dom.* MCCLI.

[1] *Id.* p. 807. The K. for want of Money, retrenches the Hoſpitality of his Court.

Then [2] on *Twelfth-day Simon Montfort* Earl of *Leiceſter*, after he had in ſome meaſure reduced *Gaſcoigny* to the King's Obedience, came into *England*, accompanied only with Three Eſquires, and going to the King, acquainted him with the great Charge and Expence he had been at to repreſs thoſe Rebels, but could no longer maintain it out of his own Revenues; therefore he deſired a ſpeedy Supply both of Men and Money; which was granted him: And having received out of the King's Treaſury Three hundred Marks, and gathered together what Money he could amongſt his own Tenants, and thoſe of his Wards, he prepared to return into *Gaſcoigny*, as he did with a new Reinforcement the next Spring following.

[2] *Id.* p. 810.

[3] About this time alſo there was a Suit commenced between *Sylveſter* Biſhop of *Carliſle*, and a certain Baron, about a Mannor which the Biſhop's Predeceſſor had ſold away, and which he would fain recover again: Now the Biſhop having occaſion to ſtay beyond Sea, obtained the King's Letters of Protection, that the Suit ſhould be ſtopt till his return; but in the mean while the Baron his Adverſary obtained other Letters from him, with this Clauſe, *That notwithſtanding the former Letter, the Baron's Cauſe ſhould not be delayed.* So that now thoſe Writs, or Letters, with that deteſtable Addition of *Non-obſtante*, became very frequent, which being obſerved by *Roger de Thurkeby* a prudent Man, and one of the King's Juſtices, he ſaid with a deep Sigh, *Alas, alas! what Times are we fallen into! Behold the Civil Court is corrupted in imitation of the Eccleſiaſtical, and the River is poiſoned from that Fountain.* This I have alſo added (though omitted by Dr. *Brady*) to give you a perfect hiſtory of the Original and Progreſs of *Non-obſtante's* in the King's Writs and Charters.

[3] *Id.* A further Progreſs of *Non-obſtante's* in the K's Letters and Charters.

Non-obſtante.

[4] On *Candlemas-day Henry de Bathe* the King's Juſtitiary, and very Learned in the Laws, was accuſed to the King for Bribery and Extortion, and that thereby he had raiſed a very great Eſtate upon the Ruin of others; upon this he was attached, and when *John Manſel* Clerk, one of the King's Principal Councellors, offered to be his Bail, the King refuſed him, adding, that his Fault was little leſs than Treaſon; but upon the importunate Intercеſſions of the Biſhop of *London* and ſeveral others, he was ſet at Liberty,

[4] *Id.* p. 811. *H. de Bathe* accuſed of Bribery and Extortion.

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Liberty, and Twenty four Knights bound for his appearance at a time appointed.

[5] On the Seventeenth of *February* (according to appointment) the Parliament met at *London*, where appeared the above-mentioned *Henry de Bathe*, accompanied with a great Train of his own and his Wife's Relations; and then (besides other Crimes) he was accused for incensing the whole Baronage against the King, upon which a general Sedition was like to have ensued; and the King was so highly provoked against him, that he caused it to be openly proclaimed, both in his own Court and in *London*, That if any Person had any Action or Complaint against him, he should come in, and be fully heard. Then one of his Fellow-Justices laid to his Charge, That for a great Bribe he had acquitted and discharged one convicted of notorious Crimes; which further so enraged the King, that he again publickly declared, *That if any one should kill* Henry de Bathe, *he would pardon him*; and he had been soon dispatched, had not the Prudence of *John Mansel*, and the Threats of the Bishop of *London* secured him from Violence. [1] But at length having made Earl *Richard* his Friend by great Presents, through his Powerful Mediation, and the Promise of a round Sum of Money, he gained his Liberty; and so about the end of July following, he returned to Court, and was reconciled to the King, upon the payment of Two thousand Marks. From whence we may observe, That in those Times it was all one to be Innocent or Guilty, provided the Party accused were Powerful, and would part with his Money freely.

[5] *Id.* p. 814. *H. de Bathe* accused in Parliament for incensing the K. against the Baronage of *England*.

He is also accused of Bribery, at which the K. is much enraged.

[1] *Id.* p. 815. Yet by the Mediation of Earl *Rich.* and the Promise of a round Sum of Money, he is reconciled to the K.

[2] About this time *Ethelmar* the King's Half-Brother was by the Pope approved of, and confirmed in the Bishoprick of *Winchester*; and at the same time his Holiness sent to the King to make a Provision of Five hundred Marks (in Ecclesiastical Revenues) for the Duke of *Burgundy's* Son, a Child. [3] Likewise the same Year part of *Wales* was wholly subdued, and received the *English* Laws; and that side of it which borders upon *Cheshire*, was committed to the Government of *Alan de la Zouch*, who answered to the King Eleven hundred Marks *per Annum*; which deserves to be taken notice of, as being not mentioned in the *Welsh* Chronicles.

[2] *Id.* p. 815. *Ethelmar* is confirmed by the Pope in the Bishoprick of *Winchester*.

[3] *Id.* p. 816.

As for Domestick Matters (according to the ancient Manuscript Chronicle of the City of *London*) this Year in *Whitson*-week, the * *Community* of the City swore Allegiance to Prince *Edward* at St. *Paul's* Cross, saving the Fidelity they owed to the King his Father, who then also granted them a Confirmation of all Liberties they enjoyed in the Time of King *Henry* the *First*; and also that for the future the Mayor should be sworn before the Barons of the Exchequer at *Westminster*, and not before the King in Person; for which Charter the City paid him Five hundred Marks.

* *Communia Civitatis.*

But to intermix somewhat of Ecclesiastical Affairs: [4] Some time after, the Pope sent *John de Cumecurio* his Nephew and Chaplain into *England*, * with Letters to the Abbot and Convent of St. *Albans*, commanding them to confer upon him the Parsonage of *Wendgrave*, or any other good Benefice belonging to their Patronage (if desired by the above-named *John*) when it became void, *Notwithstanding* that Indulgence or Privilege lately granted to

[4] *Id.* p. 817, 818. * *Vid.* the Letters at large in *M. Paris.*

the

the *English*, that the Benefices of *Roman* Clerks becoming vacant either by Cession or Death, should not be conferr'd on any *Italians*.

Anno Dom. MCCLI.

[5] *Simon Montfort*, Earl of *Leicester*, having this Summer, by divers great Successes against the Rebels in *Gascoigny*, broken their strength, and had taken *Chastellion*, a Castle of great Importance, and their common Refuge; he, together with his Wife and Earl *Guido de Lusignan*, the Third Half-Brother of the King, landed at *Dover*, in *November*, of which when he had notice, he commanded his Great Men and the Citizens of *London* to receive his Brother with all solemnity and signs of Joy; and after he had supplied his Wants by his Royal Bounty, he return'd home plentifully furnished.

[5] *Id.* p. 825. *Simon Montfort* having subdued the Rebels in *Gascogny*, returns into *England*, with the K's Half-Brother.

How he is received by the Great Men and Citizens of *London*.

I have nothing more to add to the Civil Affairs of this Year, but to observe from the same [1] Author, That the King now began to imitate his Father, and slighting his own Natural Subjects, to settle his Affections upon Strangers, such as were (besides his Half-Brother above-mentioned) the Archbishop of *Canterbury*, the Bishop of *Hertford*, and *Peter* of *Savoy*; whence arose so many Princes in *England*, who made nothing to seize upon Men's Horses, Carts, Victuals, and other Necessaries, without paying for them: And besides, the *Poictovins* did not spare the very Noblemen, but did all they could to Oppress and Impoverish them, especially the Abbots and Priors; these things lost the King the Love of his Subjects, and were one main cause of those great Disturbances, which afterward ensued.

[1] *Id.* p. 816. The K. settles his Affections upon Strangers.

[2] As for other Foreign Affairs, this Year affords not many worth the Noting, only that in *France*, during the Imprisonment of King *Lewis*, a great Multitude of *Shepherds* and other *Peasants* got together under their Leader, (an Apostate Monk, an *Hungarian*) who upon pretence of delivering the King from Captivity, made a dangerous insurrection; with these joined a great Number of Rogues, Thieves, and all sorts of Malefactors, so that they soon made up a considerable Army; and then railing against the Bishops, and all the Religious Orders, marched to *Orleans*, where they fell upon the Scholars, plunder'd them, and killed several; till being *Excommunicated* by the Bishop of that City, and going into *Berry*, the People of that Province rose upon them and put them to the rout, and killed a great many; and those that were taken being Hang'd, the rest laid down their Arms, and vanished as it were in a Moment.

[2] *Id.* p. 822. A great Insurrection of Peasants in *France*, under pretence of setting their King at Liberty.

Being *Excommunicated*, they march into *Berry*, and are taken and put to Death.

Anno Dom. MCCLII.

[3] This Year King *Henry* kept his *Christmas* at *York*, because his Daughter *Margaret* (being now of Age) was to be solemnly married to *Alexander* the Young King of *Scots*; and for the more famous Celebration of these Nuptials, (besides that King and his Mother the Queen) there was a very great Confluence of the Clergy and Nobility, not only out of *England* and *Scotland*, but several from *France*. Then on *Christmas-day* King *Henry* Knighted *Alexander* King of *Scots*, and the next Day early in the Morning the Lady *Margaret* was married to him, upon which he did Homage to the King of *England* for *Lothian* and the other Lands he held of him; and after that it was demanded, that he should do the same Homage and Fealty to his Lord the King of *England* for the Kingdom of *Scotland*, as his Predecessors had formerly done; To which the King of

[3] *Id.* p. 829. The K. keeps his *Christmas* at *York*, in order to marry his Daughter to the King of *Scots*.

And there does Homage for *Lothian*, but being demanded to do it for all *Scotland*, wisely puts it off.

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of *Scots* (though very Young) wisely replied, That he came thither voluntarily at the King's Invitation, and by the Marriage of his Daughter to unite himself more closely to him; but was not prepared to give an Answer to such hard Questions, for he had not consulted his Nobility about so difficult an Affair. When the King heard this modest Reply, he would not press him any farther, (lest the designed Mirth and Jollity of the Nuptial Solemnity, should be thereby disturbed,) but passed it by in Silence, till a fitter Opportunity. The Marriage-Ceremonies being now over, that King (having obtain'd whatever he could in reason expect from King *Henry* his Father-in-Law) returned with his Wife, the Young Queen, into *Scotland*.

And returns Home.

[4] *Id.* p. 831. The P. sends to K. *Henry* to hasten his Preparations for the *Holy-Land*.

[4] Soon after this, the Pope wrote to King *Henry* to hasten his Preparations for the *Holy-Land*, to prosecute the Vow he lay under, and give what Aid and Relief he could to the King of *France*; and if he would not go himself in Person, not to hinder others who stood obliged by the same Vow. The King, to shew his readiness to answer the Pope's request, took great quantities of Money from the *Jews*, nor were his *Christian* Subjects much less spared.

[5] *Id.* p. 832. The Nobility of *Gascoigny* accuse *Simon Montfort* of Unfaithfulness and Avarice.

But the Earl upon pleading his Innocency is furnished with Money.

[5] In the Spring following, the Noblemen of *Gascoigny* sent over their Complaints to the King against *Simon* Earl of *Leicester*, accusing him of Unfaithfulness and Treachery, heaping together great Sums of Money from all sorts of People, under pretence of taking it for the King's Use, but indeed turning it wholly to his own; but so soon as the Earl heard what was laid to his Charge, he went to the King and pleaded his Innocence, saying, *He wonder'd he should give more credit to his Rebellious* Gascoigns, *than to him, who had given such evident Proofs of his Fidelity*; To whom the King replied, *That if he were Innocent, a strict Enquiry would render him the more Remarkable*; so the Earl (though somewhat humbled with this Answer) was again furnished with Money: But before his return into *Gascoigny*, they would have revolted from their Allegiance to the King of *England*, and sought out a new Lord, could they have found any other Countrey to have sold their Wines in with as good advantage.

[1] *Id.* p. 836, 837. The Earl upon his return is accused by the *Gascoigns*.

[1] Soon after the Earl's return, the Great Men of *Gascoigny* agreed to send publick Messengers to the King of *England*, to acquaint him how inhumanely his Faithful Subjects of that Countrey were treated by the Earl of *Leicester*, and drew up a fresh Charge or Accusation against him, which was testified by the Common Seals of their Cities, Great Men, Castellans, and Bailiffs; and this was carried to the King by the Archbishop of *Bourdeaux* and several Noblemen, who landed in *England* about *Whitsuntide*, and found the King at *London*; before whom they again made [2] a lamentable Complaint of the Treachery and Tyranny of the Earl of *Leicester*. But the King would not give too hasty a Belief to their Complaints, because he himself had found them Traytors, when he was in *Gascoigny*; but waited till the return of *Nicholas de Molis* and *Drogo Valentine*, whom he had sent thither to Enquire into the Truth of their Accusation.

[2] *Id.* p. 838. But the King would not give too hasty a Belief to their Complaints.

[3] These

[3] These at their return reported to the King, that they found some who had been very severely treated by the Earl, yet (as they believed) but according to their deserts. The Archbishop of *Bourdeaux*, and such as came with him, hearing this, required they might prove their Accusation, and then have Judgment, and protested upon Oath, they would never obey the Earl, and begged of the King to provide them a new Governour, but his Charge was then no farther enquired into, because he was absent; However, a Day was appointed throughly to Examine this Affair. In the mean time *Leicester* had procured Earl *Richard*, and the Earls of *Glocester* and *Hereford*, and several other Noblemen and Men of Quality, who were his entire Friends, to be present at the hearing of his Cause: And when the Earl appeared, he so well made out his Innocence, and vindicated himself, that he silenced most of his Adversaries; tho' when the King perceived that his Brother *Richard* and the other Noblemen there present sided with the Earl, he had much ado to restrain the Resentments he had conceived against him; And after several Debates as well as Reflections upon each other, no sooner did the Earl repeat the Services he had done the Crown, and mention the Promises and Grants the King had made him, to repay the Expences he had been at in his Service, and make bold to demand of him the Performance of his Royal Word and Engagement, by a Recompence for his Charges; but the King replied, *He would not stand to any Promise he had made to one that was a Traytor*; whereupon, the Earl told the King *He Lied*; *and were he not a King, he would make him eat his Words*; asking, (in a reproachful manner) *Whether any Man could believe he was a* Christian, *or whether he had been at* Confession? The King replied, *Yes*: The Earl answered, *What availeth Confession without Penance and Satisfaction?* To which the King return'd, *That he never had more reason to repent of any thing, than that he had suffered him to come into* England, *and that he had shew'd such Honours and Preferments upon One that had so little Gratitude and Manners*; and the King had immediately caused him to be Apprehended and Imprisoned for this Insolence and Sawcinesse, but that he had notice, that some of the Great Men would abet and support him: At length, by the Interposition of Friends, they parted from each other, outwardly reconciled. Which Relation, as it shews the Insolent and haughty Temper of this Earl, which few Princes besides King *Henry* could have born with, and patiently put up so great an Affront as the *Lie*; so likewise it is no wonder, if the King, as he before was afraid of him, ever after hated him mortally, and only waited an Opportunity to Ruine him.

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[3] *Id.* p. 836. But sends over Commissioners, who on their return make a Report in his favour.

The Earl having made E. *Richard*, &c. his Friends, justifies himself.

The K. not being able to hide his Resentments, calls the Earl Traytor, who thereupon gives him the Lie, with other grosse Language.

Yet the King is fain to be reconciled to him.

[4] Soon after, the King ordered the Earl of *Leicester* to return into *Gascoigny*, telling him, That *if he was such a Lover of War, he might there find Employment enough, and also a Reward answerable to his Merits, as his Father had done before him*; To which the Earl boldly replied, *That he would go over and never return, till he had wholly subdued the Enemies, and reduced the Rebellious Subjects of an Ungrateful Prince*; and presently made all Preparations possible for his Expedition.

[4] *Id.* p. 844. The Earl is again sent into *Gascoigny*.

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[5] *Id.* p. 845. As soon as the Earl is gone back, the K. declares the Prince his Son L. of *Gascoigny.*

[5] But not long after the Earl's departure, the King called to him the Archbishop of *Bourdeaux*, and all the *Gascoignes* that came over with him, and were still about *London*, and declared to them, (though untruly) That his Brother Earl *Richard*, whom he had formerly made Governour of their Country, neither valued it, nor cared to see it; whereupon he gave them notice, that he had conferred it upon Prince *Edward*, his Eldest Son.

Which highly rejoices the *Gascoignes.*

This much rejoiced the *Gascoignes*, and forthwith all that were present did their Homage, and swore Fealty to him; the King reserving to himself the Supreme Dominion thereof: Then after they had received many Gifts and Presents from Prince *Edward*, they prepared for their return into *Gascoigny*, where they found all People very well pleased with their new Governour, and very busie in making Preparations both to receive him, and countermine the Earl of *Leicester*'s Designs, between whom and the *Gascoignes* there was shortly after a smart Skirmish; wherein the Earl with much difficulty escaped being taken or kill'd, but he was happily relieved by a Knight, who had been a little before taken Prisoner himself; so the Ambush being discovered which they had laid for him, the Earl, by his Assistance, soon gained the Advantage, and having made five of their Principal Men Prisoners, put the rest to flight.

The E. hardly escapes being slain by the *Gascoignes.*

[1] *Id.* p. 846. A great Complaint against the Oppression of Foreigners.

[1] This Year there were abundance of Complaints among all sorts of People, both Clerks and Laicks, of the cruel Oppressions and Exactions they suffer'd from Foreigners, but more especially the *Poictovins*; and when any Man complained he was Injured, and sought remedy by Law, these *Poictovins* would reply, *What did their Law, *Assizes, or Customs of the Kingdom concern them, they valued them not?* Which very much vexed the King's Natural Subjects; but above all, when they saw some of the *English* tread in the same Steps with those Strangers.

*i.e. *Statutes.*

[2] *Id.* p. 849. Almost all the Prelates of *England* meet the K. at *London*, where the Pope's Demand of the Tenths of all Ecclesiastical Revenues for Three Years is propos'd to them.

[2] On the Thirteenth of *October* (being the Feast of St. *Edward*) all the Prelates of *England* (except the Bishop of *Chester* who was infirm, and the Archbishop of *Canterbury* and Bishop of *Hereford*, that were beyond Sea, and the Archbishop of *York*, who was absent for some reason as then unknown) met the King at *London*, where was propounded to them the Pope's Demand, That the *Tenths* of the Revenues of the whole Church for Three Years, should be set a-part, and paid towards the defraying the King's Expences in his Journey to the *Holy-Land*; and this not to be levied according to the old Value of Church-Livings, but according to a new Valuation, and the strictest Inquisition of the King's Collectors or Officers; and the King's Agents then offer'd, That if they would pay down Two Years value according to the Pope's Precept, then that of the Third Year, or at least Half of it (although not granted in the Bull) should by the King's Bounty be remitted; To all which the Bishop of *Lincoln* answered, *That they proceeded upon a supposition which was not granted, namely, That they had consented to this Cursed Contribution*; when the Elect of *Winchester* replied, *How can we contradict both the Pope and the King? Especially since the* French *have consented to the like, since an Act often repeated begets a Custom*; with him agreed the Bishops of *London*, *Chichester*, and *Worcester*, as did almost all the rest, only *Salisbury* fluctuated, and the Bishop of *Lincoln* still moved,

Which is refused by the Bp. of *Lincoln*, but agreed to by the Bishop-Elect of *Winchester*, and some others.

that

that they ſhould intreat his Majeſty, that for the Health of his Soul he would remit this Severity; which at laſt was agreed to by the major part of them: But when the King heard their Anſwer, he fell into ſuch a Paſſion, that it frighted all about him; yet at length being ſomewhat appeaſed by thoſe that were there preſent, he ſent the Biſhops word, That they did not only oppoſe the Pope and himſelf, but alſo *Jeſus Chriſt* and the *Univerſal Church*: To which the Biſhops anſwered, That if the Pope did but truly underſtand how they and all the Kingdom had been impoveriſhed and oppreſſed on every ſide, by the Enlargement of his Foreſts, his Juſtices Itinerant, and divers new-invented Projects, he would not think it ſtrange that they ſhould oppoſe this Contribution; adding thereto many other Aggravations of the King's Injuſtice and Breach of his Coronation-Oath, too long to be here particularly mentioned, for which I refer the curious Reader to the Author himſelf: So when the King with great importunity ſtill urged the payment of it, they anſwered him, *That both the Archbiſhops of* Canterbury *and* York *were abſent, and they could not do any thing without the Conſent of their Primates.*

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The moſt part remonſtrate againſt it, which puts the K. into a Paſſion; but the Biſhops ſtill perſiſt in their denial, and on what grounds.

[3] After which, the King perſiſting in his wonted exorbitant Courſes, ceaſed not to beſtow the vacant Benefices on Strangers, being both ignorant and ſcurrilous Perſons; ſuch as was a certain *Poitovin*, Chaplain to *Geoffry de Luſignan* the King's Half-Brother, on whom he beſtowed the rich Benefice of *Preſton*, though he were but an illiterate Buffoon, and whom our Author has ſeen pelting the King and his Brother *Geoffry* with Turfs and green Apples, as they walked in the Orchard belonging to *St. Albans* Abbey; upon which he makes (and that juſtly) a very ſevere Reflection.

[3] *Id.* p. 850. The K. beſtows his Benefices upon Strangers, being ignoble and ſcurrilous Perſons, of which our Author gives us an Inſtance.

[4] Not long after this, the King being reſolved to try whether he could not have better Succeſs with the Biſhops being aſunder, than when they were together, preſently after the riſing of the late Council, he ſent for the Biſhop of *Ely* to come to him, and making him a very obliging Speech, he acknowledged the Biſhops great Preſents and Contributions to him on ſeveral Occaſions, yet that now having great need of Money for his Voyage to the *Holy Land*, he humbly entreated him again to contribute to his Aſſiſtance on ſo preſſing an Occaſion: But all theſe fine Words had no effect on the Biſhop; for he would not by any means be drawn from the General Reſolution of all the reſt of his Brethren; and this rather deterr'd than encouraged the King from undertaking this Expedition, from the late Misfortune of the King of *France*; but when the King had heard the Biſhop's Anſwer, he was ſo angry, that he bid his Officers turn him out of doors for an Ill-bred Fellow as he was: The King alſo tried ſome of the other Prelates, but he met with no better Succeſs.

[4] *Id.* p. 858. The K. tries the Biſhops ſingly, and begins with the Bp. of *Ely*, and moves him for Money towards his intended Voyage for the *Holy Land*. But when the K. could not prevail upon him, he ordered him to be turned out of doors.

[5] Nor did he come off to much greater Advantage from another Encounter he had not long after with the Widow Counteſs of *Arundel*, who waited upon the King about her Right to a certain Wardſhip, which he challenged by reaſon of a ſmall Parcel of Land which was held *in Capite*: But when the Counteſs found by all her Applications ſhe could by no means prevail upon him, ſhe thus boldly accoſted him: *My Lord the King, why do you turn your*

[5] *Id.* p. 853. A ſharp Dialogue between the King and the Counteſs of *Arundel*, about his challenging a Wardſhip.

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Face from Juſtice? for no body now can obtain any Right in your Courts; You are placed between God and us, but you neither Govern your ſelf nor us, as you ought: Are you not aſhamed, both to oppreſs the Church, and diſquiet the Nobles of your Kingdom? Which when the King heard, he, bending his Brows, ſaid thus to her; *What do you mean, Lady Counteſs? Have the Great Men of* England *given you a Commiſſion to be their Advocate?* But ſhe (though a Young Woman) did not anſwer like one; *Not ſo, Sir,* (ſaid ſhe) *the Nobility have not made me any ſuch Charter, though you have broke that which you and your Father have granted, and ſworn inviolably to obſerve, and for which you have ſo often extorted Money from your Subjects: Where are the Liberties of* England *ſo often reduced into Writing? ſo often granted, and ſo often redeemed? Therefore I (though a Woman) with all your Natural Subjects, do appeal from You to the Tribunal of God, the Great and Terrible Judge, and let him revenge us.* At which Anſwer the King being confounded, he held his peace, becauſe his own Conſcience told him ſhe had ſpoke but too much Truth; ſo he only replied, *Did not you ask a Favour, becauſe you were my Couſin?* To whom ſhe only returned, *Since you have denied me my Right, how can I expect any Favour?* The King thus reproved, ſaid no more; and the Counteſs went away without taking Leave, as well as without any other Satisfaction than that of having freely ſpoken her Mind.

But though Dr. *Brady* has (for ſome Reaſons beſt known to himſelf) paſſed by theſe laſt Relations (albeit they are alſo in *M. Paris*) yet I have not thought fit to do ſo, ſince it not only lays open the Weakneſs of this King's Temper, but the Injuſtice of his Government, whilſt he was managed by ſuch wicked and unjuſt Councellors, which bred all thoſe ill Humours that ſome few Years after broke out againſt them to their Ruin.

[1] *Id.* p. 852. The K. extorts Money from the Citizens of *London*, contrary to their ancient Charters. And alſo makes them ſhut up their Shops during St. *Edward's* Fair.

[1] About the ſame time likewiſe the King extorted from the Citizens of *London*, by his imperious Commands, Twenty Marks of Gold (which makes Two hundred Marks of Silver) a great Sum in thoſe Days, though according to the Tenour of thoſe Charters and their ancient Liberties, they ought to be free; ſo that they were reduced to almoſt as ſervile a Condition as the very *Jews* themſelves; nor was he contented with this, but made them ſhut up their Shops *Fifteen* Days together, and carry their Commodities to St. *Edward's* Fair, which he had lately ſet up at *Weſtminſter* (as I have mentioned before) and there to remain all Day in Tents and Booths; and to expoſe themſelves and their Wares to the Rain and Cold (it being preſently after *Chriſtmas*) though they had few Chapmen for them: Theſe things cauſed great Heart-burnings and Diſcontents among the Citizens, and produced that Averſion which they afterward expreſſed againſt the King and all thoſe that adhered to him.

[2] *Id.* p. 853. The K. ſummons his Great Men about the Affairs of *Gaſcoigny*, who all take S. *Mentfort's* part, which diſpleaſes the King, who had reſolved to have proceeded againſt him as a Traitor.

[2] Soon after, he ſummoned his Great Men to conſult with them about the Affairs of *Gaſcoigny*; who when they were met, urged on behalf of the Earl of *Leiceſter*, That the *Gaſcoignes* were a Treacherous and Rebellious People, as appeared by their baſe treating of the King when he was among them, and by whoſe means he had returned home poor and inglorious; and that they had practiſed Robbery and Depredations on Travellers and Merchants;

chants; and that the Earl of *Leiceſter* had Ten Years, and an half yet to come in his Charter, by which the Government of that Country was committed to him. The King was extreamly diſpleaſed to find his Great Men ſo ready to excuſe the Earl, for he had reſolved to have proceed againſt him as a Traitor: But when the Earl had notice of the King's Deſign, [3] he replied, *I am very well ſatisfied that the King would deſtroy me to enrich ſome* Provençal *or* Poictovin *with my Earldom.* Upon this the Counſel was diſſolved; ſo that the King was alike diſſatisfied with the Secular Great Men, as well as with the Prelates, and therefore thought beſt to ſend for a Legate from *Rome*, who might force the Clergy by the Pope's Authority to comply with his Demands.

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[3] *Id.* p. 854. The K. hereupon reſolves to ſend for the Pope's Legate.

[4] On the Eleventh of *November*, *Albert* the Pope's Nuncio came into *England* to perſwade Earl *Richard* (who was known to be by far more Wealthy than all the Noblemen of theſe Parts) to accept the Pope's Offer of the Kingdoms of *Apulia*, *Naples*, and *Sicily*, and to expoſe his Perſon, and ſpend his Treaſure in his Service; but the Earl was too wiſe and experienced to hearken to thoſe ſubdolous Propoſals; [5] neither (to be ſure) was the Nuncio unmindful of his own Intereſt, in letting the Prelates know, that he himſelf was the Pope's Favourite, and that Preſents and Benefices would be very grateful and acceptable to him.

[4] *Id.* p. 856. The Pope ſends a Nuncio to perſwade E. *Richard* to accept of the Kingdom of *Sicily* and *Naples*, which the Earl is too wiſe to accept of.

[1] This Year alſo the Biſhop of *Lincoln* employed one of his Clerks to take an exact account of the yearly Revenue that *Italian* and Foreign Clergy-men poſſeſſed in *England*, and it was found to amount to above Seventy thouſand Marks *per Annum*, when the King's bare Revenue at the ſame time ſcarce reached one Third part of that Sum: From whence we may obſerve, how poor a thing the ordinary Revenues of the Crown were in thoſe times, being not ſo great as ſome Noblemens Eſtates in *England* are at this day.

[1] *Id. ib.* The Bp. of *Lincoln* takes an exact account of the yearly Revenues of the *Italians* in *England*, and finds they amount to 70000 Marks.

[2] To this Relation I may likewiſe add what is mentioned in the ſame place, and which will ſufficiently ſhew the great Riches and Luxury of Clergy-men in that Age; for *John Manſel* Clerk, who was at that time the King's Principal Councellor, enjoyed no leſs than Seven hundred Eccleſiaſtical Preferments at once; ſo that his Revenues amounted to Four thouſand Marks *per Annum*, an Income then ſufficient for the greateſt Prelates; wherefore our Author juſtly wonders, how any wiſe or good Man would ever burthen his Conſcience with the Care of ſo many Souls; and therefore much ſuſpects his deſerving either of thoſe Characters: And he alſo well obſerves, *That divers Men know a great many things, but in the mean time are ignorant of themſelves and their own Duty.*

[2] *Id. ib.* The Prodigious number of Benefices enjoyed by *John Manſel.*

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[3] This being the Seven and thirtieth of King *Henry*'s Reign, he kept his *Chriſtmas* at *Wincheſter*, where though the Citizens preſented him with a large Preſent of Proviſions even to Admiration, yet in requital of their Kindneſs, he obliged them in a ſhort time after to pay him Two hundred Marks, which made them paſs their *Chriſtmas* as heavily as the King did his merrily, he being not at all concerned at their Complaints.

[3] *Id.* p. 860. The K. keeps his *Chriſtmas* at *Wincheſter*, where tho' the Citizens make him large Preſents of Proviſions, yet for all that he extorts Money from them.

Yet

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Yet he did a greater Act of Violence and Injuſtice a little while after: [4] For having agreed to marry his Niece, the Daughter of the Earl of *Engoleſme*, to the Son and Heir of *Richard* Earl of *Gloceſter*, in conſideration of a Portion of Five thouſand Marks which the King obliged himſelf to pay; but not having the Money ready, he commanded the Abbots of *St. Albans*, *Reading*, and *Waltham*, to give Security on his behalf to the Earl of *Gloceſter*, for the ſaid Sum, which they utterly refuſed; for who could force the King to repay them, if he had no mind to it? Wherefore he then importun'd the *Knights-Templars* and *Hoſpitallers* to be bound for the Payment of that Money; but they refuſing likewiſe, He threaten'd them moſt terribly, and to be revenged of them, turned out Friar *Roger*, one of their Brethren, from his Office of *Almoner*, and alſo watched for an Opportunity how to be farther revenged upon them. This is one of the many Abuſes that Dr. *Brady* ſlyly paſſes over; as he does alſo what is mentioned in the very next [5] Page, concerning the King's forcing the Citizens of *London* to pay a Contribution of One thouſand Marks the *Lent* following.

[4] *Id.* p. 862. A greater Inſtance of the K's Injuſtice, in his dealing with certain Abbots.

[5] *Id.* p. 861.

[1] *Simon Montfort*, Earl of *Leiceſter*, having this Year reſigned his Charter or Patent of the Government or Stewardſhip of *Gaſcoigny*, which he had obtained of the King for Five Years, upon his buying him out of the Remainder of his Term, (which was Three Years) and giving him Security for the Money; the King thereupon conferr'd that Government upon his Son Prince *Edward*, as you have already heard; but ſo ſoon as *Alphonſo*, King of *Caſtile*, found the Earl of *Leiceſter* had quitted his Charge of that Province, and that it was left to the Government of a Youth, he pretended a Grant of that Country from King *Henry* the Second, confirm'd by *Richard* the Firſt, and King *John*; whereupon *Gaſton de Bearn*, and ſeveral others of the Nobility of *Gaſcoigny*, revolted from King *Henry*, and joined themſelves to *Alphonſo*'s Party; but the Citizens of *Bourdeaux*, who continued Faithful to the King of *England*, gave him notice of it, and that unleſs he ſent them a quick and powerful Aſſiſtance, he would loſe the whole Country: Whereupon, the King was troubled that he had removed *Montfort*, who was now gone into *France*, where he had the offer made to him of being High-Steward of that Kingdom; but he generouſly refuſed it.

[1] *Id. ib.* The K having beſtow'd the Government of *Gaſcigny* upon Pr. *Edward*, the K. of *Caſtile* challenges it as his own.

Whereupon, many of the Nobility of that Countrey revolt from K. *Henry*.

[2] In *Lent* many freſh reports came from *Gaſcoigny*, as that *Reole-Caſtle*, and ſeveral other Places, were taken from the *Engliſh*; the King was ſtartled at this News, and cauſed Proclamation to be made, and ſent his Writs into every County, that all Men ſhould be Armed and Muſtered, according to antient Cuſtom, and that Watch ſhould be kept in Cities and Towns. But about the middle of *April*, the *Gaſcoign* Nobility finding themſelves freed from the Government of *Simon Montfort*, fell foul upon one another, invaded each others Caſtles, took Priſoners on both ſides, and burnt and waſted each others Houſes and Lands.

[2] *Id.* p. 864 The *Gaſcoigners* fall together by the Ears.

[3] The King having incurr'd the ill Will, and indeed Curſes of his People, by taking extraordinary ways to raiſe Money contrary to Law, (in ſuch a violent and illegal manner as is mentioned by our Author) yet ſtill wanted a very large Sum for his intended Expedition to the *Holy-Land*; whereupon he called a Parliament to

[3] *Id.* p. 865. The K. being ſtill in want of Money, is at laſt forced to call a Parliament, where he demands a great Sum.

to conſult about the difficult Affairs of the Kingdom; and Fifteen days after *Eaſter* the whole Nobility meeting accordingly, he demanded a very great Sum of Money from them; but after many Arguments and Debates about it, [4] the Archbiſhop of *Canterbury*, the Biſhops of *Carliſle*, *Salisbury*, and *Ethelmar* the Elect of *Wincheſter*, were ſent to the King by the Biſhops and all the Prelates, to perſuade and induce him (as he had often promiſed upon Oath) to permit *Holy Church* to enjoy all her Liberties, eſpecially thoſe concerning Elections, in which (as they ſaid) Eccleſiaſtick Liberty chiefly conſiſts; and if he would correct this Error, and thoſe concerning the other Liberties contained in *Magna Charta*, they would do their utmoſt to ſatisfie his deſires. Whereupon, the King freely confeſs'd his Failings, and how he was ſorry he had ever done ſo, and that they ſhould be corrected for the future; then making a ſmart Speech to theſe Biſhops, ſetting forth how he had advanced them (though unworthy) to thoſe high Dignities they enjoy'd, before many other Grave and Learned Divines, he therefore adviſed them, (as they valued their Salvation) to lay down thoſe Spiritual Charges which they had by his Prerogative unjuſtly acquir'd; and then he himſelf, being reformed by their Example, would for the future take care to prefer none but ſuch as ſhould be worthy; they being thus ſharply, yet civilly reproved, had nothing to reply, *but that they came not to rip up what was paſt, but to mind him what he ought to do for the future.*

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[4] *Id.* p. 866. Whereupon, the Prelates require a Reſtoration of the Privileges of the Church in Elections.

The K. confeſſes his Failings, and makes a ſharp Reflection upon them.

[5] Then, after Fifteen days debate about this and other Things, they came to this Unanimous Reſolution, That the King's Intentions of taking upon him the *Cruſade*, were very Pious, and they ſhould not want their due Effect; yet that the State of the Church or Kingdom might not receive any Detriment thereby, the Clergy therefore granted him the Tenth of all Church-Revenues for Three Years, for the Relief of the *Holy-Land* againſt the Enemies of God, to be diſburſed by the overſight of the Great Men; and the Knights or Military-Men alſo gave him for that Year Three Marks of every Knight's Fee, in Conſideration of which, the King promiſed *bona fide*, and without fraud, to obſerve the Great Charter, and every Article therein contain'd, which is the ſame that his Father King *John* had ſworn to keep many Years before; and which he in like manner had ſworn to at his Coronation.

[5] *Id. ib.* At laſt the Clergy agree to grant the K. a Tenth of their Revenues for Three Years.

And the Military Men Three Marks upon each Knight's Fee; for which the K. promiſes ſtrictly to obſerve the great Charter.

[1] After this, on the Third day of *May*, in the Great Hall of the Palace of *Weſtminſter*, all thoſe that Oppoſed, Violated, Diminiſhed, or Changed the Liberties and Cuſtoms of the Kingdom, (eſpecially thoſe contained in the Great Charter of Liberties and Foreſts) were ſolemnly *Excommunicated* and *Anathematized* with Bell, Book, and Candle, by *Boniface* Archbiſhop of *Canterbury*, and the reſt of the Biſhops, being in their *Pontificalibus*; and this was done in the Preſence, and by the Aſſent of the King, *Richard* Earl of *Cornwall*, his Brother, the Earl of *Norfolk*, Mareſchal of *England*, the Earl of *Hereford*, the Earl of *Oxford*, the Earl of *Warwick*, and other Chief Men of the Kingdom; the Archbiſhops and Biſhops holding Lighted Candles in their Hands: The King in the mean while laying his Hand on his Breaſt, ſaid, after all this was perform'd, *So may GOD help me, as I inviolably obſerve all theſe things*; But

[1] *Id. ib.* And Sentence of *Excommunication* is ſolemnly pronounc'd by the Bps. in *Weſtminſter-Hall*, againſt all the Violators of theſe Charters.

Anno Dom. MCCLIII.

But he refuſed to hold a Taper, becauſe he was no Prieſt, ſaying, *His Heart was a greater Teſtimony.* [2] Then alſo the Original Charter which King *John* had granted was produced, and read before them all, which the King having Regranted and Confirmed, they put out their Candles, and threw them down ſmoaking upon the Ground, and every One wiſhed, That ſuch as deſerved that Sentence, might ſo Stink and Smoke in Hell.

[2] *Id. ib.*

[3] *Id. ib.* As ſoon as the Council is diſſolved, the K. deviſes how to break them.

[3] The Council was no ſooner Diſſolved, but the King (who commonly followed the worſt Advice) contrived, how he might break through all thoſe Things he had ſo lately granted; it being told him by ſome about him, *That if he obſerved thoſe Charters, he would not be King, nor abſolute Lord of* England; *and his Father King* John *had ſhewed him this, who choſe rather to die than to be trampled upon by his Subjects*; and theſe wicked Councellors farther whiſper'd in his Ear, That he need not fear the Cenſure of *Excommunication*, ſince for Two or Three hundred Marks, the Pope would abſolve him of his Oath, by the Plenitude of his Power; and he might farther obtain another Tenth of the Clergy by the Pope's Authority, if the King would but allow him a ſhare out of it, or perhaps enlarge the Payment of it for a Year or two; all which pernicious Councils were put in Practice, as the following Hiſtory will ſhew. But this (tho' omitted by Dr. *Brady*) deſerves to be taken notice of, ſince it was the Cauſe of all thoſe dreadful Wars and Combuſtions, that ſome Years after enſued.

[4] *Id. ib.* The Citizens of *Bourdeaux* ſend to the K. to come and ſave *Gaſcoigny*, then in Rebellion.

[4] About the ſame time, the Citizens of *Bourdeaux* acquainted the King, That if he came not over preſently into *Gaſcoigny*, he would loſe the whole Country, which, upon the Departure of *Simon Montfort*, was now fallen into Rebellion; wherefore the King ſent them word, That he would ſpeedily come over to them in Perſon with a conſiderable Force: Upon which, about the Firſt of *June*, he ſummoned all his Military-Tenants to be ready with their Horſes and Arms at *Portſmouth*, Eight days after *Trinity-Sunday*, to paſs the Seas with him, when he took up a Thouſand of *Engliſh* and *Foreign* Merchant Ships; but he lay there Wind-bound above a Month, to his great Expence, as well as Prejudice of his Affairs beyond Sea; at laſt, having before appointed his Queen and Brother *Richard* to Govern the Nation in his Abſence, and left his Son *Edward* under their Care, he ſet ſail with a fair Wind, and on the Fifteenth of *Auguſt* arrived at *Bourdeaux*, and preſently commanded *Reole-Caſtle* to be Beſieged; ſo that by the end of *Summer* the King had recovered all his Caſtles in *Gaſcoigny*, either by Force or Compoſition; the Beſieged often ſending to the King of *Spain* for Relief, but never receiving any: Yet the King, not daring to rely upon the Fidelity of the *Gaſcoignes*, and ſuſpecting that they might Revolt to the King of *Spain*, ſent the Biſhop of *Bath*, and *John Manſel*, his ſpecial Chaplains, Ambaſſadors, to deſire his Friendſhip, and that he would conſent to Marry his Siſter to his Son and Heir Prince *Edward*, on whom he had lately beſtowed *Gaſcoigny*: Theſe Ambaſſadors ſo well diſpatch'd this Affair, that they not only concluded that Match, but alſo made a League with the King of *Caſtile*, and brought back a *Charter ſealed with a *Golden Seal*; by which he

The K. paſſes over thither with a great Force.

And recovers many Caſtles in thoſe Parts.

He ſends Ambaſſadors to the K. of *Caſtile* to propoſe a Match between his Siſter, and Pr. *Edward*.

* See this Charter in the King's Archieves, in the Old *Chapter-Houſe* at *Weſtminſter*.

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released to King *Henry* whatever Right he had, or could have in that Countrey, by the Grant of *Henry* the *Second*, *Richard* the *First*, or King *John*; then upon *John Mansel*'s assuring his Master of the King of *Castiles* Sincerity, he some time after sent for his Son, Prince *Edward*, to come over to him, in order to send him thither to consummate the Marriage; yet this Match and League were kept conceal'd from the Great Men of *England*, as you will find by and by. *Anno Dom.* MCCLIII.

[5] In the mean while, the Earl of *Leicester* came with some Troops of his own, and offer'd his Service to the King; which when the Rebellious *Gascoignes* understood, they dreading the Earl's great Courage, and also hearing that the King of *Castile* had made Peace with King *Henry*, by degrees return'd to their Allegiance; yet the King continued all this Winter in *France*. [5] *Id.* p. 879. Upon which the *Gascoignes* return to their Allegiance.

As for Ecclesiastical Affairs, this Year affords little, [1] only *Robert Grosstead*, Bishop of *Lincoln*, having received a Letter of Brief from Pope *Innocent*, commanding him (as he had often done several other Prelates of *England*) to do somewhat that he thought Unjust and against Reason, He wrote to him a long Epistle, (which you will find in our Author at large) wherein, though he professes all due Obedience to the Apostolical Commands, yet he is utterly against such as wholly contradict all those Precepts, since they can be no other, than what are consonant and agreeable to the Doctrine of our Lord *Jesus Christ*, and his Apostles; Then he taxes the Clause of *Non-obstante* in the Pope's Bull, as a Cause of many great Evils in the Church, (which he there reckons up) and afterwards proceeds to reprove his bestowing of Benefices on such as (contrary to Christ's Institution) take no care of the Flock committed to their Charge; all which Abuses, though contain'd in the Pope's Letter, yet out of that Fidelity and Obedience, which he ow'd to the Apostolical See, and that Union which it holds with Christ's Mystical Body, he cannot obey, but must contradict and oppose, as being directly contrary to the Catholick Faith, and the Sanctity of the Church of *Rome*; and for which refusal his Holiness ought not to punish him, because, such a Contradiction is no Rebellion, but part of that honour which is due to the Divine Commands, and the truest Respect that could be shewed to himself; and therefore briefly minds him, That the Apostolical See can act only for the Edification and not the Destruction of the Church; whereas those Provisions (that were then sent him) tended to the quite contrary ends: In all which, the Bishop very well distinguishes between the right Use and Abuse of Ecclesiastical Authority, making only the former to be Obligatory, and thereby wholly destroying the Modern Doctrine of a blind Obedience, without Reserve, to all the Pope's Commands, as Infallible. [1] *Id.* p. 880. The Bp. of *Lincoln* having received an unreasonable Letter from the Pope, returns him another, full of sharp Reflections. *Non-obstante.*

When the Pope had received these Letters, he fell into a great Passion, calling the Bishop an old, rash, doting Fellow, threatning to ruine him, and to command the King of *England*, his Vassal, to clap him up in Prison: But it seems one *Giles*, a *Spanish* Cardinal, and others, mitigated his Holiness's Wrath, telling him, That he ought not to decree any thing against the Bishop, since they could not deny what he had said to be true, nor could they condemn him, being

Anno Dom. MCCLIII. being much more Learned and Holy than themſelves; and that if he ſtirred farther in it, this Letter, when it came to be generally known, would excite many more againſt him: Therefore the Pope thought it better to connive at and diſſemble his Reſentments againſt the Biſhop, leſt he might raiſe a Tumult which he could not eaſily appeaſe.

This I have thought fit to mention, that ſo the Reader may obſerve there were even in that Age ſome Biſhops (though but few) who were not only ſenſible of, but declared againſt the Abuſes then practiſed in the *Roman* Church, and that to the Pope himſelf, who was indeed the Author of them; but this good Biſhop died not long after.

Anno Dom. MCCLIV. [2] This Year, the King keeping his *Chriſtmas* in *Gaſcoigny*, on the Seven and Twentieth of *January* almoſt all the Great Men of *England* were ſummoned to Parliament, where appeared on behalf of the King, his Commiſſioners who were newly return'd from *Gaſcoigny*, viz. *Roger Bigot*, Earl-Mareſchal, and *Gilbert de Segrave*, and declared his deſires to the whole Body of *England*; there were alſo preſent *Richard* Earl of *Cornwall*, and the Queen, with all the Biſhops, except thoſe that were then with the King: The Meſſage delivered in this Meeting from him, was, That he had been deceived in the King of *Spain*, whom inſtead of a Friend, he had found a cruel Enemy, and therefore now required a powerful Aſſiſtance from them. What was done upon this Meſſage, beſt appears by the Queen's and Earl *Richard's* Letters to the King, to be found in the [3] Additaments of *Matt. Paris*, to this Effect;

[2] *Id.* p. 881. The K. ſummons a Parliament in his abſence, where his Commiſſioners declare his deſires.

They endeavour to make them believe, that the K. of *Caſtile* was ſtill an Enemy.

[3] P. 189.

The Sum of the Queen's and Earl *Richard's* long Letter to the King.

'That they had received his Majeſty's Letters at *Chriſtmas*, and 'had according to his Commands ſummoned the Archbiſhops, Biſhops, Earls and Barons of the Kingdom, on the Morrow after the 'Feaſt of St. *Hilary*, acquainting them with the State of his Affairs, 'That the King of *Caſtile* was coming againſt him into *Gaſcoigny*; but 'ſince the ſhortneſs of the time would not permit the ſaid Great 'Men to meet at that Day, they had ſummoned them to *Weſtminſter* Fifteen days after that Feaſt, (*i.e.* the Seven and Twentieth of 'January) and that the Earls and Barons, after they had heard the 'Cauſe of their Meeting, offered to be ready at *London* three Weeks 'after *Eaſter*, to march from thence to *Portſmouth*, and there Embark 'themſelves to relieve *Gaſcoigny*, in caſe the King of *Caſtile* ſhould 'invade that Countrey; That the Archbiſhop of *Canterbury*, the Biſhop Elect of *Wincheſter*, with the Biſhops of *London* and *Worceſter*, 'all promiſed they would come over to him with a good Strength; 'That the other Biſhops and Abbots had likewiſe promiſed a large 'ſupply in Money: And Earl *Richard* further ſignified to him in 'the ſame Letter, That he would not fail him of a Supply anſwerable to his Neceſſities and his own Honour, if the King of *Caſtile* 'ſhould arm againſt him; and that he would leave the Kingdom 'in good hands, by advice of the Queen, and bring her and the 'Prince over with him. [4] Yet for all this they did not believe the King of *Caſtile* had any ſuch deſign; and ſo the Council was diſſolved without any great effect.

[4] *Id.* p. 882.

Then

[5] Then Fifteen Days after *Easter*, the Great Men were ſummoned again to *London*, where the King upon the ſame Reaſons made the ſame Demands, and received the ſame Anſwer; for then their ſuſpicions, that the King of *Caſtile* had no ſuch Deſign againſt King *Henry*, but on the contrary, that a Peace was concluded between them, were confirmed by *Simon* Earl of *Leiceſter*, who was newly returned from beyond Sea: Thus this politick Deſign of the Court to get Money being diſcovered, the Great Men of the Kingdom eaſily avoided the Traps that were laid for them; and ſo departed in great Indignation, without giving the King any Aſſiſtance. *Anno Dom.* MCCLIV.

[5] *Id.* p. 857. The Great Men are again ſummoned to *London*, but refuſe to give the K. any Aid, with the Reaſon thereof.

[1] About the ſame time the King being reſolved to have Money by one means or other, fell upon the poor *Jews* ſo violently, that they grew weary of their Lives; for Earl *Richard* now required from them ſo great a Sum, under pain of Death or Impriſonment, that *Elias*, their Chief *Rabbi* or Elder, plainly told him and the Lords then preſent, That ſince they found the King was reſolved entirely to ruine them, and had favoured the Pope's Uſurers againſt them, and ſuffered them to get what they pleaſed to their great Impoveriſhment, and ſince the King required more than they had, they therefore deſired leave to depart the Kingdom; but though the Governours ſqueezed them almoſt to the utmoſt Farthing, yet would they not let them go.

[1] *Id. ib.* The K. to get Money unmercifully ſqueezes the *Jews*.

[2] About the end of *May*, the Queen (notwithſtanding ſhe had lately received the King's Commands to the contrary) with her Two Sons, Prince *Edward* and *Edmund*, and her Unkle the Archbiſhop of *Canterbury*, took ſhipping at *Portſmouth* and arrived at *Bourdeaux* the laſt of the ſame Month; [3] and not long after their landing, Prince *Edward* was ſent in great State to *Alphonſe* King of *Caſtile*, where having married his Siſter *Eleanor* at the City of *Burgos*, he was by that King Honourably ſent back to his Father, together with his Bride: Upon his arrival, King *Henry* ſettled upon him and the Princeſs his Wife all *Guſcoigny*, *Ireland*, *Wales*, with the City and Towns of *Briſtol*, *Stamford*, and *Grantham*; and from that time the King began to prepare for his Return into *England*, when upon ſtating the Accounts it appeared that his Expences in thoſe Expeditions amounted to Twenty thouſand and ſeven hundred Pounds and more, beſides the Lands, Wardſhips, and Rents he had given to Strangers, and moreover Thirty thouſand Marks he had beſtowed, and expended upon his *Poictovin* Half-Brothers; but which was ſtill worſt of all, our Author here relates, that it was all to little or no purpoſe, for that when the King was told of this great Expence by one about him, he replied, *Oh, for the Head of God ſay no more of it, leſt the very Relation make Men wonder and ſtand amazed!*

[2] *Id.* p. 889. The Queen with her Sons paſſes over into *France*.

[3] *Id.* p. 890. Pr. *Edward* is ſent into *Spain*, and being there Married, is ſent with his Bride back to his Father.

The K.'s vaſt Expence in this Expedition.

[4] About this time Mr. *Albert* the Pope's *Nuncio* returned to *Rome*, and certified his Holineſs that the Propoſals made to *Richard* Earl of *Cornwal* concerning the Kingdom of *Sicily* and *Apulia* could take no effect, nor would he expoſe himſelf to uncertain Events, requiring of the Pope Security and Pledges for what he ſhould undertake, and Money alſo towards his Charges in ſubduing that Kingdom, with ſome of his Caſtles for Places of Retreat. Upon this

[4] *Id.* p. 892. Upon E. *Richard*'s refuſal to accept the Pope's Offer of the Kingdom of *Sicily*, he makes the ſame Offer to K. *Henry*, who unwiſely accepts of it for his Son *Edmund*.

Anno Dom. MCCLIV.

this News the Pope ſent private Nuncio's to King *Henry*, and offered him that Kingdom for his Son *Edmund*: Upon this the King was very forward to embrace the ſeeming Favour, and received it with much Satisfaction; and to make way for him, Pope *Innocent* the *Fourth* had lately accuſed *Conrade* Son of the Emperor *Frederick* the Rightful King, of Hereſie, Murther, and other great Crimes; to all which Accuſations [5] he gave a very clear Anſwer, yet died not long after to the great Joy of the Pope, who preſently ſubdued almoſt all *Apulia*: but both the *Sicilian* and *Apulian* Nobility, rather than be under his Government, ſet up *Manfred* an Illegitimate Son of the late King *Frederick*, and did Homage and ſwore Allegiance to him.

Conrade King of *Sicily* deceaſes.

[5] *Id.* p. 193. *Vid. Addit.* p. 193.

[1] *Id.* p. 896. K. *Henry* to avoid a long Sea-Voyage, paſſes through *France*.

[1] King *Henry* having thus made Peace with the King of *Caſtile*, deſiring rather to return by Land, than undertake another tedious Sea-Voyage, asked Leave of the King of *France* to paſs through his Kingdom, which was not only granted, but alſo he himſelf met the King of *England* at *Chartres*, [2] where he was then attended by a Thouſand brave Horſe with Noble Riders, beſides Sumpter-Horſes and other Carriages; There were with him his own Queen, and her Siſter the Counteſs of *Cornwal*, and there the Queen of *France* met them, with her other Siſter the Counteſs of *Anjou*; thither alſo came the old Counteſs of *Provence*, Mother to all theſe Ladies; and from thence they were conducted to *Paris*, where for eight Days they remained together with great Joy and Satisfaction, making mutual and magnificent Entertainments: After which time, the King of *France* brought King *Henry* one day's Journey towards the Sea-ſide, where they took their Leaves of each other with great Tenderneſs and Affection; but King *Lewis* at his departure ſaid thus to King *Henry*, ſighing, *O that the Peers of* France *and the Baronage of my Kingdom would give their Conſents, and then we might be inſeparable Friends!* King *Lewis* ſpoke this with reſpect to *Normandy* and thoſe other Territories, which his Nobility would not permit him to reſtore to the King, the right Owner, and which it ſeems troubled the Conſcience of this pious Prince.

[2] *Id* p. 898, 899, 900. Where he is met at *Chartres*, by the K. and Q. of *France*, &c.

The K. arrives at *Paris*, and is there magnificently entertained by K. *Lewis*.

K. *Henry* takes his Leave of K. *Lewis* with great Tenderneſs.

Anno Dom. MCCLV.

[3] *Id.* p. 901. K. *Henry* wanting a Wind, keeps his *Chriſtmas* at *Boloigne*, and then paſſes over into *England*.

[3] When the King of *England* came to *Boloigne*, he found the Wind contrary to him, ſo that he was forced to ſtay there on *Chriſtmas*-Day (bein *Friday*,) and on *Sunday* following the Wind ſtood fair, and he then going on board landed at *Dover*, where his Brother *Richard* Earl of *Cornwal* met him, with many of the Nobility of *England*, as alſo of the Biſhops, Abbots, and Priors, all making him Noble Preſents in Gold and Silver, which went towards the Payment of his Debts; but they were now ſo great, that all this, and ſeveral times as much more would not have ſufficied to diſcharge them.

[4] *Id. ib.* The *Londoners* make the K. a Preſent of 100 *l.*

[4] So ſoon as the King came to Town, the *Londoners* ſent certain Perſons to congratulate his Return, with the Sum of One hundred Pounds, which being no more than was uſual on ſuch Occaſions, was now looked upon as a Debt; and the King was ſo far from thanking them for it, that he openly declared they had given him nothing but his due; but if they would merit his Thanks, they muſt make him ſome richer Preſent. [5] Whereupon the Citi-

[5] *Id.* p. 902. But the King not ſatisfied therewith,

zens

zens came again with a rich Piece of Plate exquisitely wrought, which being presented to him, he seemed to receive it kindly. *Anno Dom.* MCCLV. they present him with a rich Piece of Plate.

[1] Yet could not all this obtain his Favour; for a certain Clerk being accused of murthering an outlandish Prior (who pretended to be related to the Queen) was clapt into *Newgate*, from whence a little after he made his escape; whereupon the City was prosecuted for its neglect; and though the Citizens pleaded that the Prisoner was not properly theirs, but the Bishop of *London's*, who had seized him as a Clerk, and kept him there in Prison, because he had no Gaol of his own, and they were the Bishop's Servants that suffered him to escape; yet all this signified nothing, for the City was amerced in no less than Three thousand Marks; and though they alledged their Charters and their Loyalty to the King, yet they were forced to pay dearly for this supposed Offence; nay, the King being incensed that they did not presently pay it down, commanded some of the Chief Citizens to be seized, and clapt into Prison; and in *Lent* following he demanded from the *Jews* no less than Eighteen thousand Marks upon pain of Death, which when they heard, they pleaded their Poverty, and desired Leave to depart the Kingdom; but the King pleaded his own Poverty and great Debts, which amounted to more than One hundred and fifty thousand Marks: After this, he sold or assigned over the *Jews* to his Brother Earl *Richard*; but notwithstanding he made great Advantage of them, yet he used them mercifully in comparison of the King.

[1] *Id. ib.* A certain Clerk being put in *Newgate* upon suspicion of murthering a Prior, and escaping, The City is fined 3000 Marks.

The *Jews* desire leave to depart the Kingdom; but the K. assigned 'em over to his Brother Earl *Richard*.

[2] About the same time, *viz.* Fifteen days after *Easter*, all the Nobility of *England*, as well Ecclesiasticks as Seculars, met at *London*, so that there had not been seen for a long time before such a numerous Assembly; then the King acquainted them with his great Debts, and let them know that without their Assistance he could not discharge them, and therefore earnestly requested an Aid sufficient for that purpose: Whereupon they grew querulous, ripping up the old Grievances of how much Money they had paid for the Confirmation of their Charters, which had been so often sworn to by the King. Wherefore to pacifie them, he immediately caused these Charters to be proclaimed a-new in all Counties; but yet for all that, he did not himself strictly observe them. Then they demanded that the Justitiary, Chancellor, and Treasurer might be chosen by the Common Council of the Kingdom, as it had been anciently used and accustomed; and likewise that they might not, unless upon some notorious Fault, be removed, without the said Common Consent; which the King not granting, they [3] unanimously declared that the Business should be deferred till *Michaelmas* following; and thus the Council broke up.

[2] *Id.* p. 904. The Nobility meet at *London*, where the K. acquaints them with his great Debts.

But they rip up their old Grievances: Whereupon the K. causes the Great Charters to be again proclaimed.

But upon new Demands, the Business is put off till *Michaelmas*.

[3] *Id. ib.*

As to Foreign Affairs, [4] this Summer the new Pope, *Alexander* the *Fourth*, followed the Steps of his Predecessor *Innocent* lately deceased, in prosecuting the War in *Sicily* and *Apulia*; and therefore sent Cardinal *Octavian* his General with an Army of 60000 Men to destroy the City of *Nocera*, and King *Manfred* that was then in it; who upon their approach, marched with a great Body of Men out against them, and utterly defeated *Octavian* and the remainder of the Pope's Army,

[4] *Id.* p. 906. Pope *Alexander* prosecutes the War in *Apulia*; but his Legate is there defeated.

Anno Dom. MCCLV.

Army, moſt of which were ſent away before, through the Treachery of the General.

The News of this Defeat put the Pope into great Confuſion, becauſe he had promiſed *Sicily* and *Apulia* to the King of *England*, who (as the Writers of this time report) had paid this Army for the uſe of his Son *Edmund*, to whom the Pope had ſent a Ring of Inveſtiture by the Biſhop of *Bononia*, then upon his Journey towards *England*: And here our Author (and that juſtly enough) falls into a great Exclamation againſt the Ambition and Covetouſneſs of the *Roman* See.

The Pope had ſent *Edmund* the K.'s Son a Ring in token of his Inveſtiture of *Sicily*.

[5] *M.* p. 908. The Complaint of the Q. of *Scots*'s hard uſage, the K goes to *Edinburgh* to viſit her.

[5] The King having received many Complaints from his Daughter the Queen of *Scots*, of her hard Uſage from that Nation, went to *Edinburgh* to viſit her; and when he came upon the Borders of *Scotland*, ſent before him *Richard* Earl of *Gloucester* and *John Mauſel* his Clerk, to ſee how things ſtood, and to enquire and examine whether the Complaints ſhe made of Sir *Robert de Roſs* and Sir *John Baliol* (for theſe with others had been appointed Governours of the King, Queen, and Kingdom) were true, for they were accuſed of keeping the Queen like a Priſoner, and that the King was not permitted to enjoy her Embraces. Upon their arrival *Robert de Roſs* withdrew himſelf, but afterwards appeared, and with *John Baliol* ſubmitted to a Fine for their Miſcarriages: Then the King and Queen came together again, and being put into ſuch a Condition as they liked, King *Henry* took his Leave of them, and returned into *England*.

[1] *Id.* p. 910. *An. Burton*, p. 348. *Peter* Bp. of *Hereford* finds out a very knaviſh Invention to help the K. to Money.

[1] About this time *Peter Equeblanch* Biſhop of *Hereford* (a Foreigner) obſerving the King uneaſie, by reaſon of his great want of Money, found out a new, but knaviſh Invention for a Supply, with which he acquainted him; and then by his Order went to *Rome* toward the end of Summer (having *Robert Walleran* a Knight joined in Commiſſion with him) to perfect this Project, where he found the Pope very *Melancholy* for the great Debts he had contracted, which yet he ſaid the King of *England* was obliged to diſcharge under the pain of being *Diſinherited* and turned out of his Kingdom: The Biſhop obſerving the ill Poſture of the Pope's Affairs, comforted him with a Way he had found out to help him; and by the Aſſiſtance of ſome Cardinals (whoſe Advice he followed to bring about the Deſigns of his Predeceſſor) the Biſhop obtained from him what he pleaſed. Now his Project was, to produce certain forged Obligations under the Seals of as many Biſhops, Abbots, and Priors, as he pleaſed, in the Sum of Five, Six, or Seven hundred Marks a-piece, or more [2] to this or that *Sienna* or *Florentine* Merchant (or Uſurer) as if it were for Money really borrowed of them, and expended at *Rome* about the Affairs of their particular Churches; which Cheat was alſo confirmed by the Pope's Breve to the ſaid Biſhop (who took upon him as Agent for the Biſhops and Abbots) as is to be ſeen in our Author at large. This Grievance, *Matth. Paris* tells us, exceeded all that ever went before it, and afterwards involved many Prelates in great Loſſes and Troubles, as in due time ſhall be declared.

[2] *M. P.* 111.

[3] Some

[3] Some time after *Michaelmas*, the Lady *Elianor*, Daughter to the King of *Caſtile*, and Wife to Prince *Edward*, arrived in *England*, and was received by the *Londoners* with great Pomp; her Lodgings were immediately furniſhed with Hangings and Foot-Carpets after the *Spaniſh* Faſhion: This ſeemed very ſtrange and ſuperfluous to the *Engliſh*, who were not accuſtomed to ſuch State and Magnificence; and the Great Honours paid the *Spaniards* were very ungrateful to the Natives: But Prince *Edward* himſelf did not come over into *England* till the end of *November*. *Anno Dom.* MCCLV.

[3] *Id.* p. 914. *Elianor*, Wife to Pr. *Edward*, arrives in *England*, and is received with great Pomp.

[4] About the Feaſt of St. *Edward* (or Thirteenth of *October*) the Biſhop of *Bononia* arrived, and brought the Ring with him which the Pope had ſent *Edmund* the King's Son, by which in a numerous Aſſembly of Great Men, the Legate ſolemnly Inveſted him with the Kingdom of *Sicily* and *Apulia*; at this the King was as much pleaſed as if he had then received the Homages of the *Sicilians* and *Apulians* themſelves, or had been poſſeſſed of their Caſtles and Cities.

[4] *Id.* p. 911. Upon the arrival of the Bp. of *Bonnia*, with a Ring, *Edmund* the K.'s Son is ſolemnly inveſted with the Kindoms of *Sicily* and *Apulia*.

[5] About this time alſo Pope *Alexander* ſent Mr. *Ruſtand*, a *Gaſcoign* and Canon-Lawyer, and one of his Sub-Deacons, into *England*, giving him, the Archbiſhop of *Canterbury*, and the Biſhop of *Hereford*, Power to gather a Tenth in *England* and *Ireland*, to the uſe of the Pope or King, indifferently, Notwithſtanding any former Bulls or Indulgences, in any Town, or for what cauſe ſoever granted to the contrary: He alſo gave them Power to abſolve the King from his Vow of undertaking the Expedition into the *Holy Land*; provided that he would make another into *Apulia*, againſt *Manfred*, a profeſſed Enemy to the Church of *Rome*. To this the King ſhould be ſworn by the Biſhop of *Bononia*; and the better to draw him on, the Pope gave him all the Moneys in *England*, which were to be collected toward the Maintenance of the intended Expedition to the *Holy Land*. Thus did not the Pope at that time ſtick at any thing (right or wrong) that might advance his own Intereſt and Grandeur.

[5] The Pope ſends over a Legate to collect a Tenth from the Clergy in *England* and *Ireland*; With Power alſo to diſpence with the K.'s Vow for the *Holy Land*.

[1] Upon the Feaſt of St. *Luke* (or Eighteenth of *October*) almoſt all the Great Men of *England* met at *Weſtminſter* in Parliament, where the King earneſtly preſſed his Brother, Earl *Richard*, for ſome Supply of Money, to whom the Pope alſo wrote, deſiring him to lend his Brother Forty thouſand (whether Marks or Pounds is uncertain) that he might ſhew a good Example to others; but this Politick Earl was not to be prevailed upon, either by the Intreaties of the Pope, or the Importunities of the King, becauſe he had undertaken this *Apulian* Expedition without his Advice, being wheedled into it by the ſly Inſinuations of the crafty *Italians*, and againſt the Aſſent of the Baronage of the Kingdom, divers of whom being moved about the ſame matter, replied, That they had not been all ſummoned according to the Tenour of the Great Charter; and there they would then make no Anſwer, nor grant any Aid without their other Peers, who were abſent; ſo this Parliament, after many needleſs Delays, was continued a Month longer, while the Great Men emptied their Purſes at *London*; and then returned home without doing any thing conſiderable.

[1] *Id. ib.* The Parliament meets again at *Weſtminſter*, where the K. preſſes his Brother E. *Richard* to give or lend him a Supply. Which the Earl poſitively refuſes; As do alſo many of the Barons, who make Excuſes to gain time, till at laſt the Parliament is diſſolved.

[2] This

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[2] Dr. P's Chron. A great Quarrel among the Princes of *Wales*, and on what occasion.

[2] This Year affords little of Foreign Affairs, only there arose a great Quarrel between the Princes of *Wales*; for *Owen*, the Elder Brother, could not be content with half the Principality, but got his Younger Brother *David* to join with him, and they two levied a great Army, with a design to disinherit *Llewellyn*; but he with his Men met them in the Field, and after a long and sharp Fight gave them an entire Defeat, took both of them Prisoners, and then seized all their Lands, enjoying alone the whole Principality of *Wales*.

[3] M. P. p. 912. A barbarous Action of the *Jews* at *Lincoln*, who Crucify'd a Boy.

Before I conclude this Year, I cannot omit a barbarous piece of Cruelty related by our [3] Author, concerning the *Jews*, which does in great part justifie the Government's severe treatment of them, provided it were true, as perhaps there may be too much grounds to believe it: He relates that about the end of *June*, the *Jews* at *Lincoln* stole a little Boy, named *Hugh*, of about Eight Years of Age, and after they had kept him up for some time, they in reproach to our Saviour Crucified him in a great Assembly of theirs from all Parts of *England*, having first tormented, and done all those opprobrious things to him, that we read were done to *Jesus Christ* himself, and that when he was dead, they flung the Body into a Well, where the Mother of the Child (going into a *Jew*'s House to search for him) discovered him by chance; whereupon the *Jew* that own'd the House being taken, confessed the whole Matter, and further, That almost every Year they did Sacrifice a Child in like manner; This being discovered to *John de Lexington*, a Discreet and Learned Man in the Laws, he promised the *Jew* his Life to make it out; but when the King heard of it, he was very much displeased at it, and would not give him his Pardon; so that not only the Discoverer, but also near an Hundred other *Jews* were condemned, (as they well deserved) for having a Hand in so barbarous a Murther, though most of them were afterward pardoned by the Intercession of the *Friers Minors*.

[4] *Id.* p. 905. *Walter de Gray* A B. of *York*, deceases.

And *Sewal* succeeds him.

As [4] for Ecclesiastical Affairs, there happened none this Year, but what have been already mentioned, except the Death of *Walter de Gray*, Archbishop of *York*, a Person of great Prudence and Integrity; he held the See near Forty Years, and was succeeded by one *Sewal*, Dean of that Church, a modest and pious Person, tho' he sate in it but a short time.

[5] *Id.* p. 918. The Author's Representation of the sad Condition of the Church in those Times.

[5] Our Author concludes this Year with an Account of the sad State of the Church of *England* during these Times, when the Pope and the King combining together, and dividing the Spoil, peel'd the poor Clergy at their Pleasure, none daring upon pain of *Excommunication* to oppose them: In the mean time, the King stood obliged to the Pope in near Two hundred thousand Marks, and the Bishops and other Prelates in Fifty thousand, though without their own Knowledge or Consent. *Matt. Paris* here also sets forth the horrid Abuses and Grievances, that then abounded both in Church and State, in these Words: 'The Sacred Privileges of Churches 'now signifie nothing, and though the Pope hath a Power only for 'Edification, and not for Destruction, (as *Robert* Bishop of *Lincoln* 'has observed) yet the Tax upon the Clergy, which was granted

'at

at first but for Three is now changed into Five Years, and formerly Laymen paid Tythes to the Clergy; but now even the Prelates were compell'd to pay Tenths to the Layety; an Aid was granted in succour of the *Holy-Land*, and (we the Clergy) are compell'd to pay it, to fight against the *Christians* in *Apulia*; a Tenth was also granted by us to the King for the observation of the Great Charter, which notwithstanding is not kept; besides many other Grievances then done to the Clergy and Church of *England*, by the Pope's means, though with the Privity and Connivance of the King himself, too long to be here repeated: Which though omitted by Dr. *Brady*, yet we may from hence observe the sad Condition of the People, where the Prince, instead of defending them, gives them up for a Prey to a Foreign Power.

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This being the Fortieth Year of the King's Reign, [1] he kept his *Christmas* at *Winchester*, where his Half-Brother, the Bishop Elect of that City, entertained him at his own Charges; but when the King would have interceded with him for the Monks of that Church, whom he then cruelly oppressed, all the Answer he could get of him, was, That so long as he had any Money, he would not stick to bestow it at *Rome*, till he had got his Will of these Obstinate and Stubborn Monks.

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[1] *Id.* p. 919. The K. keeps his *Christmas* with his Brother the Bp. Elect of *Winchester*, but yet can obtain no favour for the Monks of that Church.

[2] There were at this time likewise, great Complaints made by the Merchants of *Gascoigny*, against the King's Officers for taking away their Wines without paying for it; and Prince *Edward* (on whom that Countrey was now settled) declaring he would no longer suffer such Abuses, the King was very angry at it, and said, *The Days of King* Henry the Second *were returned, when the Sons Rebelled against their Fathers*; yet at last, taking better Advice, he passed it over, and promised to make Satisfaction for those Injuries; however, the Prince looked to himself, and encreasing his Retinue, rid abroad with Two hundred Horse, as his *Garde du Corps* in his Train.

[2] *Id. ib.* Great complaints of the Merchants of *Gascoigny*, and Pr. *Edward* himself declares against it. Upon which the King is highly incensed.

[3] During the *Christmas*-Holidays, (*viz.* on the Thirtieth of *December*) the Sun was Eclipsed, which was here but in part, though in *Spain* it was almost quite dark'ned.

[3] *Id.* p. 920. An Eclipse of the Sun.

[4] On the Feast of St. *Hilary*, the Bishops and Archdeacons met again at *London*, where they were much pressed to give an Answer to Master *Rustand* the Pope's Nuncio, (or rather the King's Agent) to whom, upon his urging *that all Churches belonged to the Pope*, Master *Leonard*, (already mentioned) as Deputy or Prolocutor for the whole Clergy, return'd this Wise and Modest Reply, 'That 'they did so indeed, but it was on this Account only, that he 'should defend them, and not appropriate them to his own Use, 'and that this was the Intention of their Founders, according as 'we say also, when we affirm, That all things are the King's; yet 'we still mean it is to Protect, and not to waste and destroy them;' which Answer the Nuncio being very much nettled, he bid every

[4] *Id. ib.* The Clergy meet again at *London* to give an Answer to the P's Nuncio. To whom Master *Leonard*, the Deputy for the Clergy, makes a wise and modest Answer.

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one ſpeak for himſelf, that the Pope might thereby know, as well as the King, who were for, and who againſt them in this Affair; at which they were all of them ſo aſtoniſhed, that they knew not what to anſwer, for it now appeared very plainly, that the Pope and the King had combin'd together to undo the Clergy, and therefore they appeal'd againſt theſe Demands.

[5] *Id. ib.* Yet the *Nuncio* would take no notice of it but falſly writ to the P. That the Prelates had own'd the Receipt of great Sums from *Italian* Merchants.

[5] Notwithſtanding all which, Maſter *Ruſtand* would not alter one tittle of what he had written in his Letter to the Pope, wherein was inſerted, That the Prelates had owned, they had received no ſmall Quantity of the aforeſaid Money from the *Italian* Merchants, which was known to all there to be falſe; and they affirmed, (not without reaſon) that it was better for them to ſuffer with St. *Thomas* the Martyr, (viz. *Thomas Becket*) than to endure his Oppreſſion any longer; but when the Nuncio ſaw how heinouſly all there took this Uſage, he became more moderate in his Temper, and diſſembling what he had done, only ſaid, That he would ſpeak further with the Pope about this Affair: However, they would not truſt him, but immediately diſpatched away the Dean of *St. Pauls*, and ſome others, to *Rome*, on the behalf of the Clergy, for they fear'd to be born-down by two ſuch Potent Adverſaries as the Pope and the King; and they were likewiſe afraid, that this being drawn into Example, might tend very much to the Prejudice of the Church of *England*.

[1] *Id. ib.* The Clergy agree that the Clauſe in *Mag. Chart.* which contained the freedom of Eccleſiaſtical Elections, ſhould be laid before the P.

[1] It was alſo about the ſame time agreed by the Clergy, That that Clauſe of King *John*'s *Magna Charta*, which concern'd the Freedom of Election of Churches, and had been then confirm'd by Pope *Innocent*, ſhould be now carried to *Rome*, but to what end ſerves all this [2] ſays our Author, when Whiſperers and Flatterers of Great Men pervert all things, and put a wrong Interpretation upon them? And all the Anſwer they can receive from the Pope and his Cardinals, is, *That we muſt not in theſe times offend Princes*; adding withall, That they muſt now diſſemble and paſs by many things; and ſo, by reaſon of this pretended Fear, Juſtice is ſeen very much to fail in that Court.

[2] *Id.* p. 921.

I have been the more Particular in relating all theſe Proceedings with the Clergy, as alſo our Author's Reflections upon them, that ſo the Reader may obſerve the great Corruption of the Court of *Rome* in thoſe Times; as alſo the ſlaviſh Subjection which the Clergy and People of *England* were then forced to undergo; and I hope they will not ſeem tedious, though Dr. *Brady* has thought fit to omit them.

[3] *Annal. de Burtin*, p. 371. Upon the Arrival of the Arch B. of *Meſſina* there is a great meeting of the Clergy and Laiety at *Weſtminſter*. Where the Buſineſs of *Sicily* is propoſed to them.

[3] Not long after which, (*viz.*) on the Firſt Sunday in *Lent*, the Archbiſhop of *Meſſina*, being lately arrived, and a Great Aſſembly of the Prelates, and Clergy, and Laiety, were then conven'd in the Chapter-Houſe at *Weſtminſter*, and there he propounded to them the Buſineſs of *Sicily*, for which he was lately

ſent

ſent over hither by the Pope, who endeavoured by his Letters, as his Legate did by his Perſuaſions, to induce them to join with the King in the proſecution of this Deſign: But after ſome Days of deliberation, the Clergy and Laiety drew up their Reaſons againſt it, and delivered them to the King and the Archbiſhop, both in *French* and *Latin*, as follows; *Anno Dom.* MCCLVI.

The Reaſons of the Great Men againſt the King's Expedition into Apulia.

Firſt, [4] The Diſtance of that Kingdom from *England*: Alſo the Paſſage through the Territories of Potent Princes that were Enemies to the King; as likewiſe the Poſſeſſion of *——— and other Places by the Enemy, which were Paſſes to other Parts of that Kingdom. [4] *Id. ib.* The Reaſons of the Great Men againſt the K's Expedition into *Italy*.

Item, The preſent Confirmation of a new Prince in that Kingdom.

Item, His Confederation and Amity with the Natives and Neighbours.

*Somewhat it here wanting in the Original.

Item, His Poſſeſſion of almoſt all the Cities, Caſtles and Fortreſſes.

Item, His great Revenue out of that Kingdom.

Item, The great Charge the King had been at, and as yet had received no Advantage by it, but rather Loſs.

Item, The vaſt and neceſſary Expences yet to come for the Payment of his Debts, for the length of the Voyage thither, and for the obtaining of which Kingdom all *England* would not ſuffice.

Item, The late Impoveriſhing of the Kingdom of *England*, by many and frequent *Iters*, or Circuits of Juſtices, by Extortions, and many ſorts of Tolts and other Oppreſſions.

Item, The ſmall ſtock of Money the King and his Son were furniſhed with for this Attempt, and the Poverty of the Inhabitants of *England*, both Clergy and Laiety.

Item, The Troubles of *Gaſcoigny*, *Ireland*, and *Scotland*.

Item, The Incurſions of the *Welſh*.

Item, The Diminution of the Power of *England*, in Council, Money, and Men, which was like to happen by *Richard* Earl of *Cornwall*'s ſudden leaving of it.

Item, The King of *France*, and the Great Men of the Neighbouring Nations, eſpecially ſuch as heretofore had Lands in *England*, would be encouraged to make attempts upon it, when, to carry on this Deſign upon *Sicily*, *England* was emptied of Men, Arms, Counſel, and Money.

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Item, We cannot, nor ought to agree, That the King take upon him the Burthen of this Expedition, leſt he may ſeem to have delivered himſelf into the hands of his Enemies by our conſent; neither can nor will we undertake the Burthen of the ſaid Affair with the King, for the Reaſons aforeſaid, and for the great Hazard and vaſt Expences, which we can never bear or overcome.

Laſtly, For the difficult and grievous Conditions impoſed upon the King, by his acceptance and firſt undertaking of this Buſineſs, by reaſon whereof, after infinite Charge and Labour he may eaſily be laid aſide, or loſe the Right of that Kingdom.

The King's Demands were as follow.

[5] *Id.* p. 374.

'WHereas [5] the King, by the Common Advice of the whole *Engliſh* Church, upon the Grant of the Kingdom of *Sicily* to his Son *Edmund*, had obliged himſelf to the Pope to pay all paſt and future Charges of acquiring that Kingdom; he now deſired that the whole Clergy and Laiety would become obliged for the entire Debt, or at leaſt for the Intereſt or Penalties thereof, to which he had bound himſelf. Alſo he demanded of the Clergy, that the Tenths of all their Benefices might be continued to him for Five Years, according to the new Taxations of the true extended Value, only neceſſary Expences deducted.

'Alſo he demanded the Firſt Year's Profits of all Benefices that ſhould become void, for Five Years: Alſo he required half the Benefices of Non-Reſidents: He likewiſe was asked the Profits of all Benefices of Priviledged Perſons (*viz.* ſuch as had *Sine-cures*, or had Diſpenſations for Church-Livings without performing any Service) except one Benefice, which the Priviledged Perſon might chooſe: Moreover, he deſired all uncertain Legacies, ſuch as were indiſtinctly given, without naming any particular Charity, and left to be diſpoſed of according to the Diſcretion of the Prieſt, Confeſſor, or Ordinary.

[1] *The*

Anno Dom. MCCLVI.

[1] *The Reaſons of the Biſhops and Clergy againſt the King's Demands, were theſe that follow.* [1] *Id. ib.*

'*Firſt*, The King's Demands ſeem not ſatisfactory, becauſe a great Sum of Money had been already unprofitably ſpent and utterly loſt: Alſo, we were not required to contribute to the Payment of that Money from the beginning, nor are we any ways bound for it; nor did the King contract or make this Bargain with the Pope, by our Conſent, either tacit or expreſs; nay, we knew nothing of it, and therefore we neither can, nor ought to be urged any further to carry on this Buſineſs.

'Alſo, when we have nothing but the Patrimony of Chriſt, (whoſe Stewards we are) that which by the Divine Law we are bound to give to the Poor, we cannot give to Kings, unleſs we mock God, and convert Eccleſiaſtical Goods to prohibited Uſes, which for no Reaſon we neither will, nor ought to do.

'Beſides, the whole Kingdom is not ſufficient to bear ſuch a Burthen, although Gold were as Dirt, eſpecially ſince the Kingdom of *Sicily* is Inexpugnable, and Inacceſſible to our Armies; and although we might have ſtipendiary and hired Soldiers of that Nation, yet their Faith may juſtly be ſuſpected: Alſo, if the *Engliſh* Militia ſhould be conducted to thoſe Parts, with as much Money as was neceſſary for them, we might yet fear the Neighbour-Kingdom would invade ours, and ſo both Kingdoms might be loſt, as well this in poſſeſſion, as that which is coveted; eſpecially when the King of the *Romans* that is to be, will carry a good part of our Militia with him.

'Alſo, we are ſenſible of the Inroads of the *Welſh*, and 'tis moſt neceſſary to defend our own Kingdom, rather than to expect to Conquer another: 'Tis ſaid likewiſe, That there is a Compoſition between the Church and *Manfred* concerning the Kingdom of *Sicily*, and all that belongs to it, as Publick Fame relates.

[2] Yet notwithſtanding all theſe ſubſtantial Reaſons, the Clergy being Canonically admoniſhed by *Ruſtand* the Nuncio, they at laſt tamely ſubmitted, and firmly promiſed to obey the Pope's Commands, which was to do what the King deſired, that ſo he might be furniſhed with Money to pay him his Demands, for what was expended towards the Reduction of *Sicily* and *Apulia*. For the Debt the Pope claimed of the King, beſides what Money he had already received of him, was One hundred and thirty five thouſand Marks Principal, and Five hundred and forty more for Intereſt; and this was

[2] *Rot. Cl. 40 H. 3. M. 13.* Yet notwithſtanding all theſe Reaſons, the Clergy ſubmit to the Pope's Demands.

Anno Dom. MCCLVI. was to be paid by *Michaelmas* then next coming; before which time alſo the King was either to come in Perſon, or elſe to ſend a General with competent Forces, otherwiſe the whole Contract, Bargain, and Grant, were void, if he deferred either his coming or ſending thither after that time: And not only ſo, but the King was to be, and remain *Excommunicated*, and his whole Kingdom put under *Eccleſiaſtical Interdict*. The fear of the Execution of which Sentence had ſuch an effect upon the King, that he prayed further time of the Pope for performance of the Contract. But yet notwithſtanding theſe Diſcouragements, and the hard Conditions impoſed upon him, he reſolved to proſecute this Enterpriſe, againſt the Senſe of his Great Counſil: All which Matters of Fact, is very evident from his Letters to divers of the Cardinals, which Dr. *Brady* has given us at large in his *Appendix* (Nº 185, 186.) from the Records in the *Tower* above cited.

[3] *Id.* p. 922. K. *Henry* ſends Ambaſſadors to the Eſtates of *France*, to demand his Rights in that Kingdom, but receives a flat denial.

But to give you ſome Account of Foreign Affairs: [3] About *Candlemas* this Year, the King of *France* held a General Aſſembly of the Eſtates, or Parliament (as our Author terms it) to which the King of *England* ſent his Ambaſſador, requiring his Rights beyond the Seas; for he was now reſolved to ſeem formidable to the *French*; but however he could receive nothing from them but a flat Denial: Yet Mr. *Manſel*, the King's Envoy, having lately had an account of the total Rout of the Papal Forces, thought it beſt to omit one part of his Errand, *viz.* to demand free Paſſage for the King of *England*, or his General, to march with an Army through *France* into *Italy*.

[4] *Id.* p. 923. King *Henry* Knights *Magnus* King of the *Iſle of Man*. A Proclamation that all Men worth 15 *l. per Ann.* ſhould be Knighted.

[4] At *Eaſter* King *Henry* Knighted *Magnus* King of the Iſle of *Man*, and beſtowed on him great Preſents at his Inauguration; and about the ſame time came out a Royal Edict, or Proclamation, whereby every one who held Fifteen Pounds *per Annum* in Land, ſhould take upon him the Order of Knighthood; and that thoſe who did not deſire it, or could not ſuſtain the Dignity as they ought, ſhould buy it off with Money.

[5] *Id.* p. 929. The Citizens of *London* are made to pay another Talliage of 500 Marks.

[5] Alſo this Year the Citizens of *London* were made to pay another Talliage of Five hundred Marks; theſe Talliages were under various Pretences, as ſometimes they were for the uſe of the King, ſometimes of the Queen, *&c.* Thus were they treated like Slaves, notwithſtanding all Liberties or Exemptions they had to the contrary.

[1] *Id.* p. 914. The Abbot and Convent of St. *Albans* receive Letters from the Pope, commanding them to pay 500 Marks to certain *Italian* Merchants, to whom he ſaid they were bound.

In purſuance of [1] the Biſhop of *Hereford*'s Contrivance of binding Abbeys, Monaſteries, Prelates, and Churches to foreign Merchants before mentioned, the Abbey and Convent of *St. Alban*'s, on *Palm-Sunday*, received Letters from the Pope, letting them underſtand, That they were to pay Five hundred Marks to certain *Italian* Merchants, to whom, he ſaid they were bound in that Sum within a Month, otherwiſe, after that time, they were to ſtand ſuſpended. This was the Tenour of thoſe Letters, whereas they did not know they were bound to any Man living. In like manner was it with other

other Monasteries that were also thrust under the Yoke of these Merchant-Usurers; and that the Exactors might more effectually extort the Money from them, they said it was for the King's Use, who was now preparing for his Voyage or Pilgrimage for the *Holy Land*, though it was not at all intended. *Anno Dom.* MCCLVI.

Then [2] Fifteen Days after *Easter*, the Bishops in great Perplexity met at *London*, to answer Mr. *Rustand*'s and the King's Demands: At first, by reason of their Disagreement, they were about to break up, and depart; but being encouraged by the Barons, they denied *Rustand*, and peremptorily told him, they would not contribute any thing to the King from their Baronies.

[2] *Id. ib.* The Bishops meet again at *London*, to return an Answer to the Pope's Nuncio; and being encouraged by the Barons, deny to contribute any thing to the King.

[3] In *August* the King and Queen of *Scots* came into *England*, and gave their Parents a Visit at *Woodstock*; from thence they went to *London* with a mighty Train, so that the Courts were constrained to take two different Roads, the Country being crowded with the great Numbers of the Nobility, Gentry, and their Retinues. On the Fifteenth of the same Month they came to *London*, where their Reception was Noble, and agreeable to their Expectations, it being expressed by all Demonstrations of Welcome in that City, and also at *Westminster*.

[3] *Id.* p. 930. The King and Queen of *Scots* arrive in *England*, and are nobly entertained.

To return to Ecclesiastical Affairs: [4] About this time also was sent over the Pope's Bull to *Rustand* his Nuncio (which our Author has given us at large) commanding him to collect and receive from some of the Monasteries of *England* the Sum of Two thousand Marks, which (he said) they had obliged themselves to pay to the Merchants of *Sienna* at the Pope's Command; and that in case of any delay or contradiction, he was to proceed against them by Ecclesiastical Censures, without any Appeal, and that notwithstanding any Apostolical Priviledges or Indulgences to the contrary.

[4] *Id.* p. 924. The Pope sends over his Bull to his Nuncio, commanding him to raise the Sum of 2000 Marks from divers Monasteries.

This Money was to be paid to certain *Florentine* Merchants there named, for maintaining the Garisons in the Kingdom of *Sicily*; but when the Prelates had heard how the Pope and the King had combined to oppress them, being ground as it were between two Mill-stones, they knew not which way to turn themselves, and so were forced quietly to submit to those Oppressions.

[5] But the Priors and Convents of *Durham* and of *Gisburn*, being thus forced to be bound in great Sums, were the only Abbeys that stood out against these cheating Obligations and unjust Suspensions, and *would not bow their Knees to Baal*; yet at last, having none to assist them, they also were compell'd to submit to the arbitrary Will of the *Roman* Court and its Merchant-Usurers, as well as the rest of the richer Monasteries.

[5] *Id.* p. 934. But the Priors of *Durham* and *Gisburn*, who had stood out against these cheating Obligations, are at last forced to submit to them.

[1] This

Anno Dom. MCCLVI.

[1] *Id.* p. 935. The K. comes into the Exchequer, and declares that all Sheriffs, that did not appear and bring in their Money presently after *Michaelmas*, should be grievously amerced.

[1] This Year, on the Ninth of *October*, the King came to the *Exchequer* while the Barons were sitting, and with his own Mouth declared, That every Sheriff that did not appear within eight Days after *Michaelmas*, and bring in his Money, as well Fee-Farm Rents as Amercements and other Debts, should be amerced the First day Five Marks, the Second day Ten, the Third day Fifteen Marks, and the Fourth day to be more grievously fined, if they continued refractory, and would not appear: And he also declared the same thing against all Cities that had Liberties, and were to answer at the *Exchequer* by their own Bailiffs; so that the Fourth day they were to lose their Liberties, if they appeared not as well as the Sheriffs. Thus all the Sheriffs of *England* were Amerced each Five Marks, because they did not distrain every one that had Fifteen Pounds a Year in their several Counties, to come up and be knighted; but they obtained some longer time, and so the King sent his Writs to them accordingly.

[2] *Id.* p. 936. The Bp. of *Ely* deceasing, the K. recommends the Keeper of his Seal; but he being refused by the Convent, and another chosen, it highly provokes the K.

[2] The Bishop of *Ely* being dead, the King by his Letters recommended *Henry de Wengham*, Keeper of his Seal, to the Election of that Convent, and sent special Messengers to that purpose; but the Convent would not comply with his Request, but chose *Hugh de Balsham*, their Prior, Bishop. This so exasperated the King that he would not accept of him, but ordered *John Walleran* (to whom he had committed the Custody of that Bishoprick) to cut down the Woods, and sell the Stock upon their Lands.

[3] *Id. Ib.* The Pope's Usurers cause the Abbey of *St. Albans* to be put under an *Interdict*.

[3] But the Pope's Exactors or Usurers fell most severely upon the Monastery of *St. Alban's*; for about the Feast of *Simon* and *Jude* (i. e. the Eight and twentieth of *October*) it was put under an *Interdict* for Fifteen days, not that it wanted great Privileges, but that the detestable Addition of a *Non-obstante*, annulled all those Pious Concessions of former Popes; therefore the Convent rather chose to comply with an unjust and violent Sentence, than to be guilty of a Contempt.

[4] *Id.* p. 937. The *Welsh* being extremely oppressed, take Arms in their own Defence.

[4] The *Welsh*, having been extreamly oppressed, and the Government of their Country sold to such as would give most for it, and being at length harrassed beyond measure by Sir *Geoffrey de Langley*, the King's Receiver and Assessor of his Taxes, about the Feast of *All-Saints*, took up Arms for the Defence of their Country and Laws, and Invading the *English* Borders, destroyed the Tenants of Prince *Edward*, whom as yet they had not acknowledged for their Lord; whereupon, the Prince having no ready Money, borrowed four thousand Marks of his Uncle Earl *Richard*, to raise sufficient Forces to suppress their Incursions, and enter their Country in order to make Reprisals; but the whole Winter was so Wet and Stormy, and the Places whither the *Welsh* had retired, were so Boggy and Impassable, that the *English* durst not attempt them, so that this Expedition proved ineffectual, and the Prince's Expences in vain: Our Author also here gives us but a bad Account of the Carriage of this

Pr. *Edward* raises an Army to hinder their Incursions, but to no purpose.

his young Prince and thoſe of his Retinue, that even Prince *Lewis*, the Invader of *England*, never brought over greater Plunderers: And the Monk tells us one Prank of this Prince, which made the People have no great hopes of him, which was, That as he was riding along the Road, he cauſed his Men to cut off one Ear, and put out one Eye of a certain young Gentleman he met with, but upon what Provocation or Affront the Prince uſed him ſo barbarouſly, our Author does not acquaint us. *Anno Dom.* MCCLVI. A bad Account of this Prince his Youthful Pranks.

[5] About this time the King forbad the Chancellor to iſſue out any Writs that might prove prejudicial to his Brother Earl *Richard*, as to *Richard* Earl of *Gloceſter*, *Peter* of *Savoy*, or any of the King's Half-Brothers, which (ſays our Monk) *was contrary to the Law and Peace of the Kingdom*: Alſo the King about the ſame time, (being neceſſitated for Money) forced ſuch whom he thought fit, to be made Knights, or elſe to Fine off, and ſo be excuſed; He likewiſe cauſed all ſuch as neglected their Suits to his Courts to be ſeverely amerced, and taxed all Lands that held in Serjeanty; And ordered Inquiry to be made into Liquid Meaſures of Wine, Ale, and Dry Meaſures of Grain, as Gallons and Buſhels, as alſo into Weights, and grievouſly puniſhed (even above their deſerts) all thoſe whoſe Meaſures and Weights did not anſwer the Standard; by which means he raiſed a great Sum of Money, but leſſen'd the Affections both of the Clergy and Laiety towards him; and yet for all theſe Courſes he could not retrieve himſelf from extream Poverty, for he had borrowed ſo much Money of the Pope's Merchant-Uſurers, for the Promotion of his Son *Edmund* to the Kingdom of *Sicily*, that the Intereſt and Forbearance of it, amounted to a Hundred Pounds a Day; into ſo deplorable a Condition had this poor Prince now plung'd himſelf, through his too much credulity on the Pope's ſpecious Promiſes.

[5] *Id. ib.* The K forbids his Chancellor to iſſue out any Writs againſt his Brothers, and ſeveral other Great Men, contrary to Law. And cauſes all that were qualified to take their Knighthood, or to Fine off. And enquires into the faults of Meaſures, *&c.* And thereby raiſes much Money; yet all could not reſcue him from extreme Poverty.

As for the reſt of the Eccleſiaſtical Affairs of this Year, *Matt. Weſtminſter* takes notice of what *Matt. Paris* has omitted, *viz.* That at the end of this laſt Parliament the Sentence of *Excommunication* was afreſh renewed againſt all Tranſgreſſors of *Magna Charta*, and that of *Foreſts*, the form of which he has there given us at large, but needs not to be here repeated; only the Reader may obſerve, it was pronounced by Archbiſhop *Boniface* in the Great Hall at *Weſtminſter*, in the Preſence of the King, his Brother the Earl of *Cornwall*, and divers other Earls and Biſhops of the Kingdom, all holding Tapers in their Hands: But tho' the exact time of this Action is not mentioned in our Author, yet I thought fit to take notice of it, becauſe this as well as the precedent Tranſactions (though very conſiderable) are omitted by Dr. *Brady* in his Hiſtory. Sentence of *Excommunication* was again paſſed upon all Infringers of the Great Charters.

Anno Dom. MCCLVII.

[1] This Year the King kept his *Chriſtmas* at *London*, where came to him ſeveral of the Princes of *Germany*, who declared, that *Richard* Earl of *Cornwall*, was rightfully choſen by unanimous conſent King of *Almain*, or the *Romans*, in the room of *William* Earl of *Holland*, who [1] *M. P.* p. 919. Several *German* Princes declare E. *Richard* Elected King of the *Romans*.

Anno Dom. MCCLVII. who had been killed not long before in a Skirmish with the *Frisons*. The Earl at first was unwilling to accept of this Dignity, being dis-heartned by the ill Success of the two former Princes, who bore that Title; but being prevail'd upon by the King and his Half-Brother, the Bishop Elect of *Winchester*, he at last consented to take that high Honour, not, (as he himself at that time declared) 'out of any Ambition or Covetousness, but purely to Reform that 'Kingdom, and bring it into a better State and Condition: With which the *German* Ambassadors being very well satisfied, they return'd home to give an Account of their Message to those that sent them.

The E. is with some difficulty persuaded to accept of that Honour.

[2] In *Mid-lent* there was held a great Parliament at *Westminster*, to which by the King's command came the Masters of the University of *Oxford*, that so there might be a Reconciliation made between them and the Bishop of *Lincoln*, who then troubled that University, and went about to invade their Privileges, of which the said Masters had already complain'd to the King, as he went lately on Pilgrimage to *St. Alban*'s Shrine: There appeared also at this Parliament Earl *Richard*, King Elect of the *Romans*, who then came to take his leave of the **Representative* Body of *England*, for almost the whole Nobility of the Realm were there present; yet did not they at that time know the Claim the King of *Castile* made to that Kingdom, tho' he asserted, That he himself was *Prior* Elected thereunto. There was at this time so great a Multitude in *London*, that the City could scarce contain them.

[1] *Id.* p. 946. A great Parliament at *Westminster*, where the Masters of the University of *Oxford* attend, and for what purpose.

**Universitas.*

[3] To this Parliament the King brought his Son *Edmund*, dressed in an *Apulian* Habit; and having shewed him to them all, he said thus, 'See, ye Faithful Subjects, my Son *Edmund*, whom 'the Lord of his Grace has freely called to the Royal Dignity; 'wherefore it is manifest, how worthy he is of all Men's Favours, 'and how Inhumane it would be in any one to deny him a powerful Assistance in this Juncture of Time; and then farther affirm'd, 'That by the Favour and Consent of the Church of *England*, he 'had obliged himself to the Pope, under pain of losing his Kingdom, for the Payment of One hundred and forty thousand Marks, 'Principal Money, besides Interest, which daily increased; And 'for the Discharge of this, he demanded the Tenths of the whole 'Beneficed Clergy for Five Years, according to the New Valuation, 'without any Deduction or Allowance, even for necessary Expences. At the hearing of this high Demand, all Men's Ears began to tingle, and they stood amazed, especially when they found that this Tyranny had taken its rise from the Pope himself: But at length, when neither Excuses nor Intreaties would prevail, they granted the King an Aid of Fifty thousand Marks towards his urgent Necessities; but upon this Condition, that he should for the future inviolably observe that Capital *Charter*, which had been so often promised, and so often paid for; but the King, not thinking this Sum sufficient for his Design, refused to accept it.

[3] *Id. ib.* The K. presents his Son *Edmund* to the Parliament, and makes a Speech to them to Assist him.

And demands the Tenths of all the Beneficed Clergy, for five Years.

The Parliament with much ado grant the K. an Aid of Fifty thousand Marks.

Then

Then (according to the Annals of [4] *Burton*) Fifteen days after *Easter*, the King held another Parliament at *Westminster*, to treat again of the Business of *Apulia* or *Sicily*, in which the Archbishop of *Messina*, the Pope's new Legate, was present; and then and there the King received the same Answer from the Clergy and Laiety, as he had done before, which here seems to be a flat denial, and is contrary to what *Matt. Paris* has already related; But I think he deserves more credit.

Anno Dom. MCCLVII.

[4] P. 376.

[5] So soon as this Parliament was dissolved, there arrived the Archbishop of *Cologne*, with some other Bishops, besides a certain *German* Duke, not named, who all came over to encourage Earl *Richard* to accept the Kingdom of *Almain*, as an Earnest of the *Roman* Empire, and that he might be received without any Contradiction; yet they cunningly conceal'd the Election of *Alphonso* King of *Castile*, by some of the Electors; though indeed it is a wonder how a thing so notorious as that was, could be hid from any Body, and especially that the Earl of *Gloceſter* and Mr. *Mansel*, who were lately return'd out of *Germany*, should hear nothing of it; However, Earl *Richard* was so well satisfied with the good Words that were given him, that he presented the Archbishop with a very rich Mitre; which was so acceptably received by him, that he thereupon promised to Crown him King of *Germany*; which our Author says he mentions, to shew Posterity how Strangers then imposed upon the *English* Simplicity.

[5] *Id.* p. 947. The A. B. of *Cologne* and several other Bishops, come over to encourage E. *Richard* to accept of the Kingdom of *Almain*.

And it was chiefly for this Prince's great Wealth that these *German* Princes then Elected him King; He being able, as [1] *Mat. Paris* relates, to spend a Hundred Marks a day for Ten years together, not accounting the Revenues he received from *England* and *Germany*.

[1] *Id.* p. 941.

[2] Not long after *Easter* the new King Elect, having received the Homages of the Archbishop of *Cologne*, and the other *Noblemen* that came with him, went towards the Sea-side, and having stayed a good while there for a Wind, at last he took Shipping with all his Retinue, on the *Sunday* after St. *Mark*'s Day, and upon *Tuesday* following, (being the First of *May*) he Landed at *Dort*, from whence on *Ascension*-Day he came to *Aken*, (or *Aix-la-Chapelle*, as we now commonly call it) and on the same Day was Crown'd King, and his Countess Queen of the *Romans*, with great Splendour and Magnificence, in the Presence of the Archbishops of *Cologne* and *Mentz*, and many Earls, Barons, and Noblemen; and he was placed in the Throne of *Charles* the *Great*, with the usual Solemnity; yet the Archbishop of *Treves*, with several other Princes were not there, having before opposed Earl *Richard*'s Election.

[3] *Id.* p. 984.

The K. Elect goes for *Germany*.

He, together with his Qu. is Crown'd at *Aken*, with great Splendour.

But to return to Domestick Affairs: This Year, (according to the MS Chronicle of the City of *London*) the King Coined a Penny of Pure Gold of the Weight of * Two *Sterlings*, and commanded that it should go for Twenty Shillings. This I take notice of, as being

The K. coins a Penny of Gold, of the Value of Twenty Shillings.

* *Duorum Sterlingorum.*

Anno Dom. MCCLVII.

the first Piece of Gold I can find, that had been Coined in *England*.

[3] *Id.* p. 949. The *Welsh* having invaded the *English* Borders, force Pr. *Edward* to a Retreat.

[3] The *Welsh* having this Year plundered and burnt the *English* Borders, and killed the Inhabitants, and forced Prince *Edward* and his Army (who had invaded them) to retreat, they remained Victorious in those Parts; nor would Prince *Llewellyn* desist from this Enterprise, though he was entreated by a Letter from the new King *Richard*, to cease making any further hostile Incursions to disturb the Peace of the Kingdom: But about the Two and Twentieth of *July*, the King being highly provoked by these Invasions, marched himself into *Wales*, with his whole Military Tenants, whom he had now Summoned by Writ, to suppress their Incursions; but they having notice of his coming, fled into the farthest Recesses of their Countrey, to wit, *Snowdun*, and other Mountainous and inaccessible Places, carrying with them their Wives and Children, and driving all their Cattel thither: yet before their departure they ploughed up their Meadows, destroyed their Mills, brake down their Bridges, and digged Pits in their Fords to make them unpassable; [4] and at length they Confederating with those of *South-Wales*, by the Treachery of *Griffin de Brun*, (a *Welsh* Nobleman, who then Served the King) made an Assault upon one Part of the Royal Army, and routed it; then the King with the residue of his Forces marched back towards *Chester*, and burnt all the Corn in the Borders thereabouts; [5] whereupon the *Welsh* offer'd to submit, so that they might enjoy their antient Laws and Liberties, and not be subject to Prince *Edward*, nor any but the King himself, but he then refused the Terms; yet towards Winter he was forced to make a shameful Retreat into *England*, having spent much Treasure, and done nothing that was considerable.

Whereupon the King himself with all his Military Force marches into *Wales*.

[4] *Id.* p. 953. They Confederate with the *South-Welsh*-Men, rout part of the King's Army.

[5] *Id.* p. 954. The *Welsh* offer to submit, but are refused.

Whereupon, the K. is forc'd to return into *England*.

[1] *Id.* p. 957. The bad success of several small Expeditions against them.

[1] Nor had the *English* any better success in some private Expeditions against the *Welsh*, that were made after the King's departure. When a Nobleman, called *James de Audeley*, (who had Castles and Lands in the Borders of *Wales*, which during his absence in *Germany* the *Welsh* had burnt and destroyed) resolved to be revenged of them, and to that end made an Incursion into their Territories, though very Unfortunately, for they sallying out of their private Recesses, fell upon the *English*, and routing them, drove them out of their Countrey: thus they and the *English* mutually wasting each other's Territories, it not only broke off all Commerce between the two Nations, but also reduced all the Borders of *Wales* to a perfect Desart.

[2] *Id.* p. 956. The Bp. Elect of *Ely*, and Abbot of St. *Edmunds-Bury*, return from *Rome*, having spent a great deal of Money.

[2] As for Ecclesiastical Affairs, about the same time this Year, the Bishop-Elect of *Ely*, and the Abbot of *St. Edmunds-Bury* had their Elections confirm'd at *Rome*, where they had spent, given, and promised vast Sums of Money for obtaining their Rights, by

which our Author (I ſuppoſe) means their Confirmations, for there had been lately a new Law made by the Pope, that every Elect (whether Biſhop, Abbot, or Prior) ſhould come thither and compound for this Confirmation, which (as our Author ſhews) proved highly burthenſome and inconvenient to the Church. *Anno Dom.* MCCLVII.

[3] And as for Foreign Affairs, not long after this, the Biſhop of *Worceſter*, the Biſhop Elect of *Wincheſter*, the Abbot of *Weſtminſter*, the Earl of *Leiceſter*, *Hugh Bigot*, the Earl-Mareſchal, *Peter* of *Savoy*, and *Robert Waleran*, were ſent to the King of *France*, to demand the Reſtitution of K. *Henry*'s Rights in *Normandy*, and the other Parts of *France*; but returned *re infecta*, as you will find by and by; for the King of *France* had already ſo well fortified and ſecured all the ſtrong Places there, that he needed not to be afraid of any thing King *Henry*, or his Brother *Richard* could do againſt him. [3] *Id.* p. 958. Ambaſſadors are again ſent into *France*, to demand the King's Rights there, but to no purpoſe.

[4] This Year alſo the good Underſtanding and Affection between *Alphonſo* King of *Caſtile*, and King *Henry*, began to abate, by reaſon of his Brother Earl *Richard*'s Competition with him for the Kingdom of *Almain*; yet he now ſent Letters to King *Henry*, deſiring his Aſſiſtance againſt his Brother, according to the Tenour of the late Charter of Peace made between them, That one ſhould aſſiſt the other againſt all his Adverſaries whatſoever: But the King would by no means hear of it, but ſaid, That his Brother had been lawfully Elected and Crowned, and that he would ſtand by him againſt all his Oppoſers. [4] *M. P.* p. 555. 957. The good Correſpondence between K *Henry* and the K. of *Caſtile*, begins to abate, and for what Reaſon?

[5] To conclude this Year with ſome remarkable Paſſages, tho' not immediately relating to Civil Hiſtory: The ſcarcity of Corn, and all other Proviſions, was ſo great, as well through the extream Wetneſs of the Seaſon as other Cauſes, that a Horſe-load of Corn was ſold for Ten Shillings; ſo that vaſt Numbers of poor People died of Famine, which the Author of the Chronicle, called (though falſly) * *Walter* of *Coventry*'s *Julius*, obſerves to have been ſo great, that himſelf ſaw them fighting for the Carcaſſes of dead Dogs and other Carrion, and to eat the Waſh that was ſet for the Swine. But *Matth. Paris* further obſerves, That this Famine did happen not ſo much from the ſcarcity of Corn, as from want of Money, ſince the like Quantity of Corn had been formerly ſold for a Mark, or Twenty Shillings; yet none of them had died for Hunger. And the reaſon why it was otherwiſe now, proceeded from *Richard* King of the *Romans* his late carrying over into *Germany* no leſs than Seven hundred thouſand Pounds in ready Money; an incredible Sum in thoſe Days, beſides what King *Henry* had lately ſent to the Pope to proſecute the Deſign upon *Sicily*; and therefore it was no wonder if *England* was near exhauſted of its Money. [5] *Id.* p. 958. A great Scarcity of Corn, ſo that many People died of Hunger. * MS. in *Bib. Cotton.* The true Reaſon of this Famine.

Anno Dom. MCCLVIII.

[1] *Id.* p. 959. The K. does every day loſe ſomewhat of Royal Dignity.

[1] This Year the King kept his *Chriſtmas* at *London*, and about that time, notwithſtanding all the Intereſt that he and the Archbiſhop could make at *Rome* to the contrary, the Biſhop of *Ely* and Abbot of *St. Edmundsbury*, returned from thence confirmed by the Pope; ſo that the King, taking ill Advice, every day loſt ſomewhat of his Royal Dignity, and for that reaſon ſtudied how to damnifie the Church.

[2] *Id. ib.* The K.'s Ambaſſadors return out of *France*, without obtaining any thing, and the reaſon of it.

[2] As for the Noblemen lately ſent by King *Henry* to the King of *France*, to demand *Normandy* and his other Rights in that Kingdom, they were civilly received by himſelf; but his Brothers, and the other Great Men of *France*, much oppoſed them, ſo that they returned on the Sixth of *January*, or *Twelfth-day*, without obtaining any thing for which they were ſent.

[3] *Id. ib.* The *Welſh* ſeize ſome Towns in *England*.

[3] About this time the *Welſh* deſpairing of Peace, and diſtruſting the King's Mercy, ſeized ſome Towns and Places belonging to Prince *Edward*, and other Noble Men, in the Borders of *Wales*; and and having firſt plundered them, they afterwards burnt them, and killed all the People.

[4] *Id.* p. 960. The Pope falls out with the King, and for what cauſe.

And threatens to *Excommunicate* him, and *Interdict* his Kingdom. Whereupon the K. ſends him 5000 Marks.

[4] It was alſo about this time that the Pope began to fall out with the King, becauſe he obſerved not his often-repeated Promiſes, wherein he had bound himſelf, under pain of loſing his Kingdom, to correct his wonted Exceſſes; and at the inſtance of *Laurence* Biſhop of *Rocheſter*, and many others of the Clergy, threatned (after many fruitleſs Admonitions) to *Excommunicate* him, and *Interdict* his Kingdom, and to proceed further, as he ſhould ſee cauſe: Whereupon the King being in great Confuſion, ſent him Five thouſand Marks, to pacifie and bring him into a better Temper, and to put off the Sentence for a time; with which Money and the King's earneſt Petitions, he ſeemed pretty well ſatisfied, though it was now evident, that notwithſtanding all that vaſt Charge the Nation had been at, for acquiring the Kingdoms of *Sicily* and *Naples*, yet all hopes of it were now quite vaniſhed.

[5] *Id.* p. 962. [1] *Id.* p. 954. Mr. *Ruſtand* returns into *England* much troubled;

And by cunning Inſinuations and Lyes obtains great Benefices.

[5] In *Mid-Lent* Mr. *Ruſtand*, the late Nuncio, returned from *Rome*, where he was deprived of his former Authority, [1] having been there ſome time before accuſed by ſome of his Rivals, that he had been too Rapacious, and (laying aſide all true Fear of God) had gained great Revenues in *England*: But now that he might obtain the King's Favour in retaining of them, he affirmed he was born at *Bourdeaux*, and promiſed, as he was the King's Liege and Natural Subject, effectually to procure the Dominion of the Kingdom of *Sicily*, and tranſact his other Buſineſs at the Court of *Rome* and elſewhere: With which flattering Promiſes, he ſo circumvented this eaſie King, that he was endowed with other great Benefices. However, he was removed from the Power and Dignity he

he had before enjoyed, and was again recalled to *Rome*, and not long after, *viz.* the Week before *Easter*, Mr. *Herlot*, or *Arlot*, the Pope's Notary and Special Secretary, came with mighty Pomp into *England*, invested with great Authority; and though he was not stiled a Legate, yet he wanted not the Power of one. *Anno Dom.* MCCLVI. Mr. *Herlot* the Pope's Notary, comes as his Nuncio into *England*.

[2] The late Truce between the *English* and *Welsh* now expiring, they again miserable straitned the King's Subjects in those Parts, insomuch that they could get neither Salt nor Corn, nor other Necessaries; and they had also invaded *Pembrokshire*, and fallen upon many of the Inhabitants there: Wherefore the King being highly incensed at it, [3] on the Fourteenth of *March* issued out his Writs to all that owed him Service, both Clergy and Laiety, enjoining them to meet him at *Chester* eight Days before *Midsummer*, to march into *Wales* against *Llewellyn* the Son of *Griffin* and his Accomplices, who had seized on, and wasted divers of his own Lands, as well as those of his Son *Edward*, and other his Liege Subjects, against the Homage and Fealty they had sworn to him. [1] *Id.* P. 963. The *English* are miserably straitned by the *Welsh*. The K. issues out his Writs of Summons to all Tenants by Knights Service to meet him at *Chester*. [3] *Claus.* 42. *Hen.* 3. *M.* 11. *Dors.*

It seems that [4] the *Welsh* made these Incursions at this time, in confidence that the King would be diverted by the *Scots*; for whereas that King, upon Marriage with King *Henry*'s Daughter, had put himself and Kingdom under his Protection and Government, until he should be of lawful Age, some of his Rebels had lately taken him out of the hands of those Councellors and Curators whom King *Henry* had set over him, and detained him against his Will: For repressing of which Insolence and Rebellion, the King had issued out [5] Summons, dated on the 17th of *January* before, to all his Military Tenants of the *North*, especially those of *Yorkshire*, *Cumberland*, and *Northumberland*, to march with Horse and Arms and all their Forces into *Scotland*, together with such as he should send to them. These Writs are still upon the Roll; but yet I do not find any thing done in pursuance thereof. [4] *M. P. ib.* 63. The *Welsh* made these Incursions, in hopes of being diverted by the *Scots*, and on what account. [5] *Claus.* 42. *Hen.* 3. *M.* 11. *Dors.* *M. P. ib.*

[1] Then presently after *Hock-Tuesday* (that is, the *Tuesday* after *Easter-Tuesday*) a Parliament was convened at *London*, wherein the King being pressed with the Affairs of the Kingdom of *Sicily* (concerning which, Mr. *Herlot* was sent to urge him to a positive Answer) now demanded a very great Sum, which the Pope upon his Request obliged himself to pay the Merchants: But the Great Men obstinately denied to assist him with Money, for they would not impoverish themselves to pay his Debts, which he had contracted through his own Weakness; and if he had bought the Kingdom of *Sicily* of the Pope for his Son *Edmund*, it was done without the Consent of his Nobility, since there were so many insufferable Difficulties lying in the way to the gaining of that Kingdom. [1] *M. P. ib.* A Parliament held at *London*, where the K.'s Demands for Money are rejected by the Great Men.

3. [2] When

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[2] When the King had received this Repulſe in Parliament, he tried ſome other ways to get Money; for he applied himſelf to the Abbot of *Weſtminſter*, who was ſo wheedled by his falacious Promiſes, that he put the Seal of the Convent to a Charter, where it became bound for the King in Two thouſand five hundred Marks, and ſo gave a pernicious Example to other Abbeys; for immediately thereupon the King ſent *Simon Paſſeleve* to the Abbey of *Waltham*, who ſhewed them the King's Letters, and ſaid, that the Abbot of *Weſtminſter* deſired them to do the like; but the Abbot of *Waltham* would by no means conſent to charge his Houſe with any Money, notwithſtanding all *Simon*'s Entreaties; ſo he not ſpeeding here, went immediately to the Abbey of *St. Albans* with the ſame Meſſage; but the Abbot and Convent there plainly told him, That it was againſt their own Privileges, and alſo the Pope's Prohibition, thus to oblige their Houſe for the King: Whereunto *Simon* anſwered, That the King had ſent along with him a Frier *Minor*, who had Power to abſolve them from that Oath: But the Abbot would not hear of this, but honeſtly replied, *That it was not ſafe to undergo* Excommunication *in hopes of being abſolved; as no Man would hearken to one that ſhould perſwade him to break his Leg to have it well ſet again; and beſides, in doing this, they ſhould tell a great Lye, and the Convent-Seal would be Witneſs againſt them of their Breach of Truſt*, And when *Simon* urged them farther, That they ought to aſſiſt the King, becauſe all they enjoyed came from him and his Progenitors; their Anſwer was, That it was true, all they had was the King's, *but for the Preſervation and not Subverſion of the Kingdom*; and that the King had at his Coronation, as well as many times ſince, ſworn to this: So that notwithſtanding all *Simon* could ſay, he could not prevail with them to put their Common Seal to the Obligation. Yet for all this Repulſe, *Simon* went from thence to the Abbey of *Reading*, but neither did he there find any better Entertainment: Upon which he wos forced to return without getting any Obligations Sealed by them for the Two thouſand five hundred Marks, which the King hoped, by the Aſſignment of this Security, to have taken up of the *Italian* Merchants. I have inſerted this Paſſage (which Dr. *Brady* has omitted) to let the Reader ſee the honeſt Stoutneſs of the *Engliſh* Abbots at that time.

[2] *Id.* p. 965. The K. obtains a Bond from the Abbot of *Weſtminſter* for 2500 Marks, which is urged as an Example for other Abbeys.

But the Abbot of *Waltham* denies the like Requeſt, and gives very ſhrewd Reaſons for it.

An honeſt Anſwer of an *Engliſh* Abbot.

[3] But to return to Civil Matters, from whence we have a little digreſſed: [3] In this Parliament there aroſe great Heats and Contentions, which laſted till after the Feaſt of *Aſcenſion*, between the King and Barons, who made great Complaints againſt him, That he ſlighted the Authority of the *Church*, and did not obſerve the *Great Charter*; That he had raiſed to Dignities and Riches his Half-Brothers againſt all Law, as if they had been the Natural People of the Land, and would not ſuffer any Writ to iſſue out of *Chancery* againſt them; and that although the Inſolence of his other Brothers and the *Poictovins* were intolerable, yet that of *William de Valence* exceeded them all.

[3] *Id.* p. 968. The Barons make Complaints againſt the K. for not obſerving the Great Charters, and for other Grievances.

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[4] Also *Simon Montfort*, Earl of *Leiceſter*, taking his Advantage of thoſe Differences, highly complain'd to the *Univerſitas Regni*, i. e. General Body, or Repreſentative of the Realm, concerning his own private Grievances, and told the King, that he only promoted and enriched Strangers, and deſpiſed and waſted his own People, to the ſubverſion of the whole Kingdom; by which means he became unable to repel the Injuries of the weak and inconſiderable *Welſh*. And indeed this had been a reaſonable Complaint, in one who had not been a Foreigner himſelf.

[4] *Id. ib.* *S. Montfort* complains to the General Repreſentative of the Kingdom, concerning his own Grievances.

[5] To conclude, the King's various ſorts of Exceſſes, and unwillingneſs to receive any good Advice, required many particular Conferences before they could be ended; but at laſt He came ſo far to himſelf, that being convinced of the Juſtneſs of their Reproofs, he grew more moderate, and confeſſed he had often been miſled by evil Counſel, but he then Promiſed and Swore upon the Altar and Shrine of St. *Edward*, That correcting all his former Miſcarriages and Abuſes, he would for the future follow the Advice of his own natural Subjects.

[5] *Id. ib.* The King being ſenſible of his former Miſcarriages, ſwears to correct them for the future.

[1] But becauſe his former frequent breaches of his Oath and Promiſes, had now rendred him wholly ſuſpected by his People, and that the Great Men knew not how to bind this *Proteus* of a King, (as this Author calls him;) and alſo becauſe the Affair was very difficult, the Parliament was therefore Adjourned unto St. *Barnaby's* Day; and to be holden then at *Oxford*; but before this Adjournment, upon *Aſcenſion*-Day (or ſecond of *May*) the Barons promiſed, that if he would reform the State of the Kingdom, according to their Advice, and the Pope would make the Conditions about the Affair of *Sicily* more eaſie, ſo as it might be proſecuted with effect, they would do their endeavour, with the *Commonalty of the Kingdom, to procure him a common Aid or Tax for that purpoſe; and thereupon the King agreed, that before *Chriſtmaſs* next the State of the Kingdom ſhould be redreſſed and ſettled by them, and the Pope's Legate, if in *England*; and for the performance of what ſhou'd be ordain'd, he would put himſelf under the Pope's Pleaſure, ſo that it ſhould be in his Holineſs's Power to compel him to it by Eccleſiaſtical Cenſures. He alſo cauſed his Son *Edward*, the Prince, to ſwear, that he would obſerve and keep what his Father had granted: This appears by a [2] Charter recorded on the *Roll, and is recited at large in Dr. *Brady's* Appendix. Moreover, he granted at the ſame time to the Barons, another [3] Charter confirm'd by his Oath, that the State of the Kingdom ſhould be rectified and reformed by Twelve faithful Perſons of his Council then choſen, and by Twelve others to be choſen by the Barons, who ſhould meet at *Oxford* a Month after *Whitſunday* next coming, as they ſhould think moſt to the Honour of God, and Profit of the Kingdom; and promiſed inviolably to obſerve whatever ſhould be ordained by thoſe Four and Twenty, or the major part of them, under ſuch Security as they ſhould direct; and he likewiſe cauſed his Son *Edward* to ſwear, that he would inviolably obſerve the ſame things; whereupon the Earls and Barons promiſed to endeavour, that the Community or general Body of the Kingdom ſhould grant him an Aid.

[1] *Id. ib.* The great Men reſolving not to believe him any more, the Parliam. is adjourn'd to *Oxford*.

The Barons make new Propoſals to the King.

* *Communitate Regni.*

The King's Conceſſions to the Barons.

[2] *Rot. Pat.* 41. *H.* 3. *M.* 10. Dr. *B.'s* Append. *N.* 188.

[3] *Ib.* N. 189. By which the Government was put into the hands of 24 Perſons.

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It farther appears by a Third [4] Charter in *French*, that the King, at the requeſt of his Great and Wiſe Men of the Community of the Kingdom, granted that theſe Four and Twenty, who were thus to be choſen, ſhou'd have full Power to chooſe Four more, and theſe to chooſe the King's Council, who were to redreſs and amend all Matters appertaining to him and his Kingdom; and this Council, or the major part of them, were to chooſe one or more in the place of ſuch as ſhould make default. [5] *Barnaby*-day approaching, the Great Men and Nobles of the Land haſten'd to the Parliament, then to be holden at *Oxford*, and commanded all ſuch as owed them Military Service to accompany them; ſo that they made Preparations, as if they were to defend their Borders from the Attempts of their Enemies the *Welſh*; thô that was but a pretence to palliate their coming thus Armed; yet really it was from their fears of a Civil War, leſt the King and his Brothers, together with the *Poictovins*, ſhould bring in Foreign Troops againſt them: and therefore they cauſed all the Ports to be ſtrictly guarded.

[4] *Rot. Pat. 42. H. 3. M. 4. Vid.* Dr. B's Appendix, N. 190. They to Elect 4 who ſhou'd have power to chooſe the K.'s Council.

[5] *M.P. ip.* 970. The great Men come with their Military Tenants all arm'd, to the Parliament at *Oxford*.

[1] *Id. p.* 971. *Amal. de B. p.* 412. The Parliament firſt begins with the Election of the 24.

[1] The Parliament being thus Aſſembled at *Oxford*, they firſt fell upon the Election of the Four and Twenty, according to the King's Grant, who were to amend and reform what they ſhould think amiſs in the Kingdom. Thoſe choſen by the King, were the Biſhop of *London*, the Biſhop Elect of *Winchester*, *Henry* Son to the King of *Almain*; *John*, Earl of *Warren*; *Guido de Luſignan*, and *William de Valence*, the King's Half-Brothers; *John*, Earl of *Warwick*; *John Manſel*, Frier; *J. de Derlington*, the Abbot of *Weſtminſter*; *Henry de Wengham*, Dean of St. *Martins* in *London*; the Twelfth is omitted, but it may be worth enquiring, whither the Lord *Peter* of *Savoy*, or *James Audley*, were not the Perſon.

The Names of the 12 choſen by the King.

[2] *Id. ib.* The Names of the 12 choſen by the Barons.

[2] The Twelve choſen by the Earls and Barons were, the Biſhop of *Worceſter*; *Simon*, Earl of *Leiceſter*; *Richard*, Earl of *Glouceſter*; *Humfry*, Earl of *Hereford*; *Roger*, Earl of *Norfolk*, and Earl Mareſchal; the Lords, *Roger Mortimer*, *John Fitz-Geoffrey*, *Hugh Bigod*, Brother to the Mareſchal, *Richard de Gray*, *William Bardolf*, *Peter de Montfort*, and *Hugh de Eſpenſer*. Theſe Twenty Four choſe Four of their own number, *viz.* the Earl of *Warwick*; *John Manſel*; Earl *Roger*, the Mareſchal; and *Hugh Bigod*, his Brother; and theſe were to name the King's Council, who were in number Sixteen, being theſe that follow; the Archbiſhop of *Canterbury*, the Biſhop of *Worceſter*, the Earl of *Leiceſter*, the Earl of *Glouceſter*, the Earl Mareſchal, *Peter* of *Savoy*, the Earl of *Richmond*, the Earl of *Albemarle*, the Earl of *Warwick*, the Earl of *Hereford*, *John Manſel*, *John Fitz Geoffrey*, *Peter Montfort*, *Richard de Gray*, *Roger Mortimer*, *James de Aldithlege*, or *Audley*.

[3] *Id.* 414. The firſt thing the 24 demand, is a Confirmation of the great Charter. With ſeveral other Alterations of no leſs Moment.

[3] Theſe Twenty Four Great Men, in the firſt place, required the King's Confirmation of the Charter, which had been granted by King *John* his Father, and ſo often confirmed by the King himſelf, and which he had alſo ſworn to obſerve, and had cauſed all Tranſgreſſors thereof to be ſolemnly *Excommunicated* in his own Preſence, as well as in that of the whole *Baronage*.

Secondly, They required ſuch a Juſtitiary as would do Juſtice to thoſe that had ſuffer'd Wrong, as well to the Poor as Rich.

Thirdly,

Thirdly, That they ſhould chooſe the Juſtices, Chancellors, Treaſurers, and other Officers and Miniſters from Year to Year. *Anno Dom.* MCCLVIII.

Fourthly, That they themſelves, or their Adherents, ſhould have the Cuſtody of the King's Caſtles.

Fifthly, By an Edict or Statute to be aſſented to by the King, they made it Capital for any Perſon, of what Degree or Order ſoever, to refuſe their conſent to theſe things; and againſt ſuch the Archbiſhops and Biſhops alſo pronounced *Excommunication*.

They alſo required ſome other things of publick Concern, which tended to the good of the King, as well as benefit of the Kingdom; tho' it muſt be confeſſed, that moſt of theſe Demands were unreaſonable, and inconſiſtent with Kingly Government.

[4] The Twenty Four alſo ordained, that there ſhould be Three Parliaments held every Year; as likewiſe when and how they ſhould be holden; which Order I find drawn up in this Form in the Annals of *Burton*, and is here faithfully tranſcribed out of the *French* Original.

[4] *Id. ib.* Three Parliaments are appointed to be holden in every Year.

[5] 'Be it remembred, That the Twenty Four have ordain'd, there 'may or ſhall be Three Parliaments in the Year, the firſt on the 'Octaves, or eight Days after St. *Michael*; the ſecond on the Mor-'row after *Candlemaſs*-Day; and the third on the firſt of *June*, that 'is (*to wit*) Three Weeks before the Feaſt of St. *John*; to theſe 'Three Parliaments ſhall come all the choſen Counſellors of the 'King, tho' they be not ſent to, (*i. e.* tho' not ſummoned by par-'ticular Writs) to provide for the State of the Realm, and to treat 'of the common buſineſs thereof, when need ſhall be, by the Com-'mand of the King, or by his Summons.

[5] *Id.* p. 415. The Form of this Ordinance.

[1] Then the *Commons* or *Community* alſo choſe Twelve Perſons to repreſent them in theſe Parliaments to ſave the Charges of the *Community*; the Act for this *Election* was drawn up in this Form, the Original of which is in *French*.

[1] *Id. ib.* The Commons chuſe Twelve Perſons to repreſent them, to ſave Charges.

[2] 'Be it remembred, that the *Commons* or *Community* have cho-'ſen Twelve Wiſe Men, who ſhall come to Parliaments, as alſo at 'other times, when there ſhall be need, and the King or his Coun-'cil ſhall command or ſend to them to treat of the buſineſs of the 'King and Realm; and the *Commons* or *Community* will hold for e-'ſtabliſhed what theſe Twelve ſhall do; and this ſhall be done to 'ſpare the Coſt or Charges of the *Commons* or *Community*.

[2] *Id. ib.* The Form of this Ordinance.

The Names of the which Twelve are entred in the ſaid Annals in this Form.

Theſe are the Twelve who are choſen by the Barons to treat in the Three Parliaments every Year with the King's Council, for all the *Commons*, or whole *Community* of the Land, upon the common buſineſs, *viz.* the Biſhop of *London*, the Earl of *Wincheſter*, the Earl of *Hereford*, *Philip Baſſet*, *John de Baliol*, *John de Verdun*, *John de Gray*, *Roger de Sumerie*, *Roger de Montalt*, *Hugh de Eſpenſer*, *Thomas de Greſley*, and *Ægidius de Argentun*. The Names of the Twelve who were to appear, and act for the whole Community of the Land.

It muſt alſo be owned, that theſe were all Barons, and great *Tenents in Capite*, not one Commoner (as now reputed) amongſt them; yet that theſe were choſen by the *Commons*, properly ſo called, ſhall be proved in another place.

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What other Statutes and Ordinances were made in this Parliament.

Many other Statutes and Ordinances were made in this Parliament concerning *Feudal* Tenures, about Cuſtody of Wards, Mariages, and Eſcheats; as alſo about Suits to the King's Courts, before his Juſtices; and likewiſe Suits to Itinerant County-Courts, Hundred-Courts, Sheriffs-Turns, Writs of Right, waſte of Eſtates in Wardſhip, taking of Diſtreſſes, &c. moſt of which were made in abatement of the Rigour of the *Feudal* Law, and for the eaſe and benefit of the People, which are to be found in the Annals laſt cited, and are alſo on [3] Record in the *Tower*.

[3] *Vid. Rot. Claus.* 44. *H.* 3. *M.* 17. *Dorſ. & 47. H.* 3 *M* 17. *in ſcedula Dorſ.*

[4] *M. P. p.* 971. This Body of Laws were call'd the Proviſions of *Oxford*, which the King, the Prince, and all the Nobility ſwore to obſerve.

[4] Theſe Laws were then called the Proviſions of *Oxford*, which the whole Baronage of *England* were bound by Oath to obſerve, and that they would never deſiſt from proſecuting theſe their juſt Reſolves, either for loſs of their Lives or Eſtates; ſo that they often beſeeched the King to agree to obſerve them; which ſeeing he was no longer able to avoid, He, together with the Prince, his eldeſt Son, took the ſame Oath.

Thus through the eaſineſs of a weak and inconſtant Prince, and the over great Power of an Inſolent and too much provoked Nobility, the Head of the State became a Cypher, and this whole Government was put into the hands of a few Men, who notwithſtanding all their fair Pretences minded their own Intereſt and Grandeur more than the common good of the Nation, as you will find hereafter.

Other Charters of the King, whereby he authorizes the 24 Noblemen abovementiond, to proceed in the Reformation of the Kingdom.

Alſo before the Diſſolution of this Parliament, the King granted his Charters to the Earl of *Glouceſter*, and unto thoſe Twenty Four Biſhops, Earls, Barons, and others, who had either by himſelf, or the Baronage, been choſen Governours or Reformers of the Kingdom; wherein after a recital of his ſaid Promiſe and Oath, to hold for firm and ſtable, whatſoever they ſhould Ordain for the Reformation of the Kingdom; he thereby alſo Commands them to proceed to the ſaid Reformation, under pain of his Diſpleaſure, as alſo of his Heirs, if they omitted it: And he farther Promiſes for himſelf and his Heirs, that if they proceed in the ſaid Reformation, neither he, nor his Heirs will be * moved or diſpleaſed with them, or theirs, any time hereafter for ſo doing, but will always preſerve them undemnify'd on that account. [5] This Charter bears date at *Oxford* the twenty ſecond of *June*, and is upon Record. And is alſo Printed in Dr. * *B*'s Appendix tho' he has omitted to give us the Contents of it in his Hiſtory; as alſo of another Charter of the like nature, which is found upon the ſame Roll, and is likewiſe Printed in the ſaid *Appendix* *, whereby the King commands *John Manſel*, and *Roger Bigod* Earl of *Norfolk*; *Hugh Bigod*, Juſtitiary; and *John Pleſſy*, Earl of *Warwick*, (who were elected by the Twenty Four Great Men, to nominate thoſe who were to be of the King's Council) to proceed to the ſaid nomination, by the Faith whereby they were bound to him, and as they would avoid the diſpleaſure of himſelf and his Heirs, if they omitted to do it, with an Indemnity to them and theirs, if they performed it. This bears date at the ſame Time and Place with the former, and ſhews how cautious theſe Lords and Great Men then were, not to act any thing in theſe Affairs without the King's expreſs Commiſſion, as well as the authority of the Parliament it ſelf.

[5] *Rot. Pat.* 42. *H.* 3. *M.* 8. * *N.* 192. Another Charter to the Four, who were to chuſe the King's Council. * N. 193.

When

When all this was done, Commiſſions for the Governours of the King's Caſtles, were iſſued out, during the Eleven Days time that this Parliament ſate, as appears by the [1] Records cited at large in Dr. *Brady*'s Appendix, where you may ſee the Form of thoſe Commiſſions that alſo bear date *June* the twenty ſecond. There is alſo the Form of the Oath that the Governours were to take, to this effect, *viz.* faithfully to keep the ſaid Caſtles for the King and his Heirs, and not to deliver them up to any, without the conſent of the King's Council, that is, by the Wiſe Men choſen thereunto, or by the major part of them; which is worth your noting.

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[1] *Rot. Pat.* 42. *H.* 3. *M.* 6. *Append. N.* 191. Commiſſions iſſued out to all Governors of Caſtles, who take a new Oath.

[2] There were alſo appointed at this Meeting, by the ſaid Community, Twenty Four Perſons to treat and conſult of an Aid for the King, whoſe Names (as they ſtand in the ſame Annals) are theſe, *viz.* the Biſhop of *Worceſter*, the Biſhop of *London*, the Biſhop of *Salisbury*, the Earl of *Leiceſter*, the Earl of *Glouceſter*, the Earl Mareſchal, *Peter* of *Savoy*, the Earl of *Hereford*, the Earl of *Albemarle*, the Earl of *Wincheſter*, the Earl of *Oxford*, *John Fitz-Geofrey*, *John de Gray*, *John de Baliol*, *Roger Mortimer*, *Roger de Montalt*, *Roger de Sumerie*, *Peter Montfort*, *Thomas de Greſley*, *Fulco de Kerdiſton*, *Giles de Argenton*, *John Kyriel*, *Philip Baſſet*, and *Giles de Erdington*, all Earls and Barons, or Knights, and Tenants *in Capite*.

[2] *Annal. de Burt. p.* 414. Twenty Four Perſons are appointed to conſult about an Aid for the King.

But whither theſe Noblemen ever came to any Reſolutions about giving the King this Aid, we do not find; perhaps they were diverted by [3] his Half-Brothers, *viz.* *Adomar* or *Athelmar*, Biſhop Elect of *Wincheſter*, *Guy de Luſignan*, *Geofrey de Luſignan*, and *William de Valence*, their refuſing at that time to ſwear to obſerve or give their conſents to the Acts called the *Proviſions of Oxford*; whereupon the Barons fell into great Heats and Differences, not only againſt thoſe Strangers, but among themſelves; for altho' Prince *Edward* had ſworn to the late Proviſions, yet he did all he could to go from them; but *John*, Earl of *Warren*, had directly refuſed to conſent to them, and *Henry*, Eldeſt Son to the King of the *Romans*, ſeemed unreſolved, ſaying, *He could by no means take this Oath without his Father's conſent*; to whom it was preſently anſwered, *That if his Father would not agree with the Baronage, he ſhould not enjoy one Foot of Land in* England.

But being diverted by the King's Half-Brothers, who refuſed to ſwear to the Proviſions at *Oxford*, we do not find any thing farther done in that Affair.

[3] *M. P. p.* 970, 971. Prince *Edward* endeavours all he can to go from the ſaid Proviſions, and ſome other great Lords refuſe alſo to conſent to them.

[4] And further, the King's Half-Brothers utterly refuſed to deliver up the Caſtles and Wardſhips which the King had beſtowed upon them: This produced very hard Words between them and the Earl of *Leiceſter*, inſomuch that he plainly told *William de Valence*, (who took upon him more than the reſt) that he ſhould either part with the Caſtles he detained from the King, or with his Head; which was alſo made good by all the Earls and Barons there preſent; this ſtruck ſuch a Terror into theſe Noblemen, that they, with the *Poictovins*, fearing the whole Body of the People would riſe againſt them, and then no Caſtles they had would be ſtrong enough to defend them, reſolved to ſteal away privately, whilſt the reſt of the Lords were at Dinner, which they did, taking Refuge at firſt with their Brother, the Biſhop Elect at *Wincheſter*; but being perſued thither by the Barons, with Horſe and Arms, and (who had now choſen *Hugh Bigod* Juſtitiary) they quickly found that place too hot for them; ſo going from thence to *London*, under the ſafe Conduct of the

[4] *Id. ib.* The King's Half-Brothers refuſe to deliver up their Caſtles and Wardſhips, which produces hard words between them and the Earl of *Leiceſter*. They ſteal away privately and go to *Wincheſter*, whither they are perſued by the Barons.

Anno Dom. MCCLVIII. the Barons, they ſtayed ſome time at the Biſhop of *Winchester*'s Houſe in *Southwark* to refreſh themſelves, and there inviting ſeveral of the Great Men to an Entertainment, divers of them were thought to be there poyſoned by the *Poictovins* their Servants, as appear'd pretty plainly by the ſtrange and ſudden Deaths of thoſe Noblemen not long after.

They obtain the King's ſafe Conduct, and are guarded to the Sea-ſide by ſeveral Noblemen.

[5] But the King's Brothers having obtain'd his ſafe Conduct, which bore date the Fifth of *July*, whereby *Humfrey de Bohun*, Earl of *Hereford* and *Eſſex*; *John*, Earl of *Warren*; *William de Fordz*, Earl of *Albemarle*, and other Nobles were aſſigned to guard and conduct them to the Sea-ſide; from thence they paſſed over to *Bologne*, where they were fain to ſtay ſome time, expecting the King of *France*'s Safe-Conduct to carry them thither, but that was for a while refuſed; he being then exaſperated againſt them, by his Queen, becauſe they had defam'd her Siſter the Queen of *England*; but in the mean time the Barons blocked them up there both by Sea and Land, to hinder their return into *England*.

[5] *Rot. Pat. 42. Hen. 3. M. 5. Vid.* Dr. B's *Appen.* N. 194. where it is printed at large.

But we will now look back on what the Barons and *Community* of the Kingdom had farther done at *Oxford*, before they roſe; where they enter'd [1] into an Oath of *Confederacy* or *Aſſociation*, to obſerve the Proviſions there lately made; the Form of which was as follows.

[1] *Annal. Burt. p.* 413.

The Form of the *Confederacy* or *Aſſociation* entered into by the Barons.

'We (*ſuch* and *ſuch* there named) do make known to all People, 'that we have ſworn upon the Holy Goſpels, and ſo being obliged 'together by that Oath, we promiſe in good Faith, that each of 'us, and all together, will aid and aſſiſt one another, and that we 'will do Right to our ſelves and others againſt all Men, without 'taking any thing for the ſame, which we cannot do without miſdo-'ing; ſaving the Faith we owe to the King and the Crown: and we 'farther Promiſe, upon the ſame Oath, that we will not take any 'thing from each other, either in Land or Moveables (*i. e.* Goods) 'whereby this Oath may be diſturbed, or any ways impaired; and 'if any ſhall do contrary hereunto, we will hold him for our mor-'tal Enemy.

They alſo appointed a new Oath for the Twenty Four Chief Governours; which was to this effect:

The Form of the Oath to be taken by the Twenty Four Chief Governours.

'Every one of them was to ſwear upon the Holy Goſpels, that to 'the Honour of God, and for keeping Faith to the King, and for the 'Profit of the Realm, he would ordain and treat with thoſe that 'had ſworn before, about the Reformation and Amendment of the 'State of the Kingdom; and that he would not deſiſt from that 'Work, for any Gift, Promiſe, Love, or Hatred, nor for the Power 'of any Man; nor for Gain, or Loſs; but that he would Loyally '(that is legally and faithfully) do according to the Tenor of the 'King's Letter or Charter, which he had lately Granted and Made.

Id. ib. There is alſo to be found the Oath, which was at that time adminiſtred to the Chief Juſtice of *England*, in this Form.

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The High or Chief-Justice of *England* shall swear,

'That he shall well and faithfully to his Power do whatever appertaineth to his Office of Justitiary, and do right to all Men, to the Advantage and Benefit of the King and Kingdom, according to the Provisions lately made, and others to be made by the Twenty four, and by the Council of the King and Great Men of the Land; who had sworn to aid and maintain him in these things.

The Form of the Oath to be taken by the Chief Justitiary of *England*.

Then follows the Oath of the Chancellour of *England* to this effect, 'That he shall seal no Writs without the Command of the King and his Council, some of whom shall be then present; nor seal the Grant of any Great Ward, or Great * ——— nor of Escheats, without the Assent of the Council, or the major part of them; nor shall seal any thing contrary to the Ordinances, &c. made or to be made by the Twenty four, or the greater part of them; nor shall take any Reward, but such as had been given formerly to other Chancellours: And that if he shall take to him an Assistant or Deputy, it shall be according to a Form to be provided by the said Council.

The Oath of the Chancellour.

* Perhaps the Word here wanting may be *Marriage*.

When these Twenty four Governours had by these their Ordinances procured their Friends and Confidents to be made Constables of all the King's Castles and Places of Strength in the Nation, and had also provided themselves of a Justitiary and Chancellour for their purpose, and bound them by Oath to act according to their Dictates, they then (if any credit may be given to [3] *Matt. Westminster*) held continual Parliaments without the King's Consent, took to themselves the King's Escheats and Wards, and gave to their Sons and Relations all Churches in the Patronage of the King.

The Barons Practices to advance themselves and their Relations.

[3] *Sub Anno* 1265.

But to return to the History; though it is certain from [4] *Matt. Paris*, That upon the sudden Flight of the King's Half-Brothers to *Winchester* and the Barons pursuing them thither, That the Parliament at *Oxford* then broke up in Confusion; yet it appears from the MS. † Annals of *Winchester* in the *Cottonian* Library, as also from another nameless ‖ Chronicle in the same Place; that this Parliament met again presently after at *Winchester*, and there made an Ordinance for the Banishment of the King's Half-Brothers above-mentioned; but *Adomar*, Bishop Elect of that City, though by reason of his Character, he was excus'd from that Sentence, yet voluntarily underwent the same Fortune, and passed over beyond Sea along with them; and then the King and his Son Prince *Edward* were throughly reconciled in the Chapter-House of that Cathedral, after which, about the Fifteenth of *July* the Parliament broke up.

[4] *M. P.* P. 971.

† *In Bib. Cott. Domit. A.* 13.

‖ *Claud. E.* 3.

And I suppose it was from hence that (as [5] *Matt. Paris* relates) certain Commissioners were sent on the Behalf of the general Body of *England* to the City of *London*; and the MS. Annals of that City, tell us, they were the Earl-Mareschal *Simon Mountfort*, and *John Fitz-Geoffrey*, and some others, who, producing the Charter lately sealed by the King and his Son Prince *Edward*, in confirmation of the late *Oxford*-Provisions, in a great Assembly or Common-Council of the Citizens at *Guild-hall*, then asked of them, whither they would adhere to, and faithfully observe the same Statutes, and bravely

[5] P. 974.

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[1] *M. P.* p. 978. *V. Ad* p. 215. The Community of *England* write Letters to the Pope to excuſe their late Reformation of the Kingdom without his Conſent.

[1] About the ſame time the Community of Earls, Barons, Great Men and others of the Kingdom of *England*, wrote Letters to the Pope to excuſe themſelves as to what they had done, which were to this Effect, 'That altho' his Holineſs had lately ſent Mr. *Herlot* '(or *Arlot*) his Sub-Deacon and Notary, who had admoniſh'd and 'induc'd them to aſſiſt the King in the Proſecution of the Affair of '*Sicily*, which he had undertaken without their Advice and Conſent, 'nay, and againſt their Wills: Yet out of Reverence to him and the Holy See, they thought fit to return this Anſwer; 'That if by their 'Advice the King would reform the Kingdom, and his Holineſs 'would mitigate the Conditions contain'd in his Bull of the Grant of '*Sicily*, ſince they were beyond the King's Power to perform; That 'then according to the Terms of the ſaid Reformation and Mitigation, 'they would effectually aſſiſt the King: But ſeeing that He had conſented to chuſe twelve, and the Barons to chuſe twelve others, 'by whom the Reformation of the Nation was to be made; and 'that he had named *Adomar*, the Biſhop Elect of *Wincheſter*, and his 'Brothers, in the Number of theſe Twelve; and that they (but more 'eſpecially the ſaid *Elect*) had ſollicited the King to break his Oath, 'and go from the Promiſes he had already made; and that he had a-'nimated Prince *Edward*, and ſome others of the Nobility againſt 'them, to the Deſtruction of the Kingdom, and the Hindrance of 'the intended Reformation, and this by falſe Cavils and cunning 'Inſinuations; ſo that of this Biſhop *Elect* it might be ſaid, *That* '*this is the man who had troubled the Land, and ſhaken the King-*'*doms*.

Adomar Biſhop Elect of *Wincheſter* accuſed for tempting the King to break his Oath.

They farther complain of the Exorbitancies of the reſt of the King's Half-Brethren and their Officers.

'They therefore ſignified unto the Pope, that the Offences of theſe 'Brethren were grown ſo great, *as that the Cry of the Poor aſcen-*'*ded to Heaven againſt them*; that their Miniſters and Officers were 'rather to be called Thieves and Ruffians who prey'd upon the Poor, 'enſnar'd the Simple, encourag'd the Wicked, oppreſs'd the Innocent, 'triumph'd in the worſt Actions, and rejoic'd when they had done ill, 'than any thing leſs: Therefore the *Community* aforeſaid conſidering '*that a Common-weal was a certain Body which grew up by Divine Bene-*'*ficence*, and that it was not expedient, there ſhould be any claſhing 'amongſt the Members of the ſame Body, they had cauſed the King 'to ſummon the ſaid Elect, and his Brothers as Diſturbers of the publick 'Peace, to anſwer their Accuſers according to the Laws and Cuſtoms 'of the Kingdom; yet ſo, that if they deſired it, they might have leave 'to depart, who, rather than they would ſtand to, or undergo the 'Rigour of Juſtice, went out of the Nation; and therefore now they 'declared their Intentions to hinder the ſaid *Elect* from returning 'again; who (they urg'd) was the chief Cauſe of all this Diſtur-

And therefore declare their Intentions to hinder the ſaid Biſhop Elect from returning hither again.

'bance

'bance, and would certainly undo, if ever he return'd, what they had taken so much Pains happily to effect, since he and his Brothers 'had already so far infatuated the King and his Son Prince *Edward*, 'that not only their Insolencies remain'd unpunish'd, but (which was 'worse, and was indeed terrible to hear) if any Man being wrong'd 'by them, complain'd against them, the King, instead of punishing 'the Offenders (as he ought to have done) rather took their parts, 'and defended them against the Complainants; and instead of an 'equal Judge, shew'd himself an Adversary; so that they concluded 'with heaping more Crimes upon the *Elect*; as that he had terribly 'violated the Liberties of the Church, imprison'd and wounded 'Clerks, to the Prejudice of the Crown, which had the sole Power 'of imprisoning; and therefore they beseech his *Holiness* by the 'Fulness of his Power, wholly to remove him from the Administra-'tion of the Church of *Winchester* (he having receiv'd it by the mu-'nificence of the Apostolick See) lest worse things might happen, 'and they his most devoted Supplicants should be forc'd to do it 'by other means; and further let him know for certain, *That tho' 'the King and the greater men of the Kingdom should consent to his 'Return, yet the Community thereof would in no wise permit his En-'trance into it*; therefore pray'd, that he might be remov'd without 'any Scandal, seeing he was not a Consecrated Bishop.

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The many Offences of him and his Brethren.

To these Letters Eleven great Persons put their Seals, and witnessed them on behalf, and instead of the whole *Community*.

Of these Eleven, Eight were of the Number of the Twenty four, *viz.*

Richard Clare, Earl of *Glocester* and *Hereford*.	*John de Plasey*, Earl of *Warwick*.
Simon Montfort, Earl of *Leicester*.	*Hugh Bigod*, Justitiary of *England*,
Roger Bigod, Mareschal of *England*.	*John Fitz-Geoffrey*, and
Humphrey Bohun, Earl of *Hereford* and *Essex*.	*Peter Montfort*.

The other Three were of the Fifteen of the King's Council chosen by four of the said Twenty four, *viz.*

William de Forz, Earl of *Albemarle*, *Peter* of *Savoy*, Earl of *Richmond*, and *James Aldithley* or *Audley*.

And further, in Pursuance of this Complaint, [2] the said Great Men of *England* fearing lest the Elect of *Winchester* should make haste to *Rome*, and by the Promise of a great Sum of Money to the Pope and Cardinals, obtain his Consecration, that so he might more effectually prejudice them, they sent four skilful and eloquent Knights, Men of Worth and Credit, to present the above-mention'd Epistle to the Pope and *Roman* Court; and, when they had fully declared the Cause of their Errand, they added greater Wickednesses which the *Elect* and his Brothers had committed in *England*, that is to say, *Homicide* or Murther, Rapines, Oppressions and other Injuries to the Subjects; and that the King would not restrain their Violence; Nor

[2] *Id. Ad.* p. 17.

The Great Men of *England* send Envoys to *Rome* to hinder the Bishop of *Winchester* from obtaining Consecration

there, and set forth the other Offences of this Bishop and his Brethren.

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did they forget to tell the Pope of a great Injury they had done to Mr. *Euſtace* of *Lex*, the Archbiſhop of *Canterbury*'s Official; for which all that abetted it were *Excommunicated* through all the Province of *Canterbury*, and at *Oxford* before the Univerſity: And they further told the Pope, that one of the Brothers, *viz. Geoffrey* of *Leuzignan* roaſted the King's Cook, and tortur'd him to Death with Exquiſite Torments.

[3] *Id. p.* 976. The Pope's Nuncio ſeeing theſe publick Diſturbances, privately withdraws.

[3] About this time, *viz.* the Feaſt of the Aſſumption of the Virgin (that is, *Auguſt* the Fifteenth) Maſter *Herbert* the Pope's Clerk and ſpecial Counſellour, when he ſaw the Diſturbances of the Nation, privately and prudently withdrew himſelf till the Storm ſhould be blown over.

[4] *Id.* P. 977.

[4] It had been further ordain'd in the late Parliament held at *Oxford*, that all Exceſſes, Tranſgreſſions and Injuries done or committed, as well by Juſtices, Sheriffs, Bayliffs, and other Perſons in the Kingdom, ſhould be inquired into by four Knights in every County by Juries, to be ſummoned by the Sheriffs to come before them; and the Inquiſitions ſo made were to be ſealed with their own Seals, and the Seals of the Jurors to be deliver'd in their own proper Perſons at *Weſtminſter* to the King's Council Eight Days after *Michaelmaſs*, and [5] Writs were iſſued out to four Knights in every County to that purpoſe, dated the fourth of *Auguſt*, who made their Inquiſitions and Returns accordingly; but what was done upon the Return of theſe Writs and Inquiſitions, I find not.

[5] *Rot.* 42. *H.* 3. *M.* 3. *vid.* Dr. *B*'s *Ap. N.* 196. See alſo the like Writ in *Addit. M. P.* p. 214.

Only by another [1] Record it appears, that by the King's Writs the four Knights above-mention'd had their Expences allow'd them by the reſpective Counties for coming to *Weſtminſter*, returning home, and Attendance upon the King's Council in Parliament.

[1] *Ibid. Cl.* 42. *H.* 3. *M.* 3. *Vid. Dr. B*'s App. N. 197, 198. The Contents of another Charter. A memorable Record omitted by Dr. *Brady*.

But I cannot here omit another memorable old *Engliſh* Record in *Saxon* Characters of this Year, [2] which Dr. *Brady* hath either careleſly or elſe wilfully paſſed by, as perhaps not liking the Contents of it, being the King's Charter or Declaration to the Clergy and Laiety of *Huntingtonſhire*, in which he confirms all that his Counſellors, or the major part of them (that were choſen by himſelf and by the * *People of the Land*) had done, or ſhould do for the Honour of God, and for the Amendment of the Kingdom; and that it ſhall be inviolably obſerv'd and perform'd in every particular; and further commands all his Liege-People by the Fealty they owe to him, that they ſteadfaſtly hold, and ſwear to maintain the Ordinances which were made or ſhould be made by the ſaid Counſellors, or the major part of them, as is already mention'd; and that all Men aſſiſt each other to perform the ſame according to their late Oath againſt all Men that ſhould oppoſe or hinder the ſame: And that no Perſon whatſoever ſhould be damnified in any wiſe on this account; and if any Perſons ſhould oppoſe themſelves againſt the Premiſes, he wills and commands that all his Liege-People ſhould hold them for deadly Enemies; and becauſe he will have theſe Preſents the more firm and laſting, he ſends them this Writ patent, or open, ſealed with his Seal to be ‖ ſafely kept in † ſtore; Witneſs the King at *London* the Eighteenth of *October* in the Forty ſecond Year of his Coronation. And it alſo atteſted by his ſworn Counſellours, *Boniface* Archbiſhop of *Canterbury*, *Walter* of *Cantelow* Biſhop of *Worceſter*, *Simon Montfort* Earl of *Leiceſter*, *Richard Clare* Earl of *Glouceſter* and *Hartford*, *Roger Bigot* Earl of *Norwich*

[2] *Rot. Pat.* 42. *H.* 3. *M.* 3. *M.* 15. *Vid. Somner*'s *Saxon* Dictionary, Verb. *Unnah.*

* *Lamdes' Folk*, *i. e. à Gentis Plebe* in *Somner*'s Dictionary, and in an *Engliſh* Tranſlation of this Author's own Hand is rendred *Countries.*

‖ *Engliſh.*

† *In Hird.*

Norwich, and Mareſchal of *England*; *Peter* of *Savoy*; *William* of *Forz*, Earl of *Albemarle*; *John* of *Pleſſeiz*, Earl of *Warwick*; and many other Earls and Barons, whoſe Names are too tedious here to be recited. *Anno Dom.* MCCLVIII.

There is alſo a Clauſe at the end of this Record, whereby it appears, that the ſame was ſent into every Shire of *England*, and alſo into *Ireland*; which is a plain proof, that that part of it which was then under the *Engliſh* Government, was obliged by the Laws made by the King and his Parliament of *England*, without the Conſent of the Parliament there. The *Iriſh*, obliged by the Laws of Parliament made in *England*.

This Writ or Charter, as appears by the Date, was made by the King and his new Counſellors, to confirm and reinforce the late Proviſions made at *Oxford*; and ſince it is therein expreſs'd, that theſe Counſellors were choſen by the *Folk* or *People* of the Land, it ſeems, that the *Commons* (as we now call them) had alſo a hand in the making of them.

I do not find any thing elſe conſiderable to have happen'd this Year, yet I will give you here ſome things of leſs Moment, ſince they may prove either Inſtructive, or at leaſt diverting to the Reader.

[3] About this time the Earl of *Glouceſter* was taken ſtrangely ill, ſo that many ſuppoſed him poyſon'd by ſome of the *Poictovins*, for he broke out all over in Boils, inſomuch that he loſt both his Hair and Nails: However, by the Care of a skilful Phyſician he eſcaped with his Life; but this much is certain, that many Noblemen died ſuddenly about that time, as I have ſaid before, who were alſo thought to have been poyſon'd. [3] *Id. p.* 974. *M. W.* The Earl of *Glouceſter* being ſuppoſed to be poyſon'd, hardly recovers.

[4] But about the ſame time his Brother *William*, a young Nobleman, of great hopes, died, under great ſuſpicions of Poyſon; the Symptoms being much the ſame as thoſe of the Earl his Brother, which highly exaſperated the Nobility againſt thoſe Strangers, whom they ſuppoſed to have done it. [4] *M. W.*

[5] About this time likewiſe there fell out an accident, which much diſturbed the Earl of *Leiceſter* and the Barons, ſince it ſhew'd them the King's private Reſentment. It ſeems one Day, as the King was going by Water from *Weſtminſter*, He was ſurpriſed by a great and ſudden Storm of Thunder and Lightning, of which He being naturally very fearful, commanded the Barge-men to ſet him on Shore at the next Stairs, which happen'd to be *Durham*-Houſe, where the Earl of *Leiceſter* then lay; he hearing the King was there, preſently ran down to receive him, and finding him ſomewhat frightned with the Thunder, ſaid unto him, *Your Majeſty need not be afraid, the Storm is over. No*, Montfort, (ſaid the King, with a ſevere look,) *by God's Head, I fear not the Thunder, ſo much as I do thee:* At which words the Earl being out of Countenance, ſaid, *Sir, I am ſorry you ſhould fear your true Friend and humble Servant, more than the Enemies and Deſtroyers of your Kingdom.* It was thought the King ſaid this, becauſe He looked upon the Earl of *Leiceſter* as the Head of the Party againſt the *Poictovins*, and the chief Promoter of their Baniſhment. And this may ſerve as a Caution to Great Men, not to become terrible to the Princes they ſerve, ſince whomſoever they Fear, they alſo Hate, and will be reveng'd of them at one time or other. [5] *M. P. p.* 974. The King's great fear of the Earl of *Leiceſter*, ſhewn by an odd accident.

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[1] Nothing happen'd remarkable this Year in relation to *Wales*, but that the *Welſh* and *Engliſh* meeting upon a Parly, or Treaty of Peace, which was then held at *Emlyn*, between a Baron then called *Patrick de Canton*, for the King; and *David*, Brother to the Prince of *Wales*, with ſome others of his Council; *Patrick* finding the *Engliſh* to be ſuperiour in number to the *Welſh*, took the advantage, and ſlew a great many of them; but *David*, and ſome other of the Lords eſcaping, raiſed the Country, and perſuing *Patrick*, killed him with moſt of his Men. [2] Yet notwithſtanding Prince *Llewelyn* being deſirous of Peace, was willing to purchaſe it with his Money, and not long after offer'd the King Four Thouſand Marks for all Damages, and to his Queen Two Hundred Marks, and to Prince *Edward* Three Hundred Marks for their Good-will; but the King refuſed to accept of it, ſaying, *What is this to all our Loſſes?*

[1] *Id.* p. 978. Dr. P's Chron. The *Welſh* murther'd by the *Engliſh* at a Treaty of Peace.

[2] M. W. *in hac Anno.*

[3] As for Foreign Affairs this Year, the King receiv'd the ill News that *Manfred*, Son of the Emperor *Frederick*, was, by the Biſhops and Great Men of the Country, choſen King of *Sicily*; and that he had made Arch-Biſhops and Biſhops without the Pope's conſent, and that in contempt of his Prohibition to the contrary, they had given that King all due Obedience; and beſides that, the Nobility of that Kingdom took no notice of Earl *Edmund*, on whom the Pope had conferr'd it, but did their Homage and Fealty to *Manfred*, and gave him Poſſeſſion of all their Cities and Caſtles.

[3] M. P. p. 979. *Manfred*, Son to the Emperor *Frederick*, choſen King of *Sicily*, againſt the Pope's Will.

The Civil Affairs of this Year proving ſo various and turbulent, gave the leſs opportunity for Eccleſiaſtical; only [4] about the Feaſt of *Aſcenſion*, *Sewal*, Archbiſhop of *York*, departed this Life, being a Prelate of great Piety and Conſtancy of Mind; he died *Excommunicated* by the Pope, becauſe he refuſed to obey his unjuſt Commands, nor would beſtow the Revenues and Preferments of the Church upon unworthy and unknown *Italians*: at his Death he made a devout Prayer to God for Abſolution from all his Sins, and appeal'd to him from the Pope's unjuſt Sentence, calling Heaven and Earth to witneſs, how unjuſtly he was perſecuted; and then, after the Example of *Robert*, Biſhop of *Lincoln*, ſent the Pope a Letter, full of Complaints and wholſome Admonitions, but all to no purpoſe. [5] However, tho' he died thus *Excommunicate*, yet the Sentence being unjuſt, our Author reckons him a Saint, and relates a Miracle done by him before his Deceaſe. Some time after which, the Chapter of *York* choſe *Godfrey de Kniveton* for their Arch-biſhop, who going to *Rome*, tho' not without great Charges, yet obtain'd his Confirmation, and ſoon return'd home. [1] Alſo this Year the Dearneſs and Scarcity of Corn encreaſed more and more, by reaſon of the wetneſs of the Seaſon which ſpoiled the Grain that was then abroad at *All-hollontide*, whereby the Famine became ſo great, that a World of poor People died of Hunger.

[4] *Id.* p. 969. The Deceaſe of *Sewal*, Archbiſhop of *York*, who died Excommunicated by the Pope.

[5] *Id* p. 973.

[1] *Id.* p. 976, 981.

Anno Dom. MCCLIX.

[2] This Year the Nobles kept their *Chriſtmaſs* at *London* with the King, where they alſo treated among themſelves with great Solicitude, how they might carry on their Deſigns, and yet ſatisfie the Requeſt of *Richard*, King of *Almaigne*, who had given them notice of his Intentions to return into *England*, to viſit his Friends, and look after his own Affairs. But they ſuſpected, that his coming hither might be to pour out his Indignation and Revenge upon the Barons,

[2] *Id.* p. 981. The Nobility keep their *Chriſtm.* with the King, and conſult what Anſw. to give the K. of the *Rom.* about his return to *Eng.*

Barons, for their behaviour towards his Father King *John*, and his Brother King *Henry*; and they were alſo afraid leſt he might divide them, and bring off many to be his Followers, and ſo fruſtrate all their Purpoſes. *Anno Dom.* MCCLIX.

[3] About the Feaſt of St. *Hilary* (that is *January* the thirteenth) they again entered into a common and ſolemn Conſultation and Debate, about his coming over into *England*; and thereupon ſent the Biſhop of *Worceſter*, the Abbot of St. *Edmunds-bury*, *Peter* of *Savoy*, and *John Manſel*, to him, to know the cauſe of his ſo ſudden and unexpected coming over, and how long he deſigned to ſtay here, and [4] to acquaint him, that before his coming hither, he muſt take an Oath to join with, and aſſiſt the Barons in compleating and eſtabliſhing their late Proviſions and Reformation. But King *Richard* being come toward the Sea-Coaſt with a well equipp'd Guard of good Horſe, carried himſelf very haughtily towards theſe Meſſengers, ſwearing by *the Throat of God*, that he would not take the Oath they required of him, nor would he tell them how long he intended to ſtay in *England*; and farther added, that thoſe Nobles ought not to reform the Kingdom without him, nor preſumptuouſly undertake ſuch a difficult buſineſs as that was, unleſs they had his Preſence and Aſſent.

[3] *Id. ib.* And reaſſume the Debate after the Holy-Days, and agree to ſend Meſſengers to treat with him about it.

[4] *Ib. p.* 983.

King *Richard* carries himſelf very haughtily towards theſe Commiſſioners.

[5] The Nobility, upon hearing of this, fitted out Ships and Galleys from the Cinque-Ports, and other Places, reſolving to fight him, and hinder his Landing if poſſible; and likewiſe rais'd an Army, both of Horſe and Foot to oppoſe him: But when he had certain Intelligence of theſe Preparations, he became more calm and eaſie; and through the perſwaſion of his Friends, engaged by his Charter to take ſuch an Oath as the Barons required of him; ſo on the Seven and twentieth of *January*, He with his Queen, and Son *Edmund*, Landed at *Dover*, with only Two *German* Earls, and Eight Knights, beſides their Retinue, but they were not permitted to go into the Caſtle; the next Day King *Henry* met him at *Canterbury*, and both Kings went into the Chapter-Houſe there, and then *Richard* Earl of *Glouceſter* called upon the King of *Almain*, by the Name of *Richard*, Earl of *Cornwall*, (without ever having any regard to his being Crowned King of the *Romans*) to take the ſaid Oath according to his Promiſe; which was in theſe words, *viz.*

[5] *Id. ib.* Whereupon the Nobility ſend out Ships and raiſe an Army to ſtop his Landing. Yet upon his engaging to take the ſame Oath as the Barons had done, he is permitted to come.

The Earl of *Glouceſter* calls him by no other Title than *Richard* Earl of *Cornwall*.

[1] *Hear ye, all People, that I* Richard, *Earl of* Cornwal, *do here ſwear upon the Holy-Goſpels, that I will be faithful and diligent, together with You the Barons, to reform the Kingdom of* England, *hitherto too much out of Order by the Council of Evil Men; and I will be your effectual Helper to expel all Rebels and Diſturbers of the ſame Kingdom, and will obſerve this Oath inviolably, under pain of loſing all the Lands I have in* England.

[1] *Id. ib.* Whereupon he takes an Oath to join with the Barons in the Reformation of the Kingdom.

[2] On *Candlemaſs-Day* following, the Two Kings, with their Queens, made their publick Entry into *London*, and were received with great Joy, becauſe King *Richard* had not brought his Half-Brothers over with him, as was expected.

[2] *Id. ib.* The 2 Kings with their Queens make their Entry into *London*.

[3] Eight

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[3] Eight Days after this, the Nobility, as they had agreed before at *Oxford*, met in Parliament at *London*; where the Earl of *Leiceſter*, having been for ſome time abſent beyond Sea, alſo appear'd, bringing over along with him the Dean of *Bourges*, one of the *French* King's Privy-Council, to treat of compoſing the Differences between his Prince, and the King of *England*; the occaſion of which was this.

[3] *Id. ib.* The Nobility meet at *London* in Parliament, and treat about compoſing the differences betw. K. *H.* and the K. of *France*.

[4] About the beginning of *November* laſt paſt, the Earl, with the Biſhops of *Worceſter* and *Lincoln*, and *Roger*, Earl Mareſchal, had been ſent, by Advice of the Baronage then Aſſembled at *London*, to meet the Kings of *France* and *Almain* at *Cambray*: But the Two Kings not coming thither, and nothing been done, all the reſt return'd home, but only the Earl of *Leiceſter* ſtayed behind, and went into *France* to treat further about theſe Affairs of the *French* Territories detain'd by that King; and he having been long expected by the Barons, now again return'd to their great Satisfaction: in this Parliament there was no ſmall debate about the Matter in difference between the Two Kings of *England* and *France*; and what had been before treated of beyond Sea, was now approv'd of, and thereupon a Peace was concluded on St. *Valentine*'s Day, provided both the Princes would conſent to what their Agents had agreed on and determined.

[4] *Id. p.* 980. Ambaſſadors had been before ſent into *France*, to treat about it, but it came to nothing.

A great debate in this Parliam about the difference between the K.s of *France* and *England*.

[5] In the beginning of *April*, by the Command and Advice of the King, and whole Barbnage, the Earls of *Glouceſter* and *Leiceſter*, *John Manſel*, *Peter* of *Savoy*, and *Robert Wallerand*, were ſent over to the King of *France*, and his Great Parliament (or Aſſembly of Eſtates) holden at that time; and they carried along with them King *Henry*'s Charter of Reſignation of *Normandy*, with Letters Credential to put an end to all Diſputes that were then, and had been for a long time depending between the ſaid Kings, on that Account; as alſo to confirm and eſtabliſh what had been lately agreed on by their Agents.

[5] *Id. p.* 986. Ambaſſadors appointed by the K and the Baronage, to go to the K. of *France* and his Parliam. who carry the K.'s Reſignation of *Normandy* upon certain Conditions.

[1] But becauſe theſe Envoys were (for ſome reaſon or other not mention'd) ſoon parted from each other, what was done in this Matter was not certainly known, or at leaſt not made publick; yet this much appears from the ſame Author, that when all things were in a manner agreed on between the Two Kings, the [2] Counteſs of *Leiceſter* (Wife to *Simon Montfort*) would not reſign her Right expectant in *Normandy* to the King of *France*; whereupon aroſe a mighty Quarrel between the Earls of *Glouceſter* and *Leiceſter*, to the great ſatisfaction of the *French*; but at laſt (tho' with much difficulty) it was taken up and compromiſed by the Mediation of Friends.

[1] *Id. ib.*

[2] *Id. p.* 987. But the Agreement of the Kings is broke off for the preſent, becauſe the Counteſs of *Leiceſter* would not reſign her expectant Right.

Matthew Paris ending his Hiſtory about the middle of this Year, hath left the Account of this great Tranſaction with *France* very imperfect, and therefore we muſt make it up as well as we can from *William Riſhanger* his Continuator, and *Matt.* of *Weſtminſter*; who both agree, that King *Henry*, his Queen, and *Richard* his Brother, with a vaſt Retinue, paſſed over from *Dover* into *France* preſently after *Martinmaſs*, leaving the Cuſtody of the Kingdom to the Archbiſhop of *Canterbury*, and *Hugh Biged* the Juſtitiary. But I cannot, in this place, omit a remarkable Tranſaction, which was performed here, not long before the King's going beyond Sea, tho' I cannot find

Matt. Paris here ends his Hiſtory.

The K. Q. and K. *Rich.* go to *France* to conclude the Treaty with that King.

find it in any other Author, but the MS. Chronicle of the City of *London*; that about the Feast of St. *Simon*, a great Parliament was held at *Westminster*, where the King being present, with many of his Earls and Barons, and an * innumerable multitude of other People, he there caused the late Agreement with the Barons, (by which I suppose this Author means the late *Oxford*-Provisions) to be openly and distinctly read; then the Archbishop of *Canterbury*, and divers other Bishops, being in their *Pontificalibus*, pronounced Sentence of *Excommunication* against all such as should presume to act any thing to the contrary. *Anno Dom.* MCCLIX.

* *Cum innumerabili Populo.*

And in the beginning of *November* the King came to St. *Paul's* Cross, and the *Folkmote* of the City being there Assembled, he took his leave of them, for he was then going beyond Sea; and at the same time he freely granted to the City divers new Privileges relating to that great Body. But to return to our History.

So soon as the King arrived, he sent Ambassadors to the King of *France* to demand Restitution of the Territories which had been wrongfully taken away from his Father King *John* and Himself, by *Philip* and *Lewis* his late Predecessors, as also by Himself, and which were by him still detain'd; the *French* alledg'd many things against it; and particularly, that the antient Donation of *Normandy* was never spontaneous, but had been forcibly extorted by Duke *Rollo* from the King of *France*.

The Argum. of the *French* against restoring any thing to K. *Henry*.

[3] Upon this King *Henry* having neither Courage enough to undertake, nor Money enough to maintain a War to recover his lost Rights, came in Person to the King of *France's* Parliament at *Abbeville*, and there made a Peace, and firm Agreement with that King, upon these following Conditions, *viz.* That the King of *England* should resign his Right to the Dukedom of *Normandy*, and Earldom of *Anjou*, upon payment of Three Hundred Thousand smaller Pounds of *Turon* Money; and in consideration of which King *Lewis* promised him the restitution of certain Territories in *Gascony*, of the yearly Value of Twenty Thousand Pounds *Sterling* Money; by which means having fully and absolutely resign'd his Right to all the rest of the Dominions in the King of *France's* Possession, King *Henry* from thenceforward shortned his Stile in his Patents and Letters, and no longer called himself Duke of *Normandy* and Earl of *Anjou*.

[3] *Id. ib.* Who comes to the K. of *France*, and makes a full Agreement with him for all that had been taken away, with the Conditions thereof.

[4] But *Walter Heminsford* in his Chronicle (tho' he allows the Agreement abovementioned, yet) says, that K. *Henry* soon repenting him of it, would never receive the Money, and that he still used the aforesaid Titles in all his Writings, as long as he lived; But I doubt in this he is mistaken, for it is certain, that this Year he alter'd his Effigies upon his Seal, which instead of a Sword, carried a Scepter in its Hand, as may be seen by the Draught thereof in *Speed's* Chronicle.

[4] T. 3. c. 28. *Inter Scriptor. Oxon. Edit. Vol.* II. *Walt. Heminsford's* mistake concerning this Affair.

[5] Yet *T. Wikes* with greater Probability relates, that the King, so soon as he came over into *France*, sent *Robert* of *Gravesend*, Bishop of *London* to *Paris*, to Treat about the abovementioned Territories; and that when the business was near finished, the King of *France* further insisted, that besides King *Henry's* own Release of his Right to those Territories, he should also procure the Charter of Prince *Edward* his Son, with that of King *Richard*, and of *Simon* Earl of *Leicester*, and their Heirs.

[5] *Ibid. Sub hoc anno.* A more exact Account from *T. Wikes's* Chronicle.

But

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But upon the Earl of *Leiceſter*'s oppoſing this Agreement above-mention'd, by reaſon of what future claim might occur to him and his Heirs, in right of his Wife, the King's Siſter, as has been already ſaid, this Peace did not then take effect; through which obſtacle, the King and Queen ſtaying beyond Sea till *Eaſter* following, they there ſpent a great deal of Money to little purpoſe.

But tho' this Treaty was not at that time fully concluded, yet it is certain it was made an end of, and ratified by the beginning of the following Year, as you will find anon: And I have been the more particular in this great Tranſaction, becauſe Dr. *Brady* has given us ſuch an imperfect Account of it.

I ſhall conclude this Year with ſome Eccleſiaſtical Affairs not mention'd by our Hiſtorians, but is found on [1] Record. *Adomar*, the Biſhop Elect of *Wincheſter*, coming to *Rome*, had ſo far prevail'd with the Pope as to ſend one *Velaſca* his Penitentiary and Chaplain, with Letters directed to the King and Barons, to intercede with them for his re-admiſſion into *England*, and enjoyment of his Biſhoprick: But the anſwer both of the King and the Barons to this Letter and Mediation, was a flat denial, tho' modeſtly drawn up; and it is printed in Dr. *B.*'s Anſwer to Mr. *Petyt*'s Rights of the Commons, *&c.* on which Letter I will alſo make ſome Obſervations hereafter.

[1] *Cl.* 43. *Hen.* 3. *M.* 4. *Dorſ.* *Adomar* deſires to be admitted into *England*, but is deny'd.

But I ſhall at preſent add ſomewhat more concerning this *Adomar*, from [2] *Matt. Paris*, in whoſe abſence the Monks choſe *Henry de Wengham*, then Dean of St. *Martin*'s, and Lord Chancellor, for their Biſhop, and the King conſented to it, but ſtill ſaving the Right of *Adomar*, if he could obtain his Conſecration to that Biſhoprick from the Pope; but the Chancellor refuſed it, becauſe the Title was Litigious, and likewiſe excuſed himſelf as being unfit for ſuch a Dignity, as the cure of Souls, having read but little Divinity, nor ſtudied the Scriptures as he ought; yet this ſeems but a politick fetch, for *Fulk*, Biſhop of *London*, dying ſome time after, he accepted of that Biſhoprick, notwithſtanding his former pretended Inſufficiencies, and procured the King's Letters [3] Patents, by Advice of his Council, to hold and retain all his former Eccleſiaſtical Dignities and Benefices (whereof the King was Patron) together with the Biſhoprick, for ſo long time as the Pope ſhould pleaſe to give him a Diſpenſation for it.

[2] *P.* 982. The Monks choſe *Henry de Wengham*, Bp. of *Wincheſter*, who refuſes it.

[3] *Vid* D. B.'s Ap. N. 199. where it is at large.

[4] Whilſt Biſhop *Adomar* was beyond Sea, the King looking upon the Biſhoprick as good as void, ſeized the Temporalities and Stock belonging to the ſaid Elect, and granted Five Thouſand Sheep, Two Hundred Cows, and Ten Bulls to *Fulk*, Biſhop Elect of *London*, to Stock the Lands belonging to that See, warranting them againſt all the ſucceeding Biſhops of *Wincheſter*; yet with this Proviſo, that they ſhould be reſtored to his Brother *Adomar*, when ever he ſhould be confirmed by the Pope in that Biſhoprick. This appears upon Record; and though the Roll be not worth the inſerting here, yet you may find it in Dr. *Brady*, to whom I refer the Reader, who deſires farther ſatisfaction therein.

[4] *Id. ib.* N. 200. has the Patent at large. Bp *Adomar*'s Stock granted to the Biſhop of *London*, and on what Conditions.

[5] The Continuator of *Matt. Paris*, concludes this Year with a ſhort account of the ſad condition under which *England* had lately groan'd, through the domineering Power of the *Poictovins* and *Romans*, but eſpecially of *Adomar*, Elect of *Wincheſter* above-mention'd, and *William de Valence*, the King's Half-Brothers, as alſo of *Peter* of

[5] *P.* 989. The ſad Condition under which *Engl.* lately groan'd.

Savoy

Savoy, the Queen's Uncle, who treated the King's Subjects, as well Eccleſiaſticks as Laicks, very ſeverely; for if any one who had ſuffer'd Wrong came to the Seneſchal or Steward of *William de Valence*, to complain of any Injury done them, they only receiv'd this Anſwer, *If I do you Wrong, who ſhall Right you, whatſoever my Lord pleaſes, pleaſes the King*; whereas it ſhould have been the quite contrary.

Anno Dom. MCCLIX.

Likewiſe in thoſe Days [1] the Pope's Legates, and the *Italians*, ſtrangely domineer'd over both Clergy and Laiety, exceedingly grieving them in Preſentations to Advowſons, providing ample Benefices for their Friends and Relations, according to their own Will; but croſſing the Biſhops and Abbots in all things, and perplexing them with frequent *Excommunications*, whence it happen'd that the Great Men of the Kingdom being provok'd by their Inſolence, were reſolv'd (tho' late) to give ſome redreſs to theſe intolerable Miſchiefs, and at laſt drove ſome of theſe Strangers out of the Kingdom, as will be related in due time, tho' they did not all at once, for at that time only the *Poictovins* were baniſhed.

[1] *Id. ib.* As alſo by the domineering Power of the Popes Legates.

Anno Dom. MCCLX.

[2] *William* of *Riſhanger* makes the King to have kept his *Chriſtmaſs* this Year at *London*, with a multitude of Strangers, but this is a great Miſtake; for as *Matt.* of *Weſtminſter* truly reports, (which is alſo confirmed by the Clauſe [3] Rolls of this Year) that he was then at *Paris*, making a final Concluſion of the late Treaty with the King of *France*: From hence it appears, that King *Henry* was from the Nineteenth to the Eight and Twentieth Day of *December* at *Paris*, and continued in *France* and *Flanders* a great part of this Year.

[2] *Ib. W.* of *Riſhanger* makes the K. keep *Chriſtm.* this Y. at *Lond.* but is miſtaken, for he kept it at *Par.*

[3] *Cla.* 44. *H.* 3. *M.* 5. *Dorſ. Dr.* B.'s *compl. Hiſt. p.* 636.

Matt. Weſtminſter deſcribes his magnificent Entertainment at *Paris*, and that King *Henry* kept his *Chriſtmaſs* there, with many Noblemen his Attendants, being ſplendidly regal'd by the King of *France*, they ſometimes feaſting together, and ſometimes treating of Affairs of higheſt Moment; and that then in a great Aſſembly of the Nobility, there was a final Peace and Agreement concluded and ratified by their mutual Charters, teſtified under the Seals of the Noblemen of both Kingdoms; by which the King of *England* ſurrend'red to his Brother of *France*, all his Right in *Normandy*, and his other Territories; in conſideration of which He was to receive a great Summ of Money from the King of *France*, with divers fertile and opulent Territories in *Guienne* and *Gaſcoigny* in exchange.

Mat. of *Weſtm.* Account of the King's Entertainment at *Paris*, and what he did there.

But the [4] *French* Hiſtorians are more exact, and tell us expreſly, that their King, by his Charter then made over to Ours all that part of *Guienne* on this ſide the *Garonne*, and on the other ſide *Limoſin* and *Peregord*.

[4] *Paulus Æmilius* in *Ludovico San-to. Chezeray. Sub An.* 1159. The *French* Hiſtorians relation of the Treaty betw. K. *Lewis*, and K. *Henry* about his Dominions in *France*.

But I do not find that this Agreement was ever confirm'd by the Prince, or his Uncle Earl *Richard*, as was at firſt inſiſted on; and then if not, according to the *French* Maxims, that Kings can only renounce for themſelves, and not for their Heirs, it could only oblige thoſe Princes that made it; and the Annals of St. *Auguſtine* of *Canterbury* farther tell us, that this Agreement being chiefly made by the Advice of *Richard*, Earl of *Glouceſter*, and without the conſent of the Prince (who then remain'd in *England*) he was very much incenſed againſt that Earl, and thoſe other Counſellors of the King his Father, who procured it.

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[5] M. W. King *Hen.* having done his Homage for the Dutchy of *Aquitain*, takes his Journ. for *Engl.* but returns to *Paris*, on the ſudden Death of the *French* King's Son.

[5] So ſoon as this Treaty was finiſh'd, King *Henry* having done his Homage to the King of *France* for thoſe Countries which he was to enjoy under the Title of Duke of *Aquitaine*, took his leave of him in order to return into *England*; but before he could reach the Sea-ſide, he received the News of the ſudden Death of *Lewis*, eldeſt Son of *France*, a young Prince of a comely Preſence, and great hopes; at which being much concern'd, he return'd to *Paris*, and attended as a chief Mourner at his Funeral, and then went back again with a full deſign to go for *England*, tho' he ſtill met with ſomewhat to retard him, as you will hear preſently.

[1] W. R. *p.* 990. During the King's Abſence the Great Men ſequeſter the Revenues of the *Italian* Clergy.

[1] During the King's Abſence, the Great Men had commanded all the Religious Orders, who farmed the Revenues of the Churches poſſeſs'd by the *Italians*, not to anſwer the Rents to them, but to pay them in at a time and place appointed, to ſuch as ſhould be aſſigned by the Barons to receive them; which if they refuſed to do, they threatned to burn their Houſes and Goods, and to inflict the ſame Puniſhment upon their Perſons as was intended for the *Romans*; they likewiſe commanded the Biſhops not to interpoſe or concern themſelves for any of the *Italians*, or their Revenues, upon the like Penalties; and ſo by this ſevere Proviſion or Decree of the Barons, *England* for almoſt Three Years was freed from theſe Exactors, until *Simon Montfort* was ſlain, or (as it was believ'd by this Monk) Crowned with Martyrdom.

[2] *T. W. M. W. p.* 54. * Note, *Thom. Wikes* places this under the Year 1259. but it is a miſtake. King *Henry* at St. *Omers* believing a falſe Report of his Son *Edw.* Conſpiring againſt him, begins to raiſe an Army, but afterwards is ſatisfied to the contrary by his Son's and the Nobility's Letters. And comes over into *Engl.* where he is joyfully received.

[2] King *Henry* being arriv'd (as I ſaid but now) at the Sea-ſide, as far as St. *Omers*, in order to his return into *England*, * heard a report (tho' a falſe one) that his Son, Prince *Edward*, (being diſcontented at his late Agreement with *France*) had conſpired with ſome of the Chief Noblemen of the Kingdom, to Impriſon or Dethrone him at his Return: to which Rumours giving too much credit, the King began to raiſe an Army for his Defence; but when the Prince his Son, and Earl *Richard* his Brother had notice of it, having aſſembled moſt of the Nobility to a great Council at *London*, they preſently cauſed Letters to be written, and ſent to the King, under the Seals of the Prince, and his Brother, with all the reſt of the Great Men there preſent, aſſuring him of their entire Fidelity, and that he might return home with ſafety, whenever he pleaſed; wherewith being very well ſatisfied, he diſmiſſed all his Forces, except Three Hundred Foreign Knights or Horſemen, (beſides his own ordinary Retinue) and took Shipping, and landed at *Dover*, about the latter end of *April*, being met and joyfuly received by Prince *Edward*, and all the reſt of the Nobility; yet it ſeems the King's Suſpicions were not quite removed, for he did not ſo much as ſalute ſome of thoſe that had been formerly moſt in his favour.

[3] *M. W.* The K. continues in *Lond.* to ſee the iſſue of the Differences between the Prince and E. of *Glouceſter*.

[3] In the beginning of *May* the King came to *London*, yet went not to his own Palace at *Weſtminſter*, but ſtayed at the Biſhop of *London*'s Houſe near St. *Paul*'s for about Fifteen Days, till he ſaw what effects thoſe private Differences, that were now riſen among the Nobility might produce; for the Gates and Streets of the City were then guarded, as if it had been a time of actual War; inſomuch that none but Perſons very well known, could go in or out of them; but the reaſon of this Diſturbance was, that there had been ſome time before the K's arrival, a great miſunderſtanding between him and

and his Son (who then it ſeems took part with the Earl of *Leiceſter*, and the Barons) and there was alſo a great Quarrel between Prince *Edward* and the Earl of *Glouceſter*, with thoſe of his Party; ſo that each Faction ſtrengthning themſelves, a Civil War had like to have broken out, had it not been for the Mediation of the King of the *Romans*, who did all he could to keep them in quiet till the King's Return. Not long after, He being come to his Palace at *Weſtminſter*, the Baronage or Nobility of *England* were again ſummoned to meet the King at *London*; when they were aſſembled, the Injuries pretended to be done by Prince *Edward* to the King his Father, being firſt diſcuſs'd, the Prince offer'd to prove his Innocence before his Father and Uncle, the King of the *Romans*, and that he was ready to make ſatisfaction for any thing he had done amiſs; affirming, that all the reſt of the Earls and Barons were not of Right his Peers, nor could exerciſe any Authority over him; whereupon the truth of thoſe Accuſations being now throughly canvaſs'd, and they appearing altogether falſe, the Prince was ſoon reconcil'd to the King and Queen, and all the Nobility, except the Earl of *Glouceſter*, and thoſe of his Faction.

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Which had like to have cauſed a Civil War, but was prevented by the King of the *Romans*.

An Aſſembly of the Nobility at *London*, in which the Prince is clear'd, and throughly reconciled to the King his Father.

[4] The Earl finding he could do no good againſt the Prince, accuſed the Earl of *Leiceſter* of divers Offences committed againſt the King, as well on this, as on the other ſide the Sea, and a Day was prefix'd for the Earl's Anſwer, wherein he was to clear himſelf from theſe Accuſation; when it came, and that he appear'd ready to ſtand his Tryal, the Earl of *Glouceſter*, with his Accomplices withdrew their Accuſations, deſiring that the buſineſs might be further adjourn'd till the next Parliament; for he was afraid leaſt if the Earl were acquited, he ſhould recriminate; ſo this Diſturbance being pretty well quieted for the preſent, the Parliament broke up to the King's great ſatisfaction.

[4] *Id. ib.* The Earl of *Glouceſter* accuſes the Earl of *Leiceſter* of many great Offences but a Day being appointed to hear the Accuſation, the Earl of *Glouceſter*, withdraws it.

[5] About this time, as the City MS. Chronicle relates, the King cauſed a *Folkmote* of the Citizens to be aſſembled at St. *Paul's* Croſs, whither he himſelf came with his Brother, King *Richard*, and divers other Noblemen, and there told them, that all of the Male Sex, above Twelve Years of Age, ſhould take an Oath before the Alderman of their particular Ward, to be faithful to the King, and after his Deceaſe to his Heir, without naming any Perſon; which was done accordingly.

[5] *In Libro de Antiquis Leg.* The K. cauſes all the Males in the City, above 12 Yea. of Age to take a New Oath of Fealty.

Some time after, *Richard*, [1] King of the *Romans*, having now continued in *England* about a Year and a half, being put in mighty Expectations by the Pope of obtaining the Empire, went beyond Sea about the end of *June*, with his Queen, for *Italy*; but being fruſtrated of his main deſigns by the great Factions made againſt him, he ſtayed not long in *Germany*, but return'd again in *October* following.

[2] *Id. ib.* King *Richard* goes beyond Sea, in hopes to obtain the Empire, but is fruſtrated.

Some time after *Michaelmaſs*, [2] *John*, Son to the Earl of *Bretaigne*, came over hither, and married the Lady *Beatrice*, the King's ſecond Daughter, and at the Feaſt of St. *Edward* next following, (which was held with more than ordinary Solemnity,) received the Order of Knighthood, as did alſo the Two Sons of the Earl of *Leiceſter*. And theſe, together with Prince *Edward*, went over beyond Sea to a great Tourneament they had appointed there.

[2] *T. W.* The Earl of *Bretaigne* arrives in *Engl.* and marr. the King's ſecond Daughter.

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About the ſame time alſo there was held a Parliament [3] where, after ſome Debates, a new Juſtitiary, Chancellor, and Treaſurer, were appointed by the Barons, in the places of thoſe that were either lately dead, or elſe prefer'd, or had reſign'd; as *Nicholas*, Arch-Deacon of *Ely* was made Keeper of the Great Seal; the Abbot of *Peterburgh* was appointed Treaſurer, and *Hugh d' Eſpenſer* chief Juſtitiary.

[3] *Id. ib.* A Parliament held, wherein ſeveral great Officers are choſen.

[4] This Year, in Autumn, the King of *Scots* came to *London* upon divers Accounts, partly to ſee the King and Queen, as alſo to appear and act as Earl of *Huntington*; but the chief Cauſes were to demand the Sum of Four Thouſand Marks, which he ſaid remain'd yet unpaid of his Wife's Portion; as likewiſe to renew his Demands for *Cumberland* and *Weſtmorland*; ſome Days after him, the Queen his Wife arrived, big with Child, having a great deſire to ſee her Relations and Country, and to Lye-in here; they were received with great Solemnity, and certainly the State and Expence muſt be very great, when no leſs than Three King's appear'd at once; and it was ſaid, that from the time of his coming into *England*, to his return into his own Country, he received Five Pounds a Day for his Expences (which was then more than Forty Pounds now:) this he claim'd as a Right, tho' many affirm'd, that it was no otherwiſe given, than by the King's Bounty; but how he ſucceeded in the Buſineſs he came about, our Author does not tell us.

[4] *M. W.* The King and Queen of *Scots* come to *Lond.* and on what Account.

And are nobly received, with his daily Allowance for his Journey.

[5] As for the Eccleſiaſtical Affairs of this Year, the moſt conſiderable are, that *Adomar*, Biſhop Elect of *Wincheſter*, having at laſt obtain'd the Pope's Favour, and receiv'd his Conſecration from his own Hands, took his leave of him in order to return into *England*, but died by the way at *Paris*: And his Departure was very grateful to all thoſe, who were for maintaining the late Proviſions at *Oxford*.

[5] *T. W.* *Adomar* Bp. of *Wincheſter*, receives the Pope's Conſecration, but dies in his return home.

This Year is alſo noted for the Death of divers other conſiderable Noblemen, Biſhops, and Judges, for whoſe Names I refer the Reader to my Author. [1] But it is much more remarkable for the Deceaſe of Pope *Alexander* IV. to whom ſucceeded *Urban* IV. who was Conſecrated the fourth of *September* after.

[1] *R. W.* The Death of P. *Alexander*, ſo whom *Urban* ſucceeds.

This Year, tho' *England* continued quiet from Civil Wars, yet [2] Prince *Llewellyn* early in the Spring appear'd in the Field, and paſs'd into *South-Wales*, and there fell upon Sir *Roger Mortimer*, the King's Governour in thoſe Parts; and having forcibly diſpoſſeſs'd him of all *Buelht*, and without any oppoſition taken the Caſtle of *Melyenyth*, and killed thoſe in the Gariſon, he marched through all *South-Wales*, making new Conqueſts about *Brecknock*, and afterwards return'd to his Palace at *Aber*, betwixt *Bangor* and *Conwey*.

[2] Dr. *P.'s Chron.* Pr. *Llewellyn* invades the Territories of Sir *Roger Mortimer* in *South-Wales*, and takes them.

[3] But when this News came to the King's Ear, he, fearing leſt theſe Diſturbances might end in an Invaſion upon *England*, iſſued out a Proclamation, that all Perſons that owed Knight-Service ſhould provide all things neceſſary for an Expedition into *Wales*, to revenge the Injuries the *Welſh* had done the King there. Then the Earl of *Leiceſter* was appointed General of the Army, as being the moſt Valiant and experienc'd Commander *England* then had; but divers Accidents happening which hinder'd this Expedition, ſo it ended in a Truce, tho' but for a ſhort time neither. But we ſhall now return to Matters of far greater Moment at Home.

[3] *M. W.* The King ſummons all that owed Military Service, to provide for an Expedition into *Wales*.

The Earl of *Leiceſter* made General of the Army.

[4] But

[4] But tho' the King, together with the Prince his Son, had ſolemnly ſworn to obſerve the Proviſions of *Oxford* (as you have already heard) yet He now began to grow grievous weary of them, and was reſolved not to be bound up by them any longer; yet fearing the imputation of Perjury, He had ſent privately the Year before to the Pope to be abſolved from his Oath to the ſaid Proviſions, which was obtain'd about this time, without any great difficulty, both for the King, and Prince *Edward* his Son: But Pope *Alexander* deceaſing this laſt Year, before the *Diſpenſation* could be ſeal'd, the King was forc'd to ſtay ſome time till it could be confirm'd by Pope *Urban* his Succeſſor.

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[4] *M. W.* The King being weary of the *Oxford Proviſions*, ſeeks to get a Diſpenſation from the Pope.

The Continuator of *Matt. Paris* falſely ſuppoſes the King to have kept his *Chriſtmaſs* this Year in the *Tower* of *London*, as being afraid of the Barons, becauſe he had broken his Oath with them, concerning the abovementiond Proviſions; but this Author is again miſtaken in the placing this Year, as well as the laſt; for I find in better [5] Authors, that he kept this Feaſt at *Windſor*, with his Queen, and his Daughter the Queen of *Scots*, being then ready to Lye-in; and it is not likely that the King would as yet pull off the Vizor, or declare himſelf Jealous of the Barons, before he had receiv'd his Abſolution from *Rome*.

Will. Riſhanger again miſtaken.

[5] *M. W. T. W.* The K. keeps his *Chriſtmaſs* at *Windſor*.

[1] But it is certain that in the beginning of *February* the King having held a ſecret Council, reſolved to declare himſelf, and ſhake off that Yoke which the Barons had laid upon him; wherefore having ſome time after ſummoned them to a Council or Parliament at *London*, he there plainly and briefly told them, that ſince by the 'late Proviſions of *Oxford*, which they had made both Himſelf and 'his Son Prince *Edward* to ſwear to obſerve, they had likewiſe obliged 'themſelves on their part, to encreaſe his Revenue, and pay his 'Debts, neither of which he had by experience found to be by them 'perform'd, according to their Engagements; but inſtead of that, 'ſeeking their own private Intereſts, they had rather diminiſh'd than 'increas'd his Revenues; and that *by putting himſelf under their 'Government, he was become more their Slave than their King*; there'fore they muſt not wonder, if truſting no longer to their Councils, 'he had now ſought for redreſs elſewhere.

[1] *Id. ib.* And having held a ſecret Council, reſolves to caſt off the *Oxford* Proviſions.

He ſummons a Parliament, wherein he plainly declares he will be no longer bound by them, and for what Reaſons.

For indeed beſides his ſending to *Rome* for Abſolution, he had now wrote to the King of *France*, and his Son Prince *Edward*, (who was then gone over thither to a Tourneament, as I have ſaid before) to provide him what Forces he could.

And [2] being now reſolved actually to vacate all theſe late Proviſions, about the beginning of *March* he put himſelf into the *Tower* of *London*, together with the Queen, and then commanding the lock of the Treaſure (which had for ſome time been kept there) to be forced open, he employed the Money to repair and ſtrengthen the Walls of the *Tower*, where it moſt needed: Moreover, he order'd the City of *London* to be fortify'd round about, and called all the Youth of the City, from Twelve Years old and upwards together, cauſing them to ſwear Fealty to him; and commanded it to be proclaim'd, that whoever would take up Arms under him, ſhould be maintain'd at the King's Charge. Upon this many Barons, from all parts, came with multitudes of Armed Men, who were lodged without the Walls, becauſe the Citizens refus'd to give them any Entertainment. Theſe

[2] *Id. ib.* And then in order to it, puts himſelf into the *Tower*, and ſeizes upon the Treaſure there, and with it fortifies the *Tower* and City, and makes all of above 12 Years old to take a new Oath of Fealty.

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These were the grounds and beginnings of that unhappy Civil-War, which for near Four Years tormented this Kingdom; but upon these Alterations, those who had no kindness for the King, raised a report, that he would impose upon, and exact from the Great Men and Community of the Kingdom, undue and unheard of Taxes and Talliages: Therefore the King being sensible of this, by his [3] Writ or Declaration, bearing date at the *Tower* of *London*, the fourteenth of *March*, directed to the Sheriffs of all the Counties of *England*, took notice of it, and after having recited the aboveſaid Calumnies, he Commands them to make Proclamation that he intended no such thing; and if they found any such Reporters of Lyes, to arrest and secure them, till they could produce the Authors of them, or that they should receive further directions from himself.

Upon a Report, that the K. intended to impose new and unheard of Taxes, he issues out a Declaration to the contrary.

[3] 45. *H.* 3. *M.* 15. *Dorſ.* Dr. *Brady's* Appen. N. 15.

[4] Then the King kept his *Easter* at *Winchester*, where taking Courage, he made the Lord *Philip Basset* his chief Justitiary, against the Will of the Barons; by reason of which there arose a great Dissention between the King and them; but He did not much regard that, for being now resolved to proceed in the Course He had already begun, He went a Circuit [5] to all the *Cinque-Ports*, and received the Oaths of Fidelity from the Barons of them; and coming to *Dover*, he took the Government of the Castle from *Hugh Bigod*, and gave it to *Edward de Waleran*, together with the Custody of the *Cinque-Ports*, and County of *Kent*. Then the King return'd to *London*, where He not long after receiv'd from the Pope the Bull of Absolution, both of Himself and his Son Prince *Edward*, from their Oaths to the Provisions of *Oxford*, but the Prince then refused to accept it, tho' afterwards he was perswaded to it: However, the King received it joyfully; but when the Barons had notice of it, they sent Messengers to him, *Humbly beseeching him to observe the Oath he had so solemnly taken; and if any thing displeased him, and that He would be pleased to shew it, they would amend it.* To which the King in great Passion replied, *That they had fallen from their Agreement, and He would be obliged no longer by it*; yet at length, through the powerful Mediation of the Bishops it was consented to, that Two discreet and indifferent Persons should be chosen, One by the King, and the Other by the Barons, who should make choice of a Third, and these Three were to hear the Complaints on both sides, and settle a lasting Peace betwixt them: But nothing could then be determined in this Affair, because Prince *Edward* was beyond Sea, and therefore it was adjourn'd till his return.

[4] *Ex libro Cruatatis* Lond. *de Antiquis legibus.*

The K. makes *Philip Basset*, his Justitiary, against the Will of the Barons.

[5] *W. R. M. R.*

The K. goes to all the *Cinque-Ports*, and takes fresh Oaths of Fidelity from their Barons, and then gives the Governm. of Dover Castle, to *Edw. de Waleran.*

The King receives the Pope's Bull of Absolution for himself and the Prince

And by the Mediation of the Bps puts all Differences between himself and the Barons to 3 indifferent Persons.

And [1] he having notice, that the Agreement between the King and the Barons depended upon his coming over, (having got the better in the late Tourneament at *Paris*) forthwith return'd into *England*, and brought along with him his Uncle *William de Valence*, who had been for some time before banished the Kingdom; yet could he not obtain leave to return, until he had sworn to be obedient to the Provisions of the Barons, and to answer such Complaints as should be made against him.

[1] *Idem.*

The Prince returns into *England*, and brings *Will. de Valence* over with him.

But when the Prince understood by what Councils his Father had been govern'd, he was very angry, and retir'd from his Presence, and adhered to the Barons, according to his Oath, and enter'd into a Confederacy with them, to search out, and drive away from the King,

The Prince understanding by what Councils his Father was govern'd, adheres to the Barons.

King, all evil Counſellors, and their Favourers, becauſe that by their Inſtigation the King had been deceiv'd; and thoſe Proviſions, which the Prince then believ'd to be beneficial both to the King and Kingdom, were now vacated by the Pope's late Abſolution. *Anno Dom.* MCCLXI.

When this came to the King's Knowledge, He and his Counſellors were very much afraid, and ſecured themſelves forthwith in the *Tower* of *London*, whilſt Prince *Edward* remain'd with the Noblemen; to whom there was now a great and continual Reſort.

Whereupon the K. being afraid, ſhuts himſelf up in the *Tower*.

But that which made worſe for the King's Intereſt, was, that the Earls of *Glouceſter* and *Leiceſter*, who were before at variance, were now reconcil'd, and confederating themſelves with the Prince, and other Noblemen, threaten'd, that if the King did not remove from his Councils, thoſe Diſturbers of the Publick Peace, they would do it by force; but the King keeping himſelf, and thoſe Counſellors they diſliked, cloſe up in the *Tower*, a Peace, by the Queen's Mediation, was patch'd up on the ſudden, between the King and the Barons, ſo that for the preſent they ſeem'd reconcil'd, and all things remain'd for a time in the ſame ſtate they were at the making of the ſaid Proviſions.

The Earls of *Leiceſter* and *Glouceſter* are reconciled, and threaten the King, that if he did not remove his Evil Counſellors, they wou'd do it by force.

[2] But things did not long continue in this Poſture, for the King finding himſelf now ſomewhat more at liberty, reſolved to ſet himſelf wholly free from the Impoſition of the Barons, as well as from his former Oaths: Wherefore he went now boldly on Progreſs about the Cities and Caſtles of the Kingdom, reſolving to repoſſeſs himſelf of them, being much encourag'd to it by the Promiſe which the King of *France* and his Nobility had made him, of ſending a great Aſſiſtance; inſomuch that the Earl of St. *Paul*, and *Gerard de Rhodes*, were come over to the King with a great many Foreign Soldiers, who receiv'd Forty Days Pay before their Arrival, and the Earl himſelf had Ten Marks a Week out of the *Exchequer*. Then the King went to *Winchester*, and kept his *Whitſontide* in that Caſtle, where calling before him the Juſtitiary and Chancellor, who had been choſen by the Barons, he demanded from them the Seals, and the Rolls belonging to their Office; but they anſwered that they could not therein obey him without the conſent of the Barons: When the King heard this, he notwithſtanding made *Walter de Merton*, Chancellor, and Sir *Philip Baſſet* chief Juſtitiary, in the room of *Richard de Lucy*, whom he did not look upon as one firm to his Intereſt.

[2] *M. W.*

The King goes on Progreſs, and repoſſeſſes himſelf of the Cities and Caſtles, being incourrg'd by the Promiſes of the King of *France*.

The K. turns out the Juſtitiary, and Chancellor, who had been choſen by the Barons.

[3] But *Thomas Wikes* has given us a better reaſon of the King's Confidence at this time; for he now publickly produced and ſhewed to all the Noblemen there preſent, the Pope's Bull, whereby he was abſolved from the Oath which he had taken concerning the late *Oxford*-Proviſions, as in it ſelf unlawful, being made without his Holineſs's conſent, *who was his ſupreme Lord, and whoſe Vaſſal the King now acknowledged himſelf to be*; adding, that neither would he be obliged by his Oath, becauſe he made it againſt his Will: Thus could Princes, in thoſe Days be abſolved either for Money or Favour, from what Oaths they thought inconvenient for their Intereſt: And it ſhews us how impracticable a thing it is, to think to make Princes, (unleſs it be by force) to obſerve thoſe Oaths or Promiſes they make by compulſion, and only to ſerve a preſent turn.

[3] *In hoc Anno.*

The King ſhews the Pope's Bull of Abſolution from the *Oxf.* Proviſions, as being made without his conſent, whom the K. own'd as his ſupreme Lord.

When

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[4] *Id. ib. M. W.* Whereupon the Great Men take Arms.

[4] When the Great Men of the Kingdom underſtood this, and had conſider'd how contrary it was to the late *Oxford*-Proviſions, and fearing the King ſhould take upon him wholly to diſannul all that had been then agreed on, they preſently put themſelves into Arms, and made haſte to march to *Wincheſter*, where the King then was; but *John Manſel* hearing of it, and being much afraid for the King's as well as his own and his Accomplice's ſafety, he went privately thither, and warning the King of the imminent Danger, adviſed him ſpeedily to retire; whereupon He immediately left that Place, and made haſte to the *Tower* of *London*, with a ſmall Retinue.

The King retires into the *Tower*.

[5] *Id. ib.* The K. ſends Juſtices Itinerant all over *England*, but the Barons forbid all Men to appear before them.

[5] About this time the King, by his own Commiſſion, and without the conſent of the Barons, ſent Juſtices Itinerant all over *England*, who, though they ſate quietly at *Glouceſter*, yet coming to *Hereford* ſome Days after *Midſummer*, they could Act nothing there, becauſe ſome from the Barons forbad all Men, at their Peril, to appeal, or plead before them, becauſe they had gone their Circuits within leſs than Seven Years time, before the end of which, it was not lawful by the late Proviſions to begin new ones; as alſo becauſe the Juſtices had not iſſued out the Legal Summons of Forty Days, which was then requir'd by Law.

[1] *Id. ib.* A great diſturbance about the new Sheriffs raiſed by the King.

[1] This Year likewiſe there was a great diſturbance in the Nation, by reaſon of the new Sheriffs, whom the King had now named in the room of thoſe the Barons had formerly made: wherefore the People of ſeveral Counties, being excited by ſome of the Great Men of the Kingdom, ſtoutly reſiſted thoſe Sheriffs, and would neither obey their Precepts, nor appear before them; at which the King being very much concern'd, directed his Writs or Letters to his Sheriffs, in all the Counties in *England*, to force the People to their former Loyalty, and good Opinion of his Actions; which being upon Record, I ſhall give you the Subſtance of them from Dr. *Brady*'s [2] Appendix.

Rot. Chart. H. 3. M. 46. *Dorſ.* [2] *Append. N.* 205.

The King iſſues out his Writs, ſetting forth the Juſtice of his Cauſe, and commanding all ſuch to be apprehended who adher'd to the Proviſions of *Oxford* or oppoſed the new Sheriffs.

The King recites his own late ſubmiſſion of himſelf, and the Affairs of his Realm to the Proviſions at *Oxford*, under certain Conditions which the Barons had not perform'd on their part; and further ſets forth the Injuſtice of thoſe Ordinances, which tended to the prejudice and depreſſion of his own Royal Power, as well as the damage of his People; and alſo acquaints them with his Abſolution from his Oath to obſerve thoſe Proviſions, which was granted him both by Pope *Alexander* and *Urban*, as likewiſe his own readineſs to do Juſtice to all Men, both Great and Small, in his Courts, to which they might freely, and with all ſecurity reſort. And moreover declares his willingneſs to obſerve the Articles contain'd in the Great Charter, and Charter of Foreſts, which they, the Sheriffs, were now commanded to proclaim in all places; and were ordered to apprehend and ſecure all ſuch as adhered to the former Ordinances of *Oxford*, or preſum'd to ſpeak or act any thing prejudicial to the Rights of the Crown, or his own Honour and Dignity, or to the Sheriff's execution of their Office.

Thus

Thus did this King, being in a great ſtreight, make no difficulty to give large Promiſes, and ſpecious Declarations, which when the Danger was over he obſerv'd as he thought fit. But to return to our Hiſtory. *Anno Dom.* MCCLXI.

The Quarrel being thus begun afreſh between the King and his Barons, and ſtill encreaſing, the Earls of *Leiceſter* and *Gloucester*, with many other Noblemen, went a Circuit round the *Cinque-Ports*, and obtain'd an Inſtrument from them, whereby they engaged, that they would ſtand by the Barons for their fidelity to the King; and that as for the Kingdom, they would guard it ſo well, that no Stranger ſhould enter it to its prejudice; at which News the King, and thoſe of his Party were highly concern'd: From whence we may obſerve the great Power of the *Cinque-Ports* in thoſe times, to which the chief Guard of the Kingdom, by Sea, was then committed, and which in that Age found the King no leſs than a Fleet of above Fifty Sail, each Town according to its proportion; and this they were to do for the Privileges they enjoy'd.

[3] *N. W. Annal. Sti. Auguſti in Bib. Col. Sti. Ben. Cantab.* The Earls of *Leiceſter* and *Glouceſter* go a Circuit about the *Cinque-Ports*, and engage them to ſtand by the Barons.

[4] After this the Barons again aſſembled at *London*, about the Feaſt of *All-Saints*, of whoſe Power the King being afraid, he ſtill kept himſelf, with thoſe of his Party, cloſe within the *Tower* of *London*, and from thence ſpeedily ſummon'd all thoſe that ow'd him Military Service, to come to his Aſſiſtance: But when the Adherents to both Parties were now Aſſembled, either of them fearing the doubtful Succeſs of a War, a Treaty of Peace was again ſet on foot, by the mediation of ſome cool and moderate Perſons amongſt them; and it was then agreed, that all differences between the King and them, ſhould be left to the Arbitrement of certain Noblemen to be choſen for that purpoſe; and ſo all this Labour and Diſturbance that the Barons gave themſelves came to nothing for the preſent; but you will hear more of it the next Year.

[4] *M. W.* The Barons aſſemble again at *Lond.* whilſt the K. keeps cloſe within the *Tower*.

Both Parties agree to refer all their Differences to certain Noblemen equally choſen between them.

In this nothing elſe happen'd remarkable, but the death of *Sanchia*, Siſter to the Queen, and ſecond Wife of *Richard*, King of the *Romans*, who was ſoon after buried in the Monaſtery of *Hailes*, which her ſecond Husband had Founded.

The Death of the Queen of the *Romans*.

Anno Dom. MCCLXII.

[5] King *Henry* kept his *Chriſtmaſs* there in the *Tower*, together with ſuch Counſellors, as our Author ſuppoſes were not for his own, or the Kingdom's benefit; ſo that [1] the difference between the King and the Barons grew ſtill wider and wider, for He now cauſed the new Pope *Urban*'s Diſpenſation of his Oath to the late *Oxford*-Proviſions to be openly read at St. *Paul*'s-Croſs, and not long after to be proclaim'd through all *England*; by which, not only the King, and the Prince his Son, but likewiſe all others who had ſworn to them, were abſolved from them, however very few of the Barons would accept of it.

[5] *W. R.* [1] *M. W.* The Breach between the King and the Barons grows wider, upon his cauſing the Pope's Diſpenſation, to be openly read at St. *Paul*'s-Croſs.

[2] But tho' this Diſpenſation diſpleaſed a great many, yet none of the Biſhops durſt ſhew their diſlike of it, except *Walter de Cantelupe*, Biſhop of *Worceſter*, who, on the behalf of himſelf, and all the Great Men of *England*, publickly appeal'd from it to the Pope himſelf: But this Appeal ſignified nothing, ſo long as the Pope and the King had both agreed againſt the Obſervation of thoſe Proviſions.

[2] *A. S. A.* None of the Biſhops durſt ſhew their diſlike to it, but the Bp. of *Worceſter*, who appeals to the Pope himſelf.

Anno Dom. MCCLXII.

[3] *Id. ib.* The Barons finding the King and the Pope agreed, think beſt to make the beſt Terms they can.

It is at laſt agreed, that the Barons ſhall refer themſelves wholly to the King's Pleaſure, and that of the King of the *Romans*.

[3] And now the Barons finding that the King was reſolved wholly to lay aſide theſe uneaſie Bridles of his Prerogative, and that the Pope had thus declared for his Intereſt, they thought it high time to make the beſt Terms they could with him: Therefore after a long Debate between both Parties, (*Richard* King of the *Romans* being appointed to tranſact for the King his Brother, and the Earl of *Glouceſter* for the Barons) it was at laſt agreed, that the Barons ſhould renounce all their former Demands, and refer themſelves wholly to the King's good Will and Pleaſure, and the Judgment of the King of the *Romans*, in all things concerning the Government of the Kingdom; but the Earl of *Leiceſter* not conſenting to this, left the Court, and tho' many of the other greater and leſſer Barons were not at all pleaſed with this Agreement, yet it was in vain for them to ſtand out, the greater Part having already complied with what the two Kings would have done: So changeable were the Baron's Reſolutions, varying according to their ſeveral Humours, and the preſent Circumſtances of Affairs, of which we are not at this diſtance competent Judges.

[4] *In hoc Anno.* The Barons meet fifteen days after *Eaſter*, and yield to give up ſome of the *Oxford* Proviſions, provided he would confirm the reſt.

Four Perſons to be nam'd for Sheriffs, out of whom the K. of the *Romans* was to chuſe one.

But [4] *Thomas Wikes* gives ſomewhat a larger, and more different Account, and relates, that fifteen Days after *Eaſter* the Barons met again at *London*, to treat with the King; where, after many Debates, they at laſt yielded, that if he would confirm ſome of the *Oxford* Proviſions, they would give up all the reſt; and it was likewiſe then provided, that the Barons ſhould elect out of every County Four Knights, whom they ſhould judge moſt fit for *Sheriffs*, whoſe Names being given in to the King of the *Romans*, he out of them ſhould nominate one for each County, whom he thought beſt qualified for that Office; and theſe were to continue but till *Michaelmaſs* following, and then the King was again to name whom he pleaſed.

[5] *Id. ib.* The Great Men meet again to conclude the former Agreement.

The King of his own free Will commands the *Oxford*-Proviſions to be obſerved.

The ſame that ſome years after were inſerted into the Statutes of *Marlebridge*.

[5] Then preſently after *Whitſuntide* the Great Men met at the ſame Place, to conclude and ſettle the former Agreement: But the Earl of *Leiceſter* being diſcontented at what had been done, went over into *France*; and now (it ſeems) the King did in ſome Points anew confirm the late *Oxford*-Proviſions; for *Matt. Weſtminſter* ſays expreſly, that the King following more wholeſome Counſels, of his own free Will commanded the Conſtitutions of *Oxford* to be inviolably obſerved, and ſent them down into every County. But tho' none of our Hiſtorians have given us the Heads of the Articles that were now agreed to on both Sides, yet I find in two antient *MSS.* (the one in *Bennet*-Colledge Library in *Cambridge*, and the other in the *Bodleian* in *Oxon*) that thoſe Statutes chiefly related to thoſe Suits of Court, and Diſtreſſes made by Tenants *in Capite*, and other Lords of Mannors, upon their under-Tenants, which being very much for the Benefit both of the Lords and Tenants, were ſome Years after again confirmed by the King, and inſerted Word for Word in the Statutes of *Marlebridge*, as you will find at the End of this King's Reign.

[1] *Id ib. M.W.* All Quarrels between the King and Barons for a while reconciled.

[1] After the King's paſſing and confirming of theſe Laws, all Quarrels between him and the Barons ſeem'd for the preſent to be made up; So that about the end of *June*, the King of the *Romans* went over for *Germany*, and about the end of *July* or beginning of *Auguſt*,

King

King *Henry* with his Queen paſſed over to their Territories in *France*, where they continued till almoſt *Chriſtmaſs*, tho' our Authors are ſilent as to what was done there; only that the King, and ſeveral others near his Perſon, fell dangerouſly ill of Quartan Agues at *Bourdeaux*; which delay'd his Return longer than he deſigned. *Anno Dom.* MCCLXII. *K. Henry* and his Brother both go over beyond Sea.

[2] In the mean time *Richard* Earl of *Glouceſter* dying, his Son *Gilbert* was now obliged to go over into *France* to the King, to compound for his Father's Eſtate; but the King having had no Kindneſs for him, becauſe he had held him ſo ſtrictly to the *Oxford*-Proviſions, the Son was received very roughly at firſt; yet at length, by the means of *William de Valence* the King's Half-Brother, he treated him more favourably, and at laſt having made a full Agreement with him for his Lands, he was ſent home well ſatisfied for the preſent; yet all that had been done could not oblige this Young Lord to take part with the King in the War, which not long after broke out; for it ſeems his Father had upon his Death-bed charged him not to depart from thoſe *Statutes* or *Proviſions* above-mentioned. But to return to the Affairs of *England*. [2] *A. S. A.* The Earl of *Glouceſter* deceaſing, his Son goes over to the King, and is roughly received, till his Peace was made by *William de Valence*. Then is ſent home well ſatisfied for the preſent.

[3] During the King's Abſence in *France*, the Earl of *Leiceſter* arrived here privately from thence, about the beginning of *October*, without being reconciled to the King before he came over; but ſo ſoon as he came to *London*, he appeared at a Great Council, which the Lord *Philip Baſſet*, Juſtitiary of *England*, then held; where the Earl produced a Brief or Letter from the Pope, wherein he confirm'd the Proviſions of *Oxford*, and recalled the King's Abſolution, declaring, that he was deceived in the granting of it. This Brief was publickly read in the Council, contrary to the Will of the Juſtitiary, but as ſoon as ever the Earl had publiſhed it, he preſently went back into *France*, to proſecute the Deſign which he had now again ſet on foot. [3] *Id. ib.* The Earl of *Leiceſter* arrives in *England*. And at a great Council, produces a new Bull from the Pope, in Confirmation of the *Oxford*-Proviſions, Which was publickly read.

This Paſſage is found in no other Writer, except the Manuſcript Chronicle of St. *Auguſtine*; and, if true, not only ſhews us the variable Temper of the Pope and his Court, in firſt condemning, and now again confirming the *Oxford*-Proviſions; but alſo gives us the Reaſon of the ſo ſudden Change in the Baron's Humour, from what it was in the beginning of this Year; and ſhews us the Cauſe of what happen'd in the next, as you will find by and by: But if the Abſolution was now recall'd, it was ſhortly after re-confirm'd, as we ſhall hear anon.

I have nothing elſe worth taking notice of under this Year, [2] but that the *Welſh* ſtill continuing their Hoſtilities, a little before *Chriſtmaſs* a Party of Prince *Llewellyn*'s Men ſeized by Surprize the ſtrong Caſtle of *Melienyth*, or *Kenet*, belonging to Sir *Roger Mortimer*; and having put moſt of the Gariſon to the Sword, they took *Howel ap Meyric* the Governour, with his Wife and Children, Priſoners; and after that, the Caſtle was demoliſhed by the Prince's Order: But when Sir *Roger* heard of it, he marched with a great Body of Lords and Knights to the Caſtle, where Prince *Llewellyn* met him; but *Mortimer* not daring to hazard a Battel, took Shelter within the Ruines of his Caſtle, and not finding himſelf ſecure there, deſired leave of the Prince to retire peaceably: Thereupon, by reaſon of the near Relation that was betwixt them, and withal becauſe he would [2] *Dr. P. Chron.* The Prince of *Wales* ſeizes certain Caſtles in the Marches. And permits Sir *Roger Mortimer* to retire in ſafety.

Anno Dom. MCCLXII.

not be thought so mean spirited as to fall upon an Enemy that wanted Power to resist him, he let him go off with his Forces, and then the *Welsh* Prince passing on to *Brecknock*, made himself Master of it with the Desire of the People of that Country, who thereupon swore Fidelity to him, and then he returned to *North-Wales*.

The Prince makes himself Master of *Brecknock* and the adjacent Country.

This is the Account the [3] *Welsh* Chronicles give of this Action, and is (I suppose) the same which *Matt. Westminster* relates; only he calls it the Castle of *Kenet*, and further adds, that it was taken by Surprize, and not delivered for want of Victuals; yet says nothing of the Earl's enclosing himself within its Ruines, nor of Prince *David's* Licence for his Retreat; but, on the contrary, that *Roger Mortimer* being highly incens'd at this Affront, called to his Assistance some of the Lords Marchers, who not only destroy'd the *Welshmen* by frequent Excursions, but also laying Ambush for them in fit Places, sometimes slew three or four hundred of them at a time; and they likewise in return surpriz'd and slew about the like Number belonging to the Marchers.

[3] Dr. P's Chron. Sub hoc anno Mat. Westminst. gives somewhat a different Account of this Action.

Anno Dom. MCCLXIII.

The King and Queen being now returned out of *France*, (according to [4] *Matt. Paris's* Continuator) kept their *Christmass* in the Tower of *London*; but I rather credit [5] *John Eversden's* Chronicle, and the Annals of St. *Augustine*, which do both assure us, that the King and Queen landing at *Dover* on St. *Thomas's* Eve, came to *Canterbury*, where the Lord *Philip Basset*, and *John Mansel* the Justitiary, meeting them, with some others of their Party, they kept this Festival at that City; and it is very certain, that not long after the old Quarrel between the King and his Barons began afresh. [1] For the Earl of *Leicester*, and those of his Party, (being much the greater Number) positively insisted, and were very urgent with the King, that the *Provisions* of *Oxford* might be again observed and proclaimed anew through the whole Kingdom: This the King refused to grant, insisting upon the Pope's Absolution from his Oath, being seconded by the King of the *Romans*, Prince *Edward*, and divers other Great Men, who were the King's chief Counsellors and Ministers; so that (as the [2] City Annals relate) the King was so far from agreeing to the Baron's Demands, that about the same time he issued out his Writs throughout *England*, expressly forbidding the said Statutes or Provisions to be any more observed.

[4] G. R. A. S. A.

[5] MSS in the Heralds-Office.

The King and Queen kept *Christmass* at *Canterbury*.

[1] A. S. A. The Quarrel between the King and the Barons breaks out afresh, and on what Occasion.

[2] *In libro de Antiquis Leg. London.*

Yet however a Civil War did not presently break out, both Parties being either not sufficiently prepar'd, or else taken up in putting a stop to the Incursions of the *Welshmen*; [3] who in the beginning of the Spring, under the Conduct of their Prince *Llewellyn*, being confederated with such Barons of those Parts as were Prince *Edward's* Enemies, invaded the Earldom of *Chester*, and taking the Castles of *Dysert* and *Tygarway*, the latter of which (being one of the strongest in the Marches) was delivered up to him for want of Provisions.

[3] Dr. P's Chron.

Prince *Llewellyn* invades the Earldom of *Chester*.

Whereupon Prince *Edward* being newly returned home, about *Easter*, with a great number of Foreign Souldiers, some time before *Whitsuntide* he was ordered by his Father to march with them against the *Welsh*; thereupon entring the Country, and advancing towards *Snowdun*, the Prince found them retreated into their Fastnesses in the Mountains

[4] T. W. M. W.

Prince *Edward* is order'd by his Father to march into *Wales*.

The *Welsh* retire into their Fastnesses.

Mountains and Woods; ſo that not being able to attack them by reaſon of the Roughneſs of the Countrey, and Thickneſs of the Woods, all he could do was, to ſecure the reſt of his Caſtles, by providing them very well with Souldiers, and all things neceſſary for Defence: At laſt having made a ſhort Truce with Prince *Llewellyn*, he return'd into *England* ſome time after the above-mention'd Feſtival; but the main Deſign being thus defeated, this Truce ſerved rather to encourage than abate the Preſumption of the *Welſhmen*.

Anno Dom. MCCLXIII.

He makes a Truce with that Prince.

[5] So ſoon as the Prince return'd from the *Welſh* Expedition, he went down into the Iſle of *Sheppey*, and ſending for the Barons of the Cinque Ports, he made them (tho' with ſome difficulty) to renew their Oath of Fealty to the King; however it ſignified little, for it being done out of fear, they broke it upon the firſt Opportunity.

[5] *A. S. A.* The Prince goes down to the Iſle of *Sheppey*, and makes the Barons of the *Cinque Ports* renew their Oath of Fealty to his Father.

[1] Preſently after the Prince's Return to *London*, one of the firſt things he did, was to go to the *New-Temple*, and there entring the Treaſury of the Knights-*Templars*, without their Conſents he broke open the Locks of the Cheſts, and took away Ten thouſand Pounds *Sterling*, belonging to ſeveral Noblemen and Merchants of the City; at which raſh Action both the King and Queen, and the King of the *Romans* ſeem'd much offended; but the Prince, ſo ſoon as he had got the Money, carried it preſently to *Windſor* Caſtle, where he ſtaid with his Foreign Souldiers in Gariſon, till the War broke out, tho' very much to the diſcontent of the Earl of *Leyceſter* and the Barons of his Party: In the mean while the King and Queen, with *John Manſel*, and other their Counſellors, kept themſelves cloſe in the Tower of *London*.

[1] *M. Pa.* The Prince breaks open the Treaſury of the Knights *Templars*, and there ſeizes 10000 *l.* belonging to divers Perſons, and carries it away to *Windſor* Caſtle.

[2] At *Whitſontide* a Great Council of the Nobility, headed by the Earl of *Leiceſter*, was held at *London*, (as it ſeems without the King's Summons) where they openly declar'd againſt the King and Prince, as guilty of Perjury, in thus receding from the Proviſions of *Oxford*; and having then a great many of the Younger Noblemen of their Party, they ſummon'd the reſt to come in to them, threatning to treat all thoſe as Enemies who refuſed; ſo that moſt of the Barons now joined with them, ſome out of an honeſt Deſign, ſome out of fear for their Perſons and Eſtates, and others out of hopes of Gain by fiſhing in theſe troubled Waters.

[2] *T. W.* A great Council of the Nobility met at *London*, where they accuſe the King and Prince of Perjury, and ſummon all the reſt of the Barons to appear.

[3] Theſe being thus aſſembled, made up a great Army, under the Command of *Simon Montfort* Earl of *Leiceſter*, as their General, and declared for the late *Oxford*-Proviſions. And farther (according to the City Annals) they ſent the King a Letter or Declaration, (ſeal'd by the Lord *Roger Clifford* in the Name of the reſt) in which they firſt petition'd his Majeſty to obſerve the *Proviſions* of *Oxford*, and defied all thoſe that oppos'd them, (the King, Queen, and their Children excepted) [4] after which, about the end of *June*, they proceeded to Acts of open Hoſtility, falling upon all Strangers (towards whom the ſaid King and Prince had ſhewn too much Favour) as alſo on the King's Counſellors, and all thoſe that adhered to him; and plundered their Houſes, and deſtroyed their Eſtates, without any Mercy or diſtinction of Perſons; [5] but the Storm fell moſt ſeverely upon *John Manſel* and *Robert Walerand*, as thoſe whom

[3] *Id. Ib.* Who being aſſembled, form themſelves into an Army, and declare for the *Oxford* Proviſions. They ſend the King a Declaration.

[4] *M. W. Annal. de Abingdon, MS. in Cantab.* They plunder all Strangers.

[5] *A. S. A.* On whom the Storm falls moſt ſeverely.

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who they thought had chiefly adviſed the King not to come to an Agreement with them; and they had likewiſe the greater Spleen againſt *Simon de Walton*, Biſhop of *Norwich*, and *John Manſel*, becauſe they had, by the Pope's Command, publiſh'd his Bull of King *Henry*'s Abſolution from his Oath to obſerve the *Proviſions* of *Oxford*, and had declar'd all that reſiſted him *Excommunicated*.

[1] *M. W.* A great Perſecution of Strangers, whereupon *John Manſel* quits the Kingdom.

[1] And indeed it now went very ill with the Foreigners, for who ever could not ſpeak *Engliſh* were very roughly treated by the common People; ſo that many for fear of Death or Impriſonment left the Kingdom, as did *John Manſel*, the King's Chief Miniſter, who thought it his ſafeſt way to get over beyond Sea, and leave all his rich Benefices behind him; but *Henry*, Son to the King of the *Romans* perſuing him, out of an eager deſire to ſeize him, he himſelf was taken Priſoner at *Boloigne*, by the Queen's Procurement; and being brought back was here committed to ſafe Cuſtody.

Henry Son to the K. of the *Romans* going over to ſeize him, is made a Priſoner at *Boloigne*.

[2] *Id. ib. T. W.* Some of the moſt active Barons marched to *Hereford*, and there made the Bp. Priſoner, becauſe he was a Foreigner.

[2] In the mean time, *Roger de Clifford*, and *Roger Leyburn*, with others of the moſt active Barons marched up and down the adjacent Countries, ſeizing the Goods, and ſpoiling the Eſtates of thoſe that declared againſt the *Oxford*-Proviſions, and marched down to *Hereford* with a ſtrong Army, where they took *Peter Egue-blank*, Biſhop of that See, *Priſoner*, [3] becauſe he was a *Burgundian*, together with thoſe Chanons of the Church that were his Countrey-Men, whom he had brought into it, and carried them all Priſoners to *Eardeſly* Caſtle, plundering them of all their Money and Goods: after this the Army marched to *Glouceſter*, where they took the outward Caſtle after five Day's Siege; but not being able preſently to poſſeſs themſelves of the main Tower into which *Matthias de Beſille*, the Governour (then Sheriff of *Glouceſter-ſhire*) had retreated, they at laſt broke open the Iron Door of that Place, and taking him Priſoner carried him away (becauſe he was a Stranger) to keep the Biſhop company: From thence they march'd back, and took *Worceſter*, and then went to *Bridge-North* (a Town of the King's) but tho' it held out at firſt, yet it was ſurrend'red the next Day upon Articles, leſt the *Welſh-men* (a great number of whom likewiſe beſieged the Town) ſhould enter it by force.

[3] *M. W.* They marched alſo to *Glouceſter*, and took the Caſtle and carri'd the Sheriff away Priſoner.

[4] *Id. ib. A. S. A.* *Briſtol* is alſo ſurrend'red, but the Caſtle holds out.

[4] Some time after they had likewiſe the Town of *Briſtol* ſurrend'red to them by the Citizens, tho' the Caſtle ſtill held out for the King: then theſe Barons return'd back towards *Windſor*, which Caſtle was ſtill kept by Prince *Edward*'s Men; but in the mean while the Prince, and the Noble-men of the King's ſide, that were then in the Marches of *Wales*, took the Caſtle of *Haye*, *Brecknock*, and other Places. [5] Thus on both ſides they waſted, burnt, and deſtroyed each other's Houſes and Eſtates, whilſt the Barons, and the Earl of *Leiceſter*, did what they pleaſed about *London*, by reaſon that the greateſt part of the Men of Eſtates came in to them.

The Prince takes ſeveral Caſtles in *Wales*.

[5] *T. W.*

The Barons write a Letter to the City, to know whither they would ſtand to the *Proviſions* of *Oxford*.

But after theſe Military, we ſhall now give you ſome Civil Tranſactions, not to be found among our printed Authors, but in the City-Annals already cited, which tell us, that about Midſummer, the Barons ſent a Letter to the City of *London*, under the Seal of the Earl of *Leiceſter* their General, to know from the Citizens, whither they would hold firm to the late Statutes or Proviſions of *Oxford*,

Oxford, which they ſuppoſed to be for the Honour of God, and the Good of the King and Kingdom, or whither they would adhere to thoſe that broke them. *Anno Dom.* MCCLXIII.

[1] Upon the receipt of theſe Letters, the chief Citizens carried them to the King, being then in the *Tower* with his Counſellors, and plainly told them, that the Community of the City were obliged by Oath to obſerve thoſe Statutes, which they thought tended to his Benefit, and that of the whole Realm; and therefore hoped he would not take it ill, if for the future they ſhould not permit any Foreign Knights, or other Strangers, to continue or lodge within the City: then ſome of the principal Citizens were ſent to the Earl of *Leiceſter*, and the Barons, lying then at *Dover*, to aſſure them that they would ſtand to the former Engagements they had made, ſaving their Allegiance to the King. [1] *Id. ib.* The Citizens carry the Letter to the K. and let him know, that they were reſolved to obſerve the *Oxford*-Proviſ.

[2] About the ſame time, the Barons, that they might not ſeem deficient in their Duty to the King, ſent him an humble Petition in Writing, wherein they deſired, that the abovementioned Statutes, or Proviſions, might be obſerved, ſince they had been confirmed by his own Oath, and that of the Great Men of the Kingdom; yet however, if it could be made appear, to the Judgment and Conſideration of worthy and honeſt Perſons, that any thing in them was prejudicial to the King and Kingdom, thoſe things ſhould be annull'd; or if they were obſcure, explain'd, ſo that what was good and profitable might be preſerv'd and maintain'd; they further deſir'd, that for the future the Kingdom ſhould be govern'd by the Native Subjects thereof, as was practiced in all other Kingdoms. [2] *Id. ib.* The Barons ſend the King an humble and modeſt Petition.

This Petition, tho' it ſeem'd very modeſt and reaſonable, I do not find the King would then agree to, [3] but keeping ſtill cloſe in the *Tower*, expected the Prince, his Son, to come and relieve him; [4] to prevent which the Earl of *Leiceſter* drew up a powerful Army near *London*, and lay encamped with it in the Park at *Thiſtleworth*, [5] having before he left *Kent*, engaged the *Cinque-Ports* to revolt from the King, and take an Oath to live and die with the Barons. [3] *M. W.* The K. keeps cloſe in the *Tower*. [4] *T. W.* The Earl of *Leiceſter* draws up his Army near *London*. [5] *A. S. A.*

[1] But the King now finding himſelf diſappointed in his hopes of Relief, and ſeeing he was on every ſide ſurrounded with Enemies, and fearing the Succeſs, thought it his beſt way to agree to all the Propoſals of the Barons, and once more promiſed to obſerve the Proviſions of *Oxford*; [2] whereupon the Barons of both Parties being now outwardly reconciled, receiv'd each other with mutual Embraces; after which, the King adventur'd to truſt himſelf out of the *Tower*, and go to his Palace at *Weſtminſter*; ſo that there was now a temporary Agreement clap'd up, that laſted for a while, which is alſo confirm'd from the City Annals (already mention'd) relating, that on the Morrow after the Feaſt of St. *Margaret* (that is, on the 21ſt of *July*) the King's Writ or Letter to the Mayor and Citizens of *London*, was read in the *Guild-Hall*, ſetting forth, 'That the Difference between the King and the Ba-'rons was now made up; and therefore he Commanded, that his 'Peace ſhould be kept; and if any one broke it, he ſhould be ar-'reſted, and his Goods alſo ſeiz'd and kept ſafe till the King's fur-'ther Order concerning them ſhould be known. [1] *T. W. M. W.* [2] *J. G.*

But

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But as for the chief Articles of this Agreement, they are in [3] *Matt. Weſtminſter*, and *William Riſhanger* (tho' falſly enter'd by this laſt Author under the next Year) being to this effect:

[3] *Sub hoc Anno.*

Firſt, 'That *Henry*, Son to the King of the *Romans* (who was 'then kept Priſoner in *France*) ſhould be releaſed. *Secondly*, That 'the King's Caſtles ſhould be put into the hands of the Barons. *Thirdly*, 'That the *Statutes* or Proviſions of *Oxford* ſhould be again 'inviolably obſerved. *Fourthly*, That all ſhould be baniſh'd the 'Realm by a certain Time, except ſuch as ſhould be allowed of by 'the unanimous conſent of the King's Loyal Subjects; and that only 'Natives of the Kingdom, being ſuch as were faithful and diligent, 'ſhould be admitted to tranſact the Publick Affairs thereof.

But the Terms of this Peace were too ſtrict to be obſerved, either by the King, or Prince *Edward* his Son, longer than till they could find an opportunity to break them; as you will ſee anon.

But I have no more to obſerve concerning the making of this Peace, only that it was for the preſent concluded, notwithſtanding all the Queen's endeavours to the contrary, which tho' done out of her great Zeal, for the King her Husband's Intereſt and Prerogative, yet our [4] Authors make it rather to proceed from a Feminine Malice, and that for this, the ordinary Citizens of *London* were ſo incenſed againſt her, that as ſhe was ſome time after in her Paſſage from the *Tower* (where ſhe till then kept her ſelf) to *Windſor* by Water, juſt going to ſhoot the Bridge, ſhe was from thence ſet upon, not only by foul and vile Reproaches, but alſo with Dirt and Stones, with which ſhe being much affright'ned, was forc'd to return back to the *Tower*. This Story, tho' it ſeems of ſmall Moment, yet will ſerve to inform the Reader, why the Prince her Son was afterwards ſo eager in the perſuit of the *Londoners* at the Battel of *Lewes*, which happen'd to their Prejudice, as well as the loſs of the Victory to the King his Father, as you will find hereafter. But to return to our Hiſtory.

[4] *M.W. G.R.*

As this Peace was ſuddenly made, ſo it was as ſuddenly broken, and that on this occaſion. The Earl of *Leiceſter* being gone toward the Sea-Coaſt, in order to ſet *Henry*, Son to the King of the *Romans*, at liberty, in the mean while the Garriſon of Foreigners in *Windſor*-Caſtle laid hold on this opportunity to Sally out and plunder the adjacent Countrey of their Proviſions, whilſt Prince *Edward*, their Lord, was march'd with ſome other Forces to the Caſtle of *Briſtol*, which was ſtill in his Cuſtody, where having continued ſome Days, there aroſe ſuch a Quarrel between the Prince's Soldiers, and the Townſmen, as could by no means be compos'd, ſo that they wholly withdrawing themſelves from his Obedience, were about to beſiege the Caſtle.

Prince *Edw.* marches to *Briſtol*, where, upon a Quarrel between his Soldiers and the Townſmen, he is by them beſieged.

[5] But the Prince finding himſelf in a ſtreight, and that the greateſt part of *England* was now ſet againſt Strangers, he had no ways to ſecure himſelf from being taken, but by ſending for *Walter* Biſhop of *Worceſter* (who then joyn'd with the Barons) and making him believe, that he would conclude a firm Peace with them, and wholly be guided by his Advice; he thereupon ſo far prevail'd with

[5] *Id. ib.* And is ſet free by the Bp. of *Worceſt.* the Prince making him believe, that he would join with the Barons.

with the Citizens, that they let the Prince go away free: But he prov'd too cunning for the Biſhop and them too; for tho' he pretended to go along with him to Court, in order to perſwade his Father to agree to what he had promiſed, yet ſo ſoon as he came near the Caſtle of *Windſor*, he left the Biſhop, and clapping Spurs to his Horſe rode directly thither, to the Biſhop's great diſappointment, who reſented it very highly to be thus over-reach'd. And when he had inform'd the Earl of *Leiceſter*, and the Barons of it, they gathered what Forces together they could, and about the beginning of *Auguſt* march'd towards the Caſtle, in order to beſiege it: But when the Prince receiv'd intelligence of it, he went out of the Caſtle, as far as *Kingſton*, to meet the Earl of *Leiceſter*, and offer him a Treaty of Peace; but they not coming to any Agreement, the Earl, by the Advice of the Biſhop of *Worceſter*, ſeiz'd upon the Prince's Perſon, and would not let him return again into the Caſtle, ſo that he was forc'd to make the beſt Terms he could for himſelf, and to order thoſe Strangers that kept it, to ſurrender it upon Condition, that they might all have liberty to march out with their Horſes and Arms, and leave the Realm, as they immediately did, being guarded to the Sea-ſide by ſome of the Barons.

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But as ſoon as he came to *Windſor*, he elaps himſelf into the Caſtle.

Whereupon the Earl of *Leiceſter* reſolves to beſiege it.

The Prince going out to parly, is ſeiz'd by the Earl of *Leiceſter*, and forc'd to ſurrender the Caſtle to the Barons.

[1] Upon this ill Succeſs, the King being now deſtitute of all Aſſiſtance, together with the Prince his Son, were neceſſitated at preſent to be outwardly reconcil'd to the Earl of *Leiceſter*, and the Barons of his Party: [2] whereupon the Lord *Hugh le d' Eſpenſer* was again made Juſticiary of *England*, in the room of the Lord *Philip Baſſet*; and the Earl of *Leiceſter* was made High Steward of *England*; and Sir *Roger de Leyburne*, who had been looked upon as one of the King's greateſt Enemies, was likewiſe made Steward of his Houſhold.

[1] *M. W. T. W.* The K. now deſtitute of Aſſiſtance is fain once more to be reconcil'd to the Barons.

[2] *A. S. A.* And ſeveral new great Officers are thereupon made.

[3] Then to perfect this Agreement, about the beginning of *September*, there was a great Council or Parliament aſſembled, and that ſo numerous, as the like had not been known for a long time before; at which the *Proviſions* of *Oxford* were appointed to be publickly proclaim'd, and inviolably obſerv'd through the whole Kingdom; yet to do ſomewhat in favour of the oppoſite Party, *Peter*, Biſhop of *Hereford*, and *Matthias de Bezile*, and thoſe that were Impriſon'd with them, were all ſet free, and the Spoils and Depredations which had been committed upon the Goods of Eccleſiaſticks, and ſuch Noblemen as took part with the King (about which there had been ſo much Diſcord) were ordain'd to be made good.

[3] *M. W.* Another Parliament call'd, in which the Proviſions of *Oxf.* are again eſtabliſh'd.

The Biſhop of *Hereford*, with others are ſet at liberty.

[4] Thus all Differences being ſeemingly huſhed up for a time, the King found ſo much leiſure, that He, with his Queen, about *Michaelmaſs* went over into *France*, to confer with King *Lewis*, who then held a Great Council at *Boloigne*, in order to make up and compoſe all the Differences between the King and the Barons; for it ſeems there remained ſome Things ſtill to be adjuſted.

[4] *M. W. T. W. A. S. A.*

All Differences being again compoſed, the King and Queen go over to a Parliament in *France*.

But what the Event of this Aſſembly was, I can find in no other Author, but the Annals of St. *Auguſtine*, and another nameleſs Writer in the *Cottonian* Library; and they both relate, that the Earl of *Leiceſter*, and divers Barons of his Party, went alſo over thither, where they were met by *Boniface* Archbiſhop of *Canterbury*, and

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The Foreigners complain to the *Fr.* K. of their Baniſhment, but are anſwered by the E. of *Leiceſter*, and the Deputies of the Barons.

those Foreigners that had been before baniſhed *England*, who complain'd of it to the *French* King, as a great piece of Injuſtice and Tyranny, and therefore deſired leave to return home; to which Demand the Earl of *Leiceſter*, and the reſt of the Deputies, who went over on behalf of their Party, replied, *That they were not obliged to give any Account of what had been done in* England *in the Court of the King of* France, *but only in that of their own Prince, and that only by Judgment of their Peers:* Inſomuch that the Barons of *England* not complying with any of those Things that were propoſed to them on the King's behalf, the Aſſembly broke up.

Who not complying with ſome Propoſals, the Aſſembly broke up.

[5] Chron. *Will. de Nangiſ. Paul. Æmyl. in D. Lud. p.* 52 *b.*

K. *Lewis* perſuades the E. of *Leiceſter* to comply with K. *Henry*, but in vain.

The King returns home, but leaves the Queen behind him.

[5] But the *French* Hiſtorians give it us thus, That *Simon Montfort* being ſummon'd by King *Lewis* to come to this Council, he earneſtly entreated him to comply with his King's Deſires, and not to preſs him too far, leſt whilſt he ſet himſelf up for a Patron of the Laws, he raiſed an inveterate Civil War, in which he might both ruine himſelf, as well as the Publick; but this Earl pretending the Defence of the Laws, which he was bound by Oath to obſerve, would by no means hearken to King *Lewis* his reaſonable Requeſt; who finding he could by no means be prevail'd upon, diſmiſs'd him: Whereupon the Earl of *Leiceſter* and his Aſſociates returned preſently home, nor did the King ſtay long behind them; but leaving the Queen (who did not care to come back into *England* in ſuch troubleſom Times) with her Siſter the Queen of *France*, [1] he return'd into *England* preſently after *Michaelmaſs*, to keep the Feaſt of St. *Edward* the Confeſſor, to whom he always paid a ſingular Devotion.

[1] *T. W.* * *NE. An.* 19. *p.* 136.

The Archbiſhop of *Canterbury* excommunicates the two Sons of the Earl of *Leiceſter*, with ſeveral other Noblemen, and on what occaſion.

And that we may here intermix ſome Eccleſiaſtical Affairs, to this time alſo may be referred what is found at the end of certain Manuſcript Annals of the Abbey of *Hide* in the * *Bodleian* Library, *viz.* that *Boniface* Archbiſhop of *Canterbury*, being then at *Boloigne*, did at this time iſſue out an *Excommunication* againſt *Henry* and *Simon*, Sons to the Earl of *Leiceſter*, *Humphrey de Bohun* Son to the Earl of *Hereford*, and divers other Barons that joined with Earl *Simon*, for laying violent Hands on Prelates and Churchmen, and ſpoiling and robbing of Churches, notwithſtanding their Priviledges; yet I do not find, that the Earl of *Leiceſter* himſelf is mention'd in this *Excommunication*; for he was too politick at that time to do any ſuch thing himſelf.

[2] *T. W. ib.*

Another Parliament held at *Weſtm.* but would not comply with the King's fair Propoſals.

[2] But the King having now celebrated the Feaſt of St. *Edward*, he forthwith held another Parliament at *Weſtminſter*, wherein he endeavoured, by offering the Barons very fair Conditions, to have ſettled a good Underſtanding between himſelf and them; but theſe Hopes were blaſted, by reaſon of the Obſtinacy of the Earl of *Leiceſter*, who relying on the Number of his Adherents, wholly refuſed the King's reaſonable Propoſals; ſo that the Parliament broke up without coming to any Concluſion; of which ill Fortune Prince *Edward* made this Advantage, that thereupon, by fair Promiſes and Perſuaſions, he drew off from *Simon Montfort's* Faction the Earl *Mareſchall*, [3] *Henry* Son to the King of the *Romans*, the Lord *John Baſſet*, and divers other Noblemen, with all the Barons of the Marches, who were unanimouſly reſolved to curb the Inſolence of the Earl of *Leiceſter*.

[3] *G. R.*

[4] The

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[4] The King now finding his Party much ſtronger than it was, having held a private Council with his Brother the King of the *Romans*, Prince *Edward*, and the reſt of thoſe Noblemen above-mention'd, they all concluded, that it was the ſafeſt courſe for the King to force the reſt of the Barons to a complyance, by ſurpriſing what Caſtles he could, that were ſtill in the Cuſtody of the oppoſite Faction, which was thus put in execution: Prince *Edward*, under pretence of viſiting his Wife, preſently enter'd and ſurpriz'd the Caſtle of *Windſor*, turning out the Gariſon put in by the Barons; and the Morning following the King himſelf, together with his Family, privately withdrew from *Weſtminſter*, and went to the ſame place, and was immediately follow'd by the * Lord *Henry*, Son to the King of the *Romans*; *John*, Earl of *Warren* and *Surrey*, and ſuch of the Barons who had before ſecretly deſerted the Earl of *Leiceſter*'s Party, who notwithſtanding kept himſelf cloſe in the City of *London*, whilſt in the mean time the King, attended by his Son Prince *Edward*, and the King of the *Romans*, with a good ſtrength of Horſe and Foot which they had now raiſed, marched down to *Dover*, to reduce that Caſtle into the King's Power; but thoſe that were within, and kept it for the Barons, would not deliver it upon the King's Summons; and the Beſiegers finding it too ſtrong to be taken by Force, were, to their Shame, obliged to march off and leave it.

[4] *T. W. ib.* The King and his Brother, with the reſt of the Noblemen of that Party, reſolve to force the Barons to a Complyance.

[5] *Annal. de London.* * *M. W.*

And all marched down to take *Dover*; but they are forced to retire *re infectâ*.

The Annals of St. *Auguſtine* farther add, that the Cauſe of the King's being denied Entrance into the Caſtle, was, from a Letter written by the Earl of *Leiceſter* to the Conſtable or Deputy-Governour, under the Lord *Richard Grey*, adviſing him not to give the King himſelf entrance, unleſs he would be content to come with only Nine or Ten in his Retinue, which he refuſed to accept, as that which would be of no advantage to him.

[1] The King being thus fruſtrated in his main Deſign, yet that he might not return without doing ſomething worth his Journey, took a Circuit round about the *Cinque-Ports*, and then ſummoning their Barons before him, made them renew their Oath of Fidelity to himſelf; after which he went towards *London*, about the beginning of *December*: But when the Citizens, who were headed by the Earl of *Leiceſter*, and *Thomas Fitz-Richard*, heard of his coming, they peremptorily denied the King and the Prince his Son entrance into the City, tho' moſt of the elder and wiſer Sort did all they could to oppoſe it.

[1] *Id. ib.* The K. goes to the *Cinque-Ports*, and makes them renew their Oath of Fidelity to himſelf, and then returns to *London*, where he is denied Admittance by the Citizens.

[2] In the mean while the Earl of *Leiceſter* had raiſed a great Army to relieve *Dover*-Caſtle, if the King had actually beſieged it, but now he lay encamped about *Southwark*, to hinder his coming to *London*; whereupon Prince *Edward*, lying at the ſame time with his Forces about *Merton*, marched towards the Borough of *Southwark*, and joining his own Forces to his Father's, had like to have ſurprized the Earl of *Leiceſter* (who was then inferiour to the King in Number;) [3] for ſome of the Chief Citizens being ſecretly of the King's Party, had, unknown to the reſt, ſhut up the Gates of the Bridge, and taken away the Keys, ſo that the Earl could not retire into the City, nor could the Citizens march out to his Aſſiſtance: The chief Contriver of this Deſign was one *John de Giſors* (a *Norman* by Birth:) But the Common Citizens hearing of the Earl's Danger,

[2] *T. W. M. W.* The E. of *Leiceſter* with an Army lies about *Southwark*, to hinder the King's coming to *London*. And is like to be ſurpriz'd by P. *Edward*, through the Treachery of ſome Citizens.

[3] *A. S. A.*

Anno Dom. MCCLXIII. Danger, broke open the Gates and Chains, and presently got out to his Relief, upon whose Arrival the Earl commanded his Men to their Arms, and to put white Crosses on their Breasts, and then he marched out with them into the Fields near *Lambeth*: but so soon as the King, and the Prince his Son, had notice of it, they retir'd, and so both Parties went back to their former Quarters; upon which a Truce was agreed on for Eight Days, but it continu'd on till *Christmass*.

but the common Citizens break them open, and march out to his Relief.

[4] *T. W.* After divers Treaties of Peace, the K. and his Party, as also the E. of *Leicester* & the Barons agree to refer all Differences to the Arbitration of the K. of *France*.

[4] During this Interval, there were frequent Treaties of Peace carried on by some of the Bishops, and divers other moderate Persons, who foresaw the Ruine and Mischief that this Civil War would bring upon the whole Kingdom; so that at last the King, with his Brother King *Richard*, Prince *Edward*, and the rest of the Earls and Barons who espoused the Royal Interest; as likewise on the other side, the Earl of *Leicester*, and all the Barons of his Party, did by an unanimous Consent, agree to refer all their Differences about the Provisions of *Oxford*, as also concerning the other Matters in dispute, to the Arbitration of *Lewis* King of *France*.

All Degrees and Orders of Men on both sides agree to it, and swear to observe it.

See the Copy of the King's in Dr. B.'s Ap. N. 206. from the *Pat. Roll.* 48. *H.* 3. *M.* 18. N. 75. where is also that from the Barons.

But whither the King and the Earl's Party ever met in one Assembly or Council, about this great Affair, our Authors do not expresly tell us, only *Thomas Wikes* reckons up all Degrees and Orders of Men, of the whole Clergy and Laiety, who agreed to the said Arbitration, and confirm'd it by an Oath, as also by mutual Charters under the Seals of the King, and the Prince his Son, on the one Part, and the Earl of *Leicester* and the Barons on the other, provided the King of *France* gave his Sentence in this Matter, before the Feast of *Pentecost* following.

[5] *A. S. A.* Prince *Edw.* going over into *France*, is in great danger by a Storm.

[5] Then Prince *Edward*, with the Lord *Henry*, Son to the King of the *Romans*, and some other Lords, went beyond Sea on the *Sunday* before *Christmass*; the occasion of their going over was, to meet the King of *France*, who then held an Assembly of the Estates at *Amiens*, on purpose, that he might, by their Mediation and Advice, make a Reconciliation between King *Henry* and the Barons; but most of them, together with the Earl of *Leicester*, pretended they were not able to appear there in Person, by reason of the War that *Roger de Mortimer*, and his Adherents, then made against the Earl of *Leicester* in *Wales*: However the Barons sent over the Lord *Peter Montfort*, and Mr. *Thomas de Cantelupe*, (to whom *Wikes* adds, the Lords *Adam* of *Newmarket* and *William Blund*) as their Deputies, to the Assembly of Estates above-mention'd; whither also came Queen *Eleanor* to meet the King her Husband; as also did the Archbishop of *Canterbury*, and all the exil'd Foreigners, in hopes of being restor'd.

The Earl of *Leicester*, and most of the Barons decline going over, and the reason of it.

Yet send their Deputies to appear for them at the Parliament of *France*.

Anno Dom. MCCLXIV. [1] But the King resolving to keep his *Christmass* in *England*, did not go over thither till about the 28*th* or 29*th* of *December*, and as soon as he Landed, he made all the speed he could to meet King *Lewis* at *Amiens*, who having accepted the Arbitration, after a full hearing of whatever could be said on both sides in that Great Assembly of his Bishops and Nobility, gave Sentence, tho' perhaps too hastily (as our Author says) in favour of his Brother the King of *England*, against the Earl of *Leicester*, and the Barons of his Party, and

[1] *M. W. T. W.* The King goes over at the end of *Decem.*

The K. of *Fr.* gives Sentence for K. *Henry*, and annuls the Provis. of *Oxf.*

and by declaring the Proviſions of *Oxford* to be null and void, reſtor'd the King to his antient Power; adjudging further, that the King might nominate his Juſtitiary, Chancellor, Treaſurer, and other Officers of the Kingdom, as he pleaſed himſelf; and that Foreigners were as capable of Offices and Dignities in *England* as the Natives. *Anno Dom.* MCCLXIV.

* This Award or Arbitrement of the King of *France* (which I have given you at large at the end of this Volume, from Father *Dacherie*'s ** *Specilegium*) bears date the 3*d* Day of *Febr. A. D.* 1263. The *French* not beginning their Year till our *Lady-Day*, in which they are there alſo follow'd by moſt of our own Writers, who then begin the Year according to the Eccleſiaſtical Account, which about this time took place; whereas according to that obſerv'd by *Matt. Paris*, and all our former *Engliſh* Hiſtorians, the Year was to have begun on *Chriſtmaſs-Day*, as I my ſelf have alſo here plac'd it; ſo that according to our Account, this Aſſembly of Eſtates was held, and King *Lewis*'s Award above-mention'd was Sign'd *A. D.* 1264. The not obſerving of which difference in Accounts, hath led *Speed*, and all our modern Hiſtorians, into a great Miſtake in point of Time; ſo that Dr. *Brady* himſelf, blindly following *William* of *Riſhanger*, has plac'd all this tranſaction after *Chriſtmaſs*, in the Year 1263. whereas if he would but have conſulted *Matt.* of *Weſtminſter*, or any other Author of that time, he would have there found, that they place this great Affair not in the beginning, but latter end of this Year, reckoning as we do now from our *Lady-Day*. * *Vid. Append.* N. 11. * Vol. 18. Edit. *Paris.*

[2] But *W. Riſhanger*, above-mention'd, is wholly inexcuſable, who tho' he begins the Year at *Chriſtmaſs*, yet places thoſe Actions at the beginning of the former Year, which did not happen (according to his own Account) till this; and that which is yet more prepoſterous, he places all thoſe Actions under this preſent Year, as done after the King of *France*'s late Sentence or Award, which indeed happen'd the Year before it; and that they did fall out in the laſt Year, and not under this (as he falſly places them) is prov'd by a great Eclipſe of the Sun, which fell out on the *Nones* or 5*th* of *Auguſt*, about Three of the Clock, as *Matt. Weſtminſter*, and ſeveral of our Manuſcript Chroniclers agree. [2] *Mat. Paris* p. 992.

But it muſt be confeſs'd, that the Tranſactions of theſe two or three laſt Years are Regiſter'd very confuſedly by our Printed Hiſtorians, who Writing long after theſe things were done, and not well attending to the time in which the Actions they ſet down were perform'd, have fallen into great Miſtakes in the Account of the Time, when they were done; which I have, by the help of the Manuſcript Annals, belonging to the City of *London*, as alſo thoſe of the Abbey of St. *Auguſtine* above cited, I hope ſufficiently rectified; but it is time to return to our Hiſtory, from whence we have too much digreſſed.

It is not to be doubted, but King *Henry* receiv'd this Award of the King of *France* (being ſo highly for his Advantage) with much Joy and Satisfaction, as it gave the Deputies of the Barons no leſs Grief and Indignation: But they ſaying little while they were in *France*, immediately return'd back into *England*, and communicating what had been done to the Earl of *Leiceſter*, and the reſt of the Barons who had ſent them, they found no other way to evade the King of [3] *M.W.T.W.* The Barons being highly diſpleaſed at this Award return'd to *Engl.* and conſulting with the E. of *Leiceſt.* reſolve not to ſubmit to it, and on what pretence.

Anno Dom. MCCLXIV.

of *France*'s Sentence, than by laying hold of one conſiderable Article of it, wherein it was declar'd, *That he did not intend thereby to abrogate the antient Liberties granted by King* John's *and the preſent King's Charters*, of which Clauſe, the Earl of *Leiceſter*, and thoſe of his Party taking advantage, would not ſtand to the King's Arbitrement, alledging, that it contradicted it ſelf; and that the *Oxford*-Proviſions, and all things that had been acted by vertue thereof, was only in perſuance and corroboration of the ſaid Charters.

[4] *T. W.* This Sentence of the King of *France* makes the Barons begin the War afreſh, and ſeize the City of *London*.

[4] Thus this Sentence of the King of *France* was ſo far from procuring Peace (as was intended) that it rather made the War break out more fiercely than before; for no ſooner did the Deputies of the Barons arrive in *England*, but they began to renew the War afreſh, ſeizing again upon the City of *London*, and ſallying out from thence, ſpoil'd and plunder'd the Goods of their Enemies in the adjacent Countries, as you will hear further anon.

[5] *A. S. A. T. W.* Prince *Edw.* arriving in *England*, and hearing his Friends were like to be worſted towards *Wales*, marched down thither to aſſiſt them.

[5] Prince *Edward*, with his Couſin *Henry*, Son to the King of the *Romans*, arriving in *England* about the end of *February*, from the late Aſſembly in *France*, and hearing, that notwithſtanding Sir *Roger de Mortimer*, Sir *Robert de Clifford*, and Sir *Thomas Corbet*, with divers other Barons of the King's Party, ſtill proſecuted the War againſt the Earl of *Leiceſter*, and his Sons in the Marches of *Wales*, with a ſufficient vigour, yet that by Prince *Llewellyn*'s joining his Forces with thoſe of the Earl of *Leiceſter*'s Sons, they had deſtroyed the Eſtates of the Lord *Mortimer*, and other Lords Marchers, and burnt the Caſtle of *Radnor*, ſo that the King's Friends in thoſe Parts were like to be worſted; therefore to put a ſtop to this, Prince *Edward* reſolved to go with all ſpeed to their Aſſiſtance, and raiſing what Forces he was able in ſo ſhort a time, he march'd from *Dover*, quite croſs the Countrey, as far as *Hereford*; but there receiving Intelligence that the Earl of *Leiceſter*'s Sons were coming againſt him with a powerful Army of *Engliſh* and *Welſh*, and being apprehenſive that he ſhould not be ſtrong enough to encounter them, he fortify'd himſelf as ſtrongly as he could in the Caſtle of that Town.

But hearing of the approach of the E. of *Leiceſt.* Sons he fortifies himſelf in *Hereford*.

[1] *Id. ib.*

[1] In the mean time, as ſoon as the King his Father could receive the King of *France*'s Award drawn up into Form, he made no delay, but taking leave of that Prince in the beginning of *February*, he went to *Whitſand*, and there ſtaying ſome time, in order to go for *England*, he thought fit, before he took Shipping to ſend over Meſſengers to *Dover* to demand admittance into that Caſtle, in obedience to the *French* King's late Sentence; but they could receive no other Anſwer from thoſe that kept it, than that they could not do it without the conſent of Sir *Richard de Grey*, their Conſtable; however the King reſolved to paſs over thither himſelf, and being ſafely arriv'd, was there honourably receiv'd in the Priory, and from thence He again ſent to demand the delivery of the Caſtle into his hands; but being ſtill deny'd it, he went forthwith to *Canterbury*, and ſpent there ſome Days; but to what Place he went from thence is not certain, our Authors being ſilent in it; only we find from *Tho. Wikes*'s Chronicle, that he was in the beginning of *Lent* at *Oxford*, (which fell out then about the firſt Week in *March*) and that he continu'd there till the end of that Month, as we find by a * Commiſſion ſtill upon Record (tho' not mention'd by any of our Hiſtorians

K. *Henry* ſends Meſſengers into *England* to demand admittance into *Dover*-Ca. but is refus'd.

The K. Lands in *Engl* and again demands the Caſtle, but being deny'd it, goes to *Canterbury*.

He goes in the beginning of *Lent* to *Oxf.*

* *Pat.* 48 *H.* 3. *M.* 16. *Vid.* Dr. *B.*'s *Ap.* N. 207.

rians) by which it appears, that the King had not been long there, before He began a Treaty of Peace with the Barons, and to that end impower'd the Biſhop of *Coventry*, and *Nicholas*, Arch-Deacon of *Norfolk*, to treat on his behalf at *Brackley*, with *Simon* Earl of *Leiceſter*, and the reſt of the Barons, in the preſence of *John de Valenciennes*, Envoy from the King of *France*, who was (as I ſuppoſe) come over as a Mediator between them, and to endeavour to make a Peace, but whither they ever met or not, I do not find. But one of the firſt things I perceive the King did, after he came to *Oxford* was, (as the Manuſcript * Annals of the Abbey relate) that he then ſummon'd all his Military Tenants to attend him there with Horſe and Arms to march againſt his Enemies.

Anno Dom. MCCLXIV. Where he grants a Commiſſion to treat of Peace with the Barons.

* MS. *in Bib. Pub. Cantab.*

[2] Prince *Edward* having done all he could for the King's Intereſt in the Borders of *Wales*, (tho' without any great Succeſs) left *Hereford*, and plundering and deſtroying the Houſes and Eſtates of the Barons in his March, came to his Father at *Oxford*, who having ſent away all the Scholars of that Univerſity, there was in *Mid-Lent*, held another great Council of the Barons and Gentlemen of his Party, who being inform'd, that a great part of the Barons then in Arms againſt the King, had poſſeſs'd themſelves of the Town and Caſtle of *Northampton*, they adviſed him to march thither againſt them, which he approving of, [3] on the 15*th* of *April* (being *Eaſter*-Eve) He ſet out from *Oxford*, for that Town, with a great Army, being attended by his Son Prince *Edward*, and his Brother King *Richard*, and many other Earls and Barons (for whoſe Names I refer you to my Author) moſt of whom had now come over to him from the Earl of *Leiceſter*'s Party, of whoſe Actions it is time to give you ſome Account; for the Earl having ſtay'd all this while in *England*, expecting the Event of the King of *France*'s Determination, and finding it wholly againſt his Intereſt, was reſolved to make his beſt Advantage of theſe Diſturbances, and having again poſſeſs'd himſelf of the City of *London* (as you have already heard) into which the Citizens had willingly admitted him, he did all he could to fix it to his Party, which was not at all difficult for him to bring about, the City being then ſo naturally diſpoſed to it.

[2] *T. W. M. W.* Prince *Edw.* returns to his Father at *Oxford*, where is held a Council of the Great Men, who adviſes the King to march to *Northampton*, againſt the Barons.

[3] *G. R.*

The Earl of *Leiceſter* ſtrengthens himſelf in *London*.

And here I think it may not be impertinent, from the Annals of the City (already cited) to ſhew you by what means this was effected. *Thomas Fitz-Thomas* being choſen Mayor the laſt Year, was ſtill kept in Office, as one highly for the Earl of *Leiceſter*'s Faction; this Man, to flatter the Rabble or vulgar ſort of Citizens (who then call'd themſelves the Community of the City) permitted them to give their Votes in the firſt place, and if the major part of them cried out *Ta, Ta*, (which was then the ſame thing with our *Yea*) the thing (tho' never ſo violent and unreaſonable) was preſently put in execution; ſo that during theſe Commotions, little or nothing was done by the Aldermen and * Chief Men of the City; by which means the common People became ſo proud and headſtrong, that they Canton'd themſelves into divers particular Aſſemblies or Combinations, ſome of which conſiſted of a Thouſand Men, who, under pretence of keeping the Peace, were the moſt notorious breakers of it, for their principal deſign being to enrich themſelves, they plunder'd the Houſes of whomſoever they had a Pique at, under pretence of their

* Call'd in the Annals, *Magnatibus Civitatis.*

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their being of the King's Party, (or *Malignants*, as they have been call'd in our Times) tho' indeed their Fury mainly fell upon the *Italian* Bankers call'd the *Caurſini* and the *Jews*: nor did this mad Faction prevail in *London* alone, but (as *Thomas Wikes* informs us) was alſo in other Cities and Towns in *England*, where the ungovernable Mob calling themſelves by the name of * *Batchellors*, ran down and overpower'd the better ſort of Citizens and Townſmen, much to the prejudice of the whole Community; and it was theſe ſort of People that kept the King out of the City, when he would have laſt return'd thither; but to give you ſome account of their Exploits.

* *i. e.* Stout young Fellows who carried Staves. *Vid. Gloſſ.* to *Matt. Paris.*

[4] *T.W. G.R.* The Citizens fortify the City of *Lond.*

[4] The War being thus again renew'd, theſe Factious Citizens of *London* having new fortify'd their City, they preſently ſeiz'd the King's Juſtices, and the Barons of the *Exchequer*; and then their next Expedition was in the beginning of *Lent*, when, under the Conduct of *Henry d' Eſpencer* (whom the Barons had lately made Juſtitiary of *England*) and *Thomas Pynpleſdon*, and *Stephen Buckerel* (the former of whom they call'd their Conſtable, and the latter their Mareſchal) upon the Ringing of the Great Bell at St. *Paul's* they marched out early in the Morning, with Banners diſplay'd as far as *Thiſtleworth*, where they burnt a moſt ſtately Mannor-Houſe of the K. of the *Romans*, who had hitherto been a great Friend to the Community of the City, and then in their return they pulled down and deſtroyed a fair Summer-Houſe of the King's in the Suburbs of *Weſtminſter*; then afterwards they fell upon the *Jews*, and not only plunder'd, but cruelly Maſſacred above Five Hundred of them, ſparing neither Age nor Sex, and more had then periſh'd, had not the Juſtitiary and the Mayor interpoſed their Authority: ſo that whoever will compare the preſent Temper of the vulgar People of that City, when left to themſelves, with what it was in that Age, may find, that tho' it is often violent and headſtrong to do Miſchief, yet are not the effects ſo cruel and fatal as they were in thoſe Times.

And then marched out, and burnt the King of the *Roman*'s Houſe at *Thiſtleworth.*

[5] *T.W.M.W.* The King beſieges *Northampton.*

[5] But to return to the King, whom we left in his March againſt *Northampton*, before which Place, ſo ſoon as He and the Barons that attended him arriv'd, they preſently laid cloſe Siege to it, and ſtorming the Town, enter'd it by a Breach, that was made by undermining the Wall; where, after a great Slaughter of the Gariſon in the Streets of the Town, there were taken Priſoners Fifteen Barons bearing Banners, and Sixty Knights, beſides common Souldiers, whoſe number is not related; alſo *Peter Montfort*, Couſin to Earl *Simon*, who had retir'd into the Caſtle, finding it no longer Tenable againſt ſo great a Force, ſurrend'red it the next Day, together with himſelf; [1] but *Simon de Montfort*, ſecond Son to the Earl of *Leiceſter*, before the Town was taken, was made a Priſoner, by a very ſtrange Accident, which was this. He riding too near the Breach, his Horſe being frighten'd at ſomewhat, ran headlong with him through the Ruines of the Wall, down into the Ditch, where his Rider hardly eſcap'd breaking his Neck, but he was taken up by the King's Souldiers, who now got great ſtore of Spoil, ſparing neither Churches nor Monaſteries.

And takes it by an Aſſault; many Barons and Knights being taken Priſoners.

[1] *T. W. Ib.* *Simon Montfort* the younger is taken Priſoner by a very odd Accident.

[2] *Ib.* The manner of taking the Town is ſomewhat differently related by the Annals of S. *Auguſtine.*

But the [2] Annals of St. *Auguſtine* relate the taking of this Place more particularly, and alſo differ in ſome Circumſtances of it from other Writers; for after giving us the Names of the Barons that were within it, they tel us, that it was taken by the ſpringing of a Mine, which

which made the Wall fall down, whilſt there was a Treaty on foot for the Deliverance of the Town upon Terms; as alſo that *Simon Montfort* the younger was taken in the Town fighting Valiantly even to the laſt; and that he, with the reſt of the Noblemen were ſent Priſoners to *Windſor*-Caſtle. *Anno Dom.* MCCLXIV.

But I cannot here omit a very remarkable Paſſage related by *Walter Hemingford*, concerning the Carriage of the *Oxford* Schollars at this Siege; who after their Baniſhment from thence, being now ſettled at *Northampton*, did the King's Men a great deal of Miſchief during this Siege, wherefore at the taking of the Town, the King ſwore that he would hang them all; however, ſeveral of them made their eſcape by flight, and others ſhav'd their Heads like Friers; but at laſt all being over, the King commanded his Oath to be put in Execution upon thoſe Schollars that were taken Priſoners; but his Courtiers interceding for them ſaid, *It was by no means convenient to be done, for that they were the Sons of Great Noblemen and Gentlemen of his Kingdom; and if he ſhould now cauſe them to be Executed, their Fathers and Relations would certainly riſe againſt him as one Man*; whereupon the King pardon'd them all. [3] *Lib.* 3. *Cap.* 29. The K. being very angry with the *Oxford* Scholars for their aſſiſting him in the Siege, ſwears to hang them all, but is perſwaded to the contrary by his Courtiers.

This I take notice of to let you ſee how ſtrong and numerous a Body the Schollars of *Oxford* were in thoſe Days, and what a great Intereſt they then had in the Kingdom. But to return to the Hiſtory.

[4] The K. flush'd with this Victory preſently march'd to *Leiceſter*, and took it, and from thence advanc'd to *Nottingham*, which Caſtle was held by *William Bardulph*, a Valiant Baron; yet he now thought it his ſafeſt way to ſurrender it to the King, upon the moſt advantageous Terms he could. Here the King, with his Noblemen kept his *Eaſter*, but receiving News, that the Earl of *Leiceſter*, with a great multitude of *Londoners* had, on the Paſſion-Week, beſieg'd the Earl of *Warren* in the Caſtle of *Rocheſter*, he was reſolv'd to raiſe the Siege and relieve it; ſo marching almoſt Night and Day, he arriv'd in five Days at *Rocheſter*, but the Earl of *Leiceſter* hearing of his approach, durſt not ſtay to give him Battel, but went back to *London*, leaving only a few Souldiers behind, whom thoſe of the Garriſon, in a Sally they made, quickly deſtroy'd. [4] *M. W. T. W.* The King takes *Leiceſter*, *Nottingham*-Caſtle ſurrenders. The King marching to relieve *Rocheſter*-Caſtle, the E. of *Leiceſter*, and the *Londoners* raiſe the Siege.

[5] Upon this good Succeſs the King ſent his Son Prince *Edward*, and great part of his Army into *Derby-ſhire*, where he waſted the Lands of *Robert de Ferrars*, Earl of *Derby*, and took his ſtrong Caſtle of *Tutbury*, and razed it; ſo that where-ever the Prince marched, there appear'd nothing but Slaughter, Burning, and Deſolation, no Peace nor Security being to be found in the whole Kingdom; but about the ſame time (in return) *John Gifford*, Governour of *Kennelworth*-Caſtle, for the Earl of *Leiceſter* ſurpriz'd *Warwick*, and demoliſh'd the Caſtle, leſt the Royalliſts ſhould again fix themſelves in it. [5] *M. W.* The K. ſends Prince *Edw.* into *Derby-ſh.* who there waſtes the Lands of Earl *Ferrars*, and takes *Tutbury*-Caſtle. *John Gifford* ſurpriſes *Warwick*.

[1] In the mean while the King march'd with his whole Army directly towards *London*, but when the Citizens heard it, they went out to meet him with a great Body of Foot very well Armed; upon the News of which he declin'd Fighting, and march'd back into *Kent* to ſecure the Sea-Coaſts, and prevail with the *Cinque-Ports* either by Fear or Perſwaſions, to ſend their Ships to block up the River *Thames*, and thereby hinder Proviſions and other Commodities, from being carried up to *London* by Water; but this Advice, tho' it ſeem'd plau- [1] *T. W.* The K. goes towards *London*: But upon the Citizens marching out, he retreats back into *Kent*.

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He takes *Tonbridge*, and ſecures the *Cinque-Ports*, yet is much put to it in the Wild of *Kent*.

ſible, almoſt ruin'd the King's Affairs; for tho' he took the Caſtle of *Tonbridge* (and in it the Counteſs of *Glouceſter*) and then went as far as *Pevenſey* and *Winchelſea*, thereby ſecuring the *Cinque-Ports* to his Intereſt; yet in his March thither, through the wild and hilly Parts of *Kent*, by reaſon of the ſtreightneſs of thoſe Paſſages, the King's Army were ſcarce able to get through them; the light-armed *Welſhmen*, that belong'd to the Barons, taking this Advantage, did much damage to the King's Forces, tho' they were at laſt cut off by the Royal Party, who were better Arm'd, and againſt whom the *Welſhmen*'s Darts and Arrows ſignified little.

[2] *Id. ib.* The K. comes to *Lewes* in *Suſſex*.

[2] The King met with no Oppoſition in his return back, but came with his whole Army to *Lewes* in *Suſſex*, and he took up his Quarters in the Priory, and his Son Prince *Edward* his in the Caſtle: * In the mean time, the Earl of *Leiceſter* having Aſſembled all the Barons of his Party, with a ſtrong Body of *Londoners*, march'd down towards *Lewes*, and encamp'd at a Place call'd *Flexninge*, within Seven or Eight Miles of that Place; from whence the Earl, and thoſe of his Party, either ſeemingly or elſe really deſiring Peace, wrote to the King a very reſpectful Letter, profeſſing ſtill to obſerve their Oaths and Fidelity to Him, and deſiring that He would not believe the Lies that thoſe about him made of them, affirming, that they put themſelves into Arms, not only againſt their own but his Enemies, and thoſe of the whole Kingdom: this was Seal'd by the Earls of *Leiceſter* and *Glouceſter*, at the requeſt of the reſt of their Faction.

* *M. W.*

The Earl of *Leiceſter*, and the Barons, with the *Londoners*, march toward *Lewes*.

The Earl and his Party being doubtful of the Succeſs, write the King a reſpectful Letter.

[3] *Id. ib.* To which the King returns a very rough Anſwer, and defies them.

To which the King return'd Anſwer, 'That not Himſelf, but they 'were indeed the cauſe of all the War, Deſtruction, Rapine, and 'Miſery which had befallen the Nation; that their Intentions were 'not according to their Profeſſions, nor their Actions agreeable to 'their Pretences, and therefore *defied* them. This Letter bears date at *Lewes* the 12*th* of *May*, 1264. In like manner, *Richard* King of the *Romans*, Prince *Edward*, and all the Barons and Knights that adhered to the King, charged them with Falſhood, and defied them; and withal challenged them to ſtand to the Judgment of the King's Court, to which they themſelves were ready to ſubmit, and make their Innocence appear. The Letters bear date the ſame with the former.

[4] *Id. Ab.* They ſend certain Biſhops to mediate for Peace, upon very reaſonable Offers, which the K. refuſes, and ſends them a defiance, which is alſo return'd him by the Barons.

[4] Upon this the Barons being much weaker in Men, were afraid of the Succeſs, and ſent *Henry*, Biſhop of *London*, and *Walter*, Biſhop of *Worceſter*, as their Mediators for Peace, to the King, and offer'd, in conſideration of the Damages done by them through the Kingdom, no leſs than Thirty Thouſand Pounds, yet ſo that the Statutes of *Oxford* might ſtand good: nevertheleſs, the King truſting in his Numbers, ſent a freſh defiance to *S. Montfort* and his Accomplices, with which they being provok'd, at length *defy'd* him, and renounc'd the Fealty they ow'd him; ſo upon the 14 of *May* the Earl and his Army (having with great ſhew of Piety Confeſs'd themſelves, and put white Croſſes on their Shoulders or Breaſts) march'd before Day towards *Lewes*, with Banners diſplay'd, [5] and came ſo near it, before the King's Forces were aware of them, that they had very near ſurpriz'd them in their Beds; but receiving the Alarm, they arm'd themſelves, and march'd out into the open Field, with the King's chief Standard, which was then a Dragon. His Army being divided into three Bodies or Squadrons, the Firſt of them was commanded by Prince *Edward*, together with *William*

[5] *T. W.* The Barons had like to have ſurpriz'd the K.'s Forces in their Beds.

de

de Valence Earl of *Pembroke* (his Uncle,) *John* Earl of *Warren* and *Surrey*; the Second was led by *Richard* King of the *Romans* and his Son *Henry*; and the Third the King himſelf commanded in Perſon. *Anno Dom.* MCCLXIV.

The K's Army divided into three Bodies.

[1] In the mean while *Simon Montfort*, with the Barons of his Party, perceiving the King's Forces drawing out of the Town, made a Halt upon the Hill above it, where they placed their Baggage, and beyond that the Chariot of Earl *Simon*, with his Banner diſplay'd upon it, as if he had been ſick, and ſo was forced to repoſe himſelf in it; but in ſtead of himſelf, the crafty Earl had therein cunningly ſhut up Four of the chief Citizens of *London*, whom, being againſt him, he durſt not truſt elſewhere in his abſence, as refuſing to bear Arms againſt the King; or, as *R. Wendover* relates, thoſe who had been the Authors of having ſhut the City Gates againſt him, whom he now treated as Enemies; ſo that if this Chariot ſhould be aſſaulted, or ſhot through with Arrows, they might be thereby deſtroyed [2]: then the Barons put their Army in Battel-array, dividing it into Four main Bodies, the Firſt of which was commanded by the Earl of *Hereford* and *Eſſex*, with *Henry de Montfort*, Son to Earl *Simon*; the Second by *Gilbert de Clare* Earl of *Glouceſter*, *John Fitz-John*, and *William de Montcamis*; the Third, in which were the *Londoners*, was commanded by a Baron called *Nicholas de Seygrave*; whilſt Earl *Simon* himſelf, and *Thomas de Pulyſton*, led the Fourth and Laſt Diviſion. So ſoon as the Two Armies approached each other, the Battel began with great fury, and the Earl of *Leiceſter*, with the Body that was under him, as alſo that next to him, fell upon the Forces commanded by the King himſelf, and *Richard* King of the *Romans*; for the Earl judged very rightly, that if they were either routed or taken Priſoners, it was moſt likely the Victory would fall to the Barons. As [3] for the Noble Prince *Edward*, he with the Flower of his Army, ſet upon the *Londoners*, who tho' many in Number, yet being raw and undiſciplin'd, ran away with *Henry de Haſtings* at the Head of them; whom Prince *Edward*, out of Revenge for the Affront they had done to the Queen his Mother at *London*-Bridge, fiercely perſued, killing all he overtook, and making a miſerable Slaughter of them for near Four Miles together; likewiſe the main Body of the Barons was broken, and *John Gifford*, one of their valiant Knights, was led Priſoner into the Caſtle of *Lewes*: But whilſt Prince *Edward* thus perſued the *Londoners*, his Anger carried him too far; for in the mean time, the Bodies commanded by the Earls of *Leiceſter* and *Glouceſter*, having furiouſly aſſaulted thoſe commanded by King *Henry* and his Brother King *Richard*, (which were only ſome Troops conſiſting of their Retinue and Domeſtick Guards) and they making but a ſlight Defence, were utterly routed, ſo that the Two Brothers being left almoſt alone in the Field, were forced, after a long and brave Reſiſtance, to ſurrender themſelves, the King to the Earl of *Leiceſter*, and King *Richard* to the Earl of *Glouceſter*, who were preſently ſecured in the Priory of *Lewes*; whereupon all the reſt of their Men that had fled into the Town, laid down their Arms, and yielded themſelves, as thinking it no ſhame to undergo the ſame Fortune with the King himſelf, and his Brother. Then the Earls and Barons entring the Town, took all Priſoners whom they found without the Caſtle and Priory, which ſtill held out

[1] *M. W. T. W.* *Simon Montfort* and the Barons of his Party make a Halt near the Town, and his Policy.

[2] *Id. ib.* They put their Army in Battel-array, in Four Bodies.

The Battel is begun, in which that Body led by King *Henry* and his Brother, is ſet upon by thoſe commanded by *Simon Montfort*.

[3] *M.W.T.W.* Prince *Edward* puts the *Londoners* to flight, and perſues them too far.

The main Body of the Barons is alſo routed.

The Forces commanded by the King and his Brother being routed, they are both taken Priſoners.

As are alſo the reſt of their Men, who had fled into the Town.

Anno Dom. MCCLXIV. out againſt them: But when Prince *Edward* and his Couſin *Henry* return'd from their Perſuit, and found the Day thus loſt, they were forc'd likewiſe to ſubmit to the ſame Terms; beſides whom, there were alſo taken Priſoners, *Humphery de Bohun* Earl of *Hereford*, *John Fitz-Alan* Earl of *Arundel*, beſides ſeveral other Earls and Barons, for whoſe Names I refer you to our Authors. There were ſlain on the King's Side of Men of Note, *William de Wilton* and *Fulk Fitz-Warren*; the former one of the King's Juſtices, and the other a Baron of Note; and on the Baron's Part, *Ralph Hernigande*, a Baron, and *William Bland*, Earl *Simon*'s Standard-bearer, beſides above Five thouſand Common Souldiers kill'd on both Sides; but *William de Valence*, with *Guy de Luſignan* his Brother, the Earl of *Warren*, and *Hugh Bigot*, all fled out of the Battel as far as *Pevenſey*, and thence paſſed over into *France*, where they remain'd with Queen *Eleanor*.

The Prince and his Couſin *Henry* being return'd from the Perſuit of the *Londoners*, are forced to ſurrender themſelves Priſoners.

The Number of the Slain on both Sides.

[4] *G. R.* A more particular Relation of this Battel, from *William Riſbanger*.

[4] But the Continuator of *Matt. Paris* is more particular in this Relation, and ſays, that the Prince, upon his Return from the Perſuit, finding his Father's Army routed and diſperſed, but that the Caſtle of *Lewes* ſtill made a vigorous Defence againſt the Barons, he took Courage, and rallied his Forces, with a Deſign to try the Fortune of another Battel; which *Montfort* and his Confederates perceiving, [5] the next day ſent two *Friers Minors* as Meſſengers for Peace, promiſing by them reaſonable Terms: So that the Night following a Peace between the Prince and the Barons was made up, tho' upon very hard Conditions, *viz.* That he and his Couſin *Henry* ſhould yield themſelves as Hoſtages for the obſerving of it, and for its farther Settlement, both Parties ſhould refer themſelves to the King of *France*, and procure him to chuſe Three Prelates, and Three Noblemen of *France*, who ſhould nominate Two *Frenchmen*, and they coming into *England*, ſhould chuſe a Third Perſon, an *Engliſhman*; which Three ſhould determine all Controverſies between the King and the Barons, and order all Things concerning the State of the Kingdom: And for the Performance of this Agreement, they were to take their Corporal Oaths on both Sides.

[5] *M. W. G. R.*

With the Terms of the Prince's Surrender of himſelf to the Barons.

A more probable Account of the Articles of this Agreement, from the City Annals.

Yet the Annals of *London* give a different, and more probable Account of the Articles of this Peace: As Firſt, That the Proviſions of *Oxford* ſhould be again obſerved; yet ſo, that if there were any thing in them that needed Amendment, it ſhould be corrected by Four of the Great Men of *England*, either Biſhops or Barons, to be choſen by the *Community* thereof: And if any Difference ſhould ariſe between them, concerning thoſe Amendments, they were to ſtand to the Arbitration of *Charles* Count of *Anjou*, Brother to the King of *France*, with four other Noblemen of that Kingdom, there named; and that in the mean while the Two young Princes abovemention'd ſhould remain as Hoſtages in the Cuſtody of the Barons, till all theſe Things ſhould be ſettled; and for this end a Parliament was to be ſummoned at *Whitſontide* following. Theſe Articles being put into an Inſtrument or Charter, was ſealed with the King's Seal, and the Seals of all the reſt of the Earls, and Chief Barons. This Agreement was called the * *Miſe* of *Lewes*, tho' it was never put in Execution.

* Being an old *French* Word, ſignifying *Agreement*.

† The King being thus fallen into the Hands of the Earl of *Leiceſter* and the Barons, they carried him to *Canterbury*, uſing him with all

‡ *Id. ib.*

all outward Honour and Reſpect, but ſent King *Richard* with his Son *Henry* Priſoners to the *Tower*; but all the reſt who were taken in the Battel, were ordered to be impriſon'd in ſeveral Caſtles; and then they plundered and ſpoiled the Eſtates of all thoſe that had adhered to the King, or at any time had ſerved him, as well Clerks as Laicks. *Anno Dom.* MCCLXIV.

[1] The King and the Prince his Son being thus in the Power of the Earl of *Leiceſter*, one of the firſt things he made him do, was, on the Day after the Battel, to iſſue a Proclamation, giving Licence to all thoſe that had taken his Part, and were not made Priſoners, to go home; and at the ſame time he alſo wrote to thoſe in the Caſtle of *Tonbridge* (which ſtill held out for him) not to fall upon thoſe Barons who were returning to their own Homes: But for all this, thoſe in that Gariſon hearing that the *Londoners*, who had fled from the late Battel, had ſheltered themſelves in *Croyden*, they immediately marched thither, and falling upon them, killed a great many of them, and carried off a great deal of Plunder; from whence they marched away to *Briſtol*, which Place they kept for the King till the Prince's Delivery, who for the preſent was ſent to *Wallingford*-Caſtle, to be there kept ſafe; [2] but as for the King, the Earl carried him along with him, as it were on Progreſs (but rather in Triumph) about the Countrey, that he might by the Authority of his Preſence take in all the Places that ſtill held out in thoſe Parts; and then coming to *Battle*-Abbey in *Suſſex*, the King directed his Writ or Letter, bearing Date the Seventeenth of *May*, to *Drogo de Barentin*, Conſtable of the Caſtle of *Windſor*, to releaſe *Simon Montfort* the Younger, who had been taken Priſoner at *Northampton*, and committed to his Cuſtody by Prince *Edward*: In like manner he wrote to *William de la Zouche*, to deliver *Peter Montfort* the Younger; and to *James Audley*, to deliver *Robert Montfort* his Brother, (Sons of *Peter Montfort*.) Then, on the Twenty eighth of the ſame Month, *Henry de Montfort*, eldeſt Son to the Earl of *Leiceſter*, was made by the King's Commiſſion Conſtable of *Dover*-Caſtle, and Warden of the *Cinque-Ports*, and had the Chamberlainſhip of *Sandwich* committed to him during Pleaſure, as appears by the Original * Writ upon Record in the *Tower*.

[1] *G. R.* What the Earl of *Leiceſter* made the King do after he had him in his Power.

[2] *M. W.* The King being carried by the E. of *Leiceſter* round the Countrey, thereby takes in thoſe Places that held out, and alſo by his Authority ſets free thoſe of his Party who were in Priſon.

He makes his Son *Simon* Conſtable of *Dover* Caſtle, and Warden of the *Cinque-Ports*.

* *Vid. Pat.* 48 *H.* 3. *M.* 13. *Dr.* Brady's *Append.* n. 209.

Thus the Earl of *Leiceſter* having now the whole Kingdom at his diſpoſal, not only ſet free all thoſe who had taken his Part, but likewiſe beſtowed all the Great Offices and Commands upon his own Creatures and Relations; in the mean time keeping every one of thoſe cloſe Priſoners that had oppos'd him, and uſing Prince *Edward* and his Couſin *Henry* not like Hoſtages, but rather like ordinary Priſoners, being kept in ſtrict Cuſtody for a time in *Wallingford*, then in *Dover*-Caſtle, and ſometimes in other Places: The like he did by the King of the *Romans*, and his Second Son *Edmund*, tho' he was then but a Youth, who were afterwards kept Priſoners in *Kenelworth*-Caſtle till the Death of *Simon Montfort*.

How the Earl of *Leiceſter* ſets free thoſe that had took his Part, and keeps all others Priſoners.

[3] This Earl having reduced thoſe Parts of *England* to his Subjection, return'd to *London* about the beginning of *June*, with the King in his Company; where he was no ſooner return'd, but they made him direct his Writs to the Lord *Adam* of *Newmarket* and others, (that were now appointed Conſervators of the Peace in almoſt

[3] *M. W.* The King by *Simon Montfort*'s procurement ſends out Writs for new Conſervators of the Peace.

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moſt all the Counties of *England*) reciting, 'That whereas by Divine 'Grace there had been a firm Peace agreed on between Him and his 'Barons, to be inviolably obſerved through the whole Kingdom, He 'did therefore, by the Advice and Aſſent of his ſaid Barons, conſti-'tute and appoint him, and thoſe others to whom theſe Writs were 'directed, to be Keepers and Conſervators of that ſaid Peace, in all 'thoſe Counties of *England*, during Pleaſure, ſtrictly commanding 'and enjoining them, by their Faith and Allegiance, to ſee the Peace 'kept in their ſeveral Counties; and farther prohibiting in his Name 'all Perſons, under pain of Diſheriſon and danger of Life and Mem-'bers, to Aſſault any Man, or Plunder him, or to commit Homicide, 'Burnings, Robberies, Tolts, (*i. e.* Theſts and Rapines) or perpe-'trate any the like Enormities, or to do Damage to any Man con-'trary to his Peace; alſo that for the future, no Man ſhould bear Arms 'in the Kingdom without his ſpecial Licence and Command; and 'if they found ſuch Malefactors and Diſturbers of the Peace, they 'were to arreſt and keep them ſafe until further Order.

A farther Clauſe in the Commiſſion, commanding theſe Conſervators to return up Four Knights for each County.

There is likewiſe farther expreſs'd, at the end of each of theſe Commiſſions, a particular Precept to theſe Conſervators, reciting, That 'whereas at the enſuing Parliament the King intended to treat with 'the Prelates, Great Men, and Others his faithful Subject, concern-'ing his own and the Kingdom's Affairs, he therefore Commanded 'the ſaid Conſervators to ſend up to him, Four of the moſt Legal 'and Diſcreet Knights of each County, *to be choſen by the Aſſent of* '*that County*, for the whole County to appear at *London*, on the '*Octaves* (*i. e.* Eight Days after the Feaſt) of Holy Trinity at far-'theſt, there to treat with him concerning the ſaid Affairs. This Commiſſion bears date the 4*th* of *June*, and is upon * Record in the *Tower*.

* *Pat.* 48. *Hen.* 3. *M.* 12. *Dorſ. Vid.* Dr. B.'s *Append.* N. 210.

The King alſo iſſues out another Writ for the bringing up of ſuch Priſoners as had been taken in the Battle of *Northampton*.

At the ſame time alſo the King directed his Writs to *James Audley*, *Roger Mortimer*, and *Roger de Clifford*, together with *John de Grey*, *Drogo de Barentin*, and *John de Vaus*, (the Three laſt of whom were Conſtables of the Caſtles of *Nottingham*, *Windſor*, and *Norwich*) commanding them, by their Faith and Homage, to bring up with them all ſuch Priſoners as were taken at the Battel of *Northampton*; as likewiſe all other Priſoners then in their Cuſtody, many of whoſe Names (there particularly mention'd) I omit, as not neceſſary to our purpoſe: the Writs are alſo upon * Record in the ſame place.

* *Pat.* 48. *Hen.* 3. *M.* 13. *Vid. Dr.* B.'s *Append. N.* 211. 212.

[4] *M. W.* The Earl of *Leiceſter* and the Barons ſet aſide the *Miſe* at *Lewes*, and reſolve to ſettle the Government by Parliament, which is ſummon'd.

[4] Then the Earl of *Leiceſter*, and thoſe Barons of his Party, without any regard to the late *Miſe* or Agreement lately made at *Lewes*, being grown Inſolent with their Succeſs, reſolv'd to ſettle the Government by Parliament, as they themſelves ſhould think fit; and to this end caus'd the King to ſummon one to meet eight Days after *Trinity-Sunday* (which was that Year on the 22*d* of *June*) in the 48*th* of *Henry* the Third, and to which (beſides the Biſhops, Earls, and Barons, particularly ſummon'd) there were alſo four Knights to be return'd by the Conſervators of each County, according to the Writs or Commiſſions abovemention'd.

* *Pat.* 48. *H.* 3. *M.* 6. *Dorſ.* Dr. B.'s *Append. N.* 213.

When this Parliament was thus Aſſembled, they agreed upon an Inſtrument, which is on * Record, and enter'd under this Title.

The

This is the Form of the Peace unanimouſly approv'd of by our Lord the and the Lord Edward *his Son, and all the Prelates and Barons, together with the whole Community of the Kingdom of* England, *and is thus :*

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The Parliam. being met, agree upon a new Form of Government, to laſt till a Peace, according to the *Miſe* at *Lewes*, were concluded.

'That a certain Ordinance made in the Parliament held at *London*, 'about the Feaſt of St. *John Baptiſt* laſt paſt, for preſerving the Peace 'of the Kingdom, until ſuch time as the Peace between the ſaid Lord 'the King, and the Barons at *Lewes*, according to the Form of a cer- 'tain *Miſe* or Agreement, ſhould be fully concluded; which Peace 'was to endure firm and unalterable all the Days of the ſaid King, 'and alſo during the time of Prince *Edward*, after he ſhould become 'King, * unto the Term which it ſhould then be judged fitting to be 'moderated. This is the Preface, then follows the Statute or Ordinance it ſelf, which is to this effect:

* *Uſque ad terminum quem extunc duxerit moderandum.*

The Contents of this Ordinance.

'That for the Reformation of the State of the Kingdom, there 'ſhould be choſen out of it Three diſcreet and faithful Men, who 'ſhould have Power and Authority from the King, of naming and 'chooſing Nine Counſellors, out of whom Three at the leaſt, by 'turns, ſhould always be preſent at the Court; and the King by the 'Advice of thoſe Nine, ſhould order and diſpoſe of the Cuſtody of 'his Caſtles, and all other Affairs of the Kingdom, and ſhould make 'his Juſtitiary, Chancellor, Treaſurer, and all other Great and Small 'Officers that belonged to the Government of the Court and 'Kingdom: and the firſt Electors of them, were to ſwear 'that according to their Conſciences they ſhould chooſe and 'nominate ſuch Counſellors for the Honour of God and the 'Church, as ſhould be faithful and profitable to the Kingdom; the 'Counſellors alſo and all Officers both great and ſmall, were to ſwear 'at their Creation, that they would, to the utmoſt of their Power, 'execute their Offices to the Honour of God and the Church, and to 'the Profit of the King and Kingdom, without any other * Preſent or 'Reward than things to Eat and Drink; and if theſe Counſellors, or 'any of them, ſo miſdemeaned themſelves as to be thought no longer 'fit to hold thoſe Employments; then the King, by the Advice of 'the Three firſt Electors, might change and remove as many of them 'as he judged neceſſary; and in the place of them ſo removed, to 'ſubſtitute other fit and faithful Perſon or Perſons; and if any other 'Officers, whither Great or Small, behav'd themſelves amiſs, they 'were likewiſe to be remov'd by the Council of the Nine, and others 'ſhould be by them appointed in their Places; and if the ſaid Three 'Electors could not agree in the choice of Counſellors, or that they 'agreed not in the Creation of Officers, or in diſpoſing of, or diſ- 'patching the other Affairs of the King and Kingdom, that then what 'ſhould be ordain'd by Two Parts of the Three, ſhould firmly be ob- 'ſerved, ſo as of thoſe Two Parts, one ſhould be a Prelate, if it were 'in Matters concerning the Church; and if it ſhould happen that 'Two Parts of the Nine ſhould not agree in any buſineſs, then it was 'to be determined by the Three firſt Electors, or the major part of 'them; and if it ſhould be thought expedient by the *Community* of 'the Prelates and Barons, that all, or any of the Three firſt Electors 'ſhould be removed, and others ſubſtituted in their rooms, the King 'ſhould ſubſtitute them by the Advice of the *Community* of the Earls 'and Barons.

* *i. e.* They might receive any Preſents that were only *Eſculenta & Poculenta.*

'All

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'All theſe things the King was to do by the Council of the Nine, 'in ſuch Form as was to be ſubſcribed by Him, or by them in his ſtead, 'by his Authority. This Ordinance was to endure until the *Miſe* or 'Agreement made at *Lewes* ſhould be compleated, or another Form 'provided and appointed by the Agreement of all Parties. In Wit-'neſs whereof, *Richard*, Biſhop of *Lincoln*; and *Hugh*, Biſhop of *Ely*; '*Roger*, Earl of *Norfolk*, and Mareſchal of *England*; *Robert de Vere*, 'Earl of *Oxford*; *Humphry de Bohun*; *William de Montchenſey*, and 'the Mayor of *London*, put their Seals to this Charter, dated at the 'Parliament at *London* in *June* 1264.

Note, But tho' the Day of the Month be wanting in the Record, yet in an antient Tranſcript of this Agreement in Manuſcript, in the *Bodleian* Library, it is recited in the Concluſion to have been made by the Conſent of the Prelates, Barons, and Communalty of *England*, on the Vigil of St. *Peter* and *Paul*, (i. e. *June* 29.) &c.

This is the ſubſtance of that Form of Government which *Simon Montfort*, and thoſe of his Party then thought fit to impoſe upon the King; and having the Power in their own Hands, it was an eaſie Matter for them to make thoſe whom they had appointed Conſervators of the Peace in each County, to return none but ſuch Knights who they were very well ſatisfied would perform whatever they deſir'd; and that this Inſtrument was ready drawn, and ſo there could be little or no debate about ſo great and weighty an Affair, appears by the next * Record (which Dr. *Brady* has alſo given us) wherein the King declares, that he hath given Power to *Stephen*, Biſhop of *Chicheſter*; *Simon Montfort*, Earl of *Leiceſter*; and *Gilbert de Clare*, Earl of *Glouceſter* and *Hereford*, to name Nine of the moſt skilful, faithful, and uſeful Men of the Kingdom, as well Prelates as others, by whoſe Advice he would Govern, according to the Laws and Cuſtoms of the ſame, until the *Miſe* lately made at *Lewes*, or any other Form (if any better could be provided) ſhould be fulfill'd; and at the end of this Declaration it is farther ſpecified, that the ſaid Biſhops and Earls were authoriz'd to nominate theſe Electors. This bears date the 22*d* Day of *June*, the Day after the Parliament ſate; and could not therefore be drawn up in ſo ſhort a Time, by their Deliberation or Advice.

* *Pat.* 48. *H.* 3. *M.* 10. *n.* 37. *Append. N.* 204.

It appears by a Record, that this Ordinance was drawn up before the Parliament ſate.

And the ſhort Account * *Matt.* of *Weſtminſter* gives of this Matter, in moſt things agrees with theſe Records; for (ſaith he) the Prelates, Earls, and Barons of that Party who now Seditiouſly held their King Priſoner, met at *London*, and unmindful of the Compromiſe made at *Lewes*, or the Oath they had taken, contrived certain new Ordinances for the Government of the Kingdom, and ordained among other new things, *viz.* That Two Earls, and one Biſhop, Elected by the Community, ſhould chooſe Nine Barons, Three whereof ſhould conſtantly aſſiſt the King; and by the Counſel of thoſe Three, and theſe Nine, all the Affairs as well of the King's Houſhold, as of the Kingdom ſhould be tranſacted; and that what the King ſhould do without the Advice of at leaſt Three of them, ſhould be void, and of none effect; and then the Earls of *Leiceſter* and *Glouceſter*, and Biſhop of *Chicheſter* (who had promiſed to all that fought ſtoutly againſt the King, and were killed in the Battel of *Lewes*, immediate entrance into Heaven) were conſtituted Three of theſe Chief Counſellors.

* *Sub Anno* 1265. *Matt.* of *Weſtminſter*'s Account of theſe Tranſactions agrees in moſt things with the Records.

Then

Then they and the reſt of the Barons threat'ning the King, that they would Depoſe him and chooſe another, and alſo keep the Prince perpetually in Priſon, if they refus'd to conſent to this Ordinance, they thereby compell'd them both to agree to it. Having thus contriv'd and perfected theſe Ordinances, they preſently ſent Letters to Cardinal *Guido*, Biſhop of *Sabine*, then the Pope's Legate for *England*, (at that time in *France*) and to the *French* King himſelf, to excuſe what they had done, as that it was but in regard of their preſent Circumſtances, that they ſet aſide the Compromiſe or Agreement made at *Lewes*, and eſtabliſh'd this new Form of Peace, made, as they pretended, by the amicable Conſent of all Parties: and then the Biſhops of *London*, *Wincheſter*, and *Worceſter*, and ſome others of the Province of *Canterbury*, alſo wrote to, and earneſtly beſeeched the aforeſaid Legate, that he would uſe his endeavours to promote this Peace on the Terms agreed upon in *England*. Yet it ſeems by a * Record in the *Tower*, that to pacifie the King of *France*, and to put the better Colour upon their Proceedings, *Simon Montfort*, and thoſe of his Faction, made the King (being now at *Canterbury*) ſeal a Charter, whereby He himſelf, as alſo the Earl of *Leiceſter*, and all the Barons of *England*, who had refus'd the late Sentence of King *Lewis*, oblig'd themſelves to refer the late Sentence of that King, to the further Judgment and Examination of *Henry*, Biſhop of *London*; *Hugh le Diſpenſer*, Juſtitiary of *England*; *Charles*, Duke of *Anjou*, Brother to the King of *France*; and to the Abbot of *Bocon*, who had thereby full Power given them, of adding, or taking away from it what they ſhould think fit; as alſo of ordaining what they ſuppos'd would tend to the amendment, or better obſervation thereof; and for the true performance of this, the King, and all the reſt of the Parties therein mention'd, ſubmit themſelves to the Juriſdiction of the Pope's Legate, to be proceeded againſt by Sentence of *Excommunication*, againſt thoſe that ſhould preſume to contradict it. There are alſo divers other Clauſes in this Charter, which are needleſs to be recited, only I ſhall take notice of ſome of the moſt remarkable; One of which is, That it ſhall not be lawful for the ſaid Arbitrators to Ordain, that the Kingdom ſhall be govern'd by any other than the *Native Subjects* thereof. There is alſo another Clauſe whereby it is provided, That all Perſonal Quarrels, Contentions, and Demands, which the King and the Earl of *Leiceſter* have now againſt each other, and for which they have refer'd themſelves to the King of *France*, ſhall be ended and concluded in the firſt place, before the Sentence or Ordinance of theſe Arbitrators ſhall be made and finiſhed. In Teſtimony whereof, the ſaid King *Henry*, with the Earls of *Leiceſter* and *Glouceſter*, and ſome other Barons there named, do, for themſelves, and the reſt of the Barons of *England*, put their Seals. This bears Date at *Canterbury* on the *Thurſday* after the Feaſt of our Lady's Nativity (being the 18*th* of *September*) * *A. D.* 1263. This Record is omitted by Dr. *Brady* in his Hiſtory, tho' he hath given us † another which immediately preceeds the former in the ſame Roll (and to which I ſuppoſe that Charter refers) And by this, the King conſtitutes the Biſhops of *London*, *Worceſter*, and *Wincheſter*, with *Hugh le d' Eſpenſer*, *Peter Montfort*, and *Richard de Mepham*, Arch-Deacon of *Oxford*, Procurators and Commiſſioners to

Anno Dom. MCCLXII. The Earl of *Leiceſter*, and the Barons, by threatning to depoſe the King and to keep the Prince in Priſon, make them conſent to this Ordinance.

The Earl of *Leiceſter* and the Barons wrote Letters to the Pope's Legate, and to the King of *France*, giving them an account of this new Form of Peace.

* *Pat.* 48. *H.* 3. *m.* 4. and it is Printed in *Pryn*'s Second Vol. of the Papal Uſurpations, *p.* 1001.

* This is a Miſtake either in the Record or in the Tranſcript, for it ſhould be 1264.

† *Vid.* Dr. B.'s *Append. p.* 215. The Commiſſioners now appointed to treat with the K. of *France*.

Anno Dom. MCCLXIV.

to treat in the Preſence of the illuſtrious Prince the King of *France*, and the Venerable Father, *Guido*, Biſhop of *Sabine*, and Legate of the Apoſtolick See, or either of them, about the Reformation of the Kingdom of *England*, with Power to do whatever they thought fit in this Matter, and to give ſuch Security for it as the buſineſs requir'd, with a ſpecial Clauſe to *Peter Montfort* to take an Oath on the King's behalf to perform what they ſhould agree to in his Name.

[5] P. 64. *Thomas Wikes's* Account of what theſe Commiſſioners acted in *France*, and what was the occaſion of their Journey.

What theſe Commiſſioners did, Dr. *Brady* ſays he cannot tell, but had he conſulted [5] *Thomas Wikes's* Chronicle, then in Manuſcript, in the *Cottonian* Library, that would have inform'd him, not only of what theſe Biſhops then acted in *France*, but alſo what was the occaſion of their Journey thither, *viz.* That Pope *Urban* the Eighth, pitying the ſad and deplorable State of the *Engliſh* Nation, had the Year before ſent an Order to his Legate, Cardinal *Guido*, Biſhop of *Sabine*, a wiſe and eloquent Prelate, to come over into *England* to arbitrate and compoſe the Quarrels and Differences between the King and the Barons; but the Earl of *Leiceſter*, and thoſe of his Party, would not permit the Legate to come hither, or at all to intermeddle with the Affairs of *England*: when the Cardinal found this, he with the Archbiſhop of *Canterbury* (who had then in diſcontent retir'd into *France*,) ſummon'd all the Biſhops of *England*, eſpecially thoſe of *London*, *Wincheſter*, *Chicheſter*, and *Salisbury*, (as the chief Favourers of the Barons Cauſe) to appear before them at *Bologne*; but they either really, or otherwiſe pretended to be hinder'd by the Barons from going over thither, but the Legate look'd upon it as only a feign'd Excuſe, and thereupon *Excommunicated* them for Contumacy; but they, to fence off this Blow, appeal'd from the Legate to the Pope: Yet at laſt the Biſhops of *London*, *Wincheſter*, and *Worceſter* being better adviſ'd, went over into *France* about the Nativity of the Bleſſed Virgin; the Juſtitiary, and ſome other Noblemen of *England*, accompanying them, who all appear'd before the Legate, to juſtifie themſelves as well as they could; and upon this Account it was, that *Matt. Weſtminſter* ſays, the Biſhops abovemention'd went over into *France*, with a Power from the King to treat with the Pope's Legate, concerning the ſettling the State of *England*, as is expreſs'd in the laſt mention'd Record.

The Biſhops of *London* and *Wincheſter* are ſummon'd to appear before the Pope's Legate at *Bologn*, but are hinder'd by the Barons from going over.

Yet at laſt they go over with ſome Lay-Noblemen.

[1] *Id. ib.* The Legate by the Pope's Authority commands theſe Biſhops to return into *England*, and Excommunicate the Earl of *Leiceſter* and his Accomplices.

[1] The ſame Author tells us alſo what was farther done thereupon in this Affair, *viz.* That the Legate being ſupported by Apoſtolical Authority, enjoyn'd theſe Biſhops forthwith to return into *England*, and there to *Excommunicate* the Earl of *Leiceſter* and his Sons, with all their Favourers and Accomplices by Name; and likewiſe to put the City of *London*, with all the Lands of the Earl of *Glouceſter*, and the *Cinque-Ports* under an *Interdict*; the Biſhops having thus receiv'd the Pope's Brief or Commiſſion, preſently ſet Sail for *England*, but being ſeiz'd in their Paſſage over, by ſome Seamen that belong'd to the *Cinque-Ports*, they were ſtraightway ſearched, and the Pope's Bull to *Excommunicate* the ſaid Lords being found about them, it was, without any farther Ceremony, torn to pieces and flung into the Sea; and the Biſhops themſelves were alſo threaten'd with the loſs of their Heads, if they ſhould preſume to publiſh this Sentence: Thus (ſays our Author) the rudeneſs of theſe Mariners ſtruck thoſe lukewarm Prelates quite Dumb, as having now a good pretence not to execute what they before did not approve of.

But being ſeiz'd by ſome of the *Cinque-Ports* the Pope's Bull to Excommunicate them is taken and torn to pieces.

[2] Now

[2] Now this *Guido*, the Pope's Legate, ſeeing his Deſigns thus diſappointed, took his Journey towards *Rome*, but before he got thither, he receiv'd the news of the Death of Pope *Urban* the Fourth about *Michaelmaſs*, and that the Cardinals had choſen him Pope in his ſtead; and he being Conſecrated in the beginning of *February* following, was called *Clement* the Fourth; and ſo ſoon as he was ſettled in his Seat, he ſeverely revenged that Affront, which the *Engliſh* had put upon the *Roman* See, as you will find anon.

Anno Dom. MCCLX IV.

[2] *Id. ib.* Whereupon the Pope's Legate goes for *Rome*, and by the way receives News of the Pope's Death, and of his being choſen in his ſtead.

With this Relation [3] *Mat. Weſtminſter* alſo agrees concerning the *Excommunication* iſſued forth by the Legate, and its being taken and deſtroyed by the Men of *Dover*; but he ſays it was done after the Biſhops had Landed, yet mentions nothing of their going over to the Legate, (which I much wonder at) only that they were ſummon'd to appear, and that the Legate iſſued out his Sentence of *Excommunication* and *Interdict* againſt the City of *London* and the *Cinque-Ports*; and that to prevent this Sentence, they appeal'd to the Pope, or the General Council; but to return to Civil Affairs,

[3] *Sub hoc Anno. Mat.* of *Weſtminſter*'s Account of this Tranſaction of the Biſhops ſomewhat diſſerent from the former.

[4] About the beginning of *July* the Earl of *Leiceſter*, being Allarm'd at the report that a great multitude of Foreigners were preparing to make an Invaſion here, cauſed the King to iſſue out a Writ or Proclamation, directed to the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freemen, and to the whole Commonalty of moſt of the Counties of *England*, wherein was ſet forth, 'That he 'had receiv'd certain Information of a horrid Conſpiracy intended by 'a numerous Company of Foreigners that were preparing Shipping 'and other Warlike Ammunition, in order to Invade the Kingdom, to 'the diſinheriting of himſelf, and every Perſon thereof, unleſs due 'care were taken by a ſufficient Force to prevent it. He therefore 'Commands all Knights and Free Tenants to make ready themſelves 'with Horſe and Arms, ſo as to be at *London* on *Sunday* after the 'firſt of *Auguſt*, to march with him from thence for the defence of 'his Royal Perſon, themſelves and the whole Nation, againſt theſe 'Foreigners; and alſo requires all Sheriffs to take with them the Keep-'er of the Peace of the County, to ſummon and firmly enjoin, in the 'King's Name, the aforeſaid Archbiſhops, Biſhops, Barons, and all 'others, who ow'd the King Military Service, by the Faith and 'Homage in which they were bound to him, and as they loved them-'ſelves, their Lands and Tenements, to come to him, not only with 'the Service they ow'd him, and were bound by their Tenure to per-'form, but with what other Horſes and Arms they could ſpare, or 'ſend them with as many choice Foot as they could raiſe, that ſo by 'their help he might effectually reſiſt the impendent Danger. The reſt of this Proclamation being very long, I ſhall contract it as much as I can: And Firſt of all it ſets forth, 'That no Man was to be ex-'cuſed for non-appearance, by reaſon of the ſhortneſs of the Time, 'nor yet of the approaching Harveſt, ſince it was better for them to 'ſuffer ſome loſs of Goods, than the deſtruction of the King and 'Kingdom; and beſides the Forces abovemention'd, the Sheriffs were 'to cauſe to come at the ſame Day, Four, Six, or Eight of the beſt and 'ſtouteſt Foot Souldiers from every Town, according to the extent 'of it, with their Arms then in uſe, who were to have their Ex-'pences born for Forty Days; and that the Cities and Boroughs

[4] *Id. ib.* Upon the Report of an Invaſion by Foreigners, *Simon Montfort* makes the K. iſſue out Writs commanding all Perſons to be ready with Horſe and Arms.

Anno Dom. MCCLXIV.

'ſhould alſo ſend in both Horſe and Foot according to their Large-
'neſs and Abilities. This Command of the King's, the Sheriffs were forthwith to publiſh, and thereby give notice to all Men, that they might prepare themſelves to be ready at the time appointed; letting them know withall, that if the King ſhould find any Contemners of his Command, or that ſhould be remiſs in the performance of it, he would ſeize their Perſons and Goods, as of thoſe that neither valued his, nor their own Preſervation. This Declaration was dated at * St. *Paul's*, *London*, on the 6th of *July*. Which is tranſlated and inſerted at large in [5] Dr. *Brady's* Hiſtory; and the *Latin* Original is alſo in his † *Appendix*, taken from the * Record in the *Tower*; And this does indeed deſerve the Reader's Notice, it being the firſt Commiſſion of this kind that is extant, and ſhews not only the manner of raiſing the Militia in thoſe Times, but that all Men, even the meaneſt Houſholders, were then by Law to be furniſh'd with Arms, ſuitable to their degree. And then alſo for the ſecuring of the Sea-Coaſts, the King, on the 9th of *July*, iſſued forth his * Writs to the Good Men of *Len*, *Yarmouth*, *Donwich*, *Oxford*, *Ipſwich*, and all other Cities, Burghs, and Towns upon the Coaſts of *Norfolk* and *Suffolk*, to be obedient to the Directions of *Hugh le D' Eſpenſer*, his Juſtitiary, in ſecuring the Coaſts of thoſe Counties, and whom he had ſent to them for that purpoſe.

* *i. e.* at the Bp. of *London's* Palace near St. *Paul's* Church.

[5] *P.* 646.

† N. 217.

* *Rot. Pat.* 48. *H.* 3. *M.* 9. *Dorſ.*

* *R. Pat.* 48. *H.* 3. *M.* 21. *Dorſ.* Other Writs are alſo iſſued for ſecuring the Sea-Coaſts.

The Earl of *Leiceſter* takes a Licenſe to ride Armed, and for what reaſon.

At this time likewiſe, foraſmuch as the Earl of *Leiceſter* would be thought a ſtrict Obſerver of the King's Commands, he received his Licence to ride armed, tho' by the Council of his Barons he had before ſtreightly forbad all Men, on the peril of their Lives, to ride about with Horſes and Arms: But this was allow'd the Earl, becauſe of the many Hoſtages and Priſoners he was to carry about with him; which Writ of Licence is dated at St. *Paul's*, *London*, the Sixth of *July*, and is upon * Record, as is alſo this that follows in the ſame Roll.

* *Rot. Pat.* 48. *H.* 3. *M.* 7. *Vid. Dr.* B.'s *Append. N.* 218.

The Forces not coming in, the King cauſes a Proclamation to be made to enforce them under great Penalties.

The Forces to be raiſed againſt the Invaſion of the Foreigners, not coming in ſo faſt as was expected, the King on the Ninth of *Auguſt* wrote to the Sheriffs of *Cambridge* and *Huntington*-ſhires, to make Proclamation, that all that were commanded to be at *London* on the *Sunday* next after the Firſt of *Auguſt*, with their Horſes and Arms, *&c.* ſhould march thither in all haſte, under pain of loſing all their Lands, Tenements, and Goods, and be in danger of Life and Limbs; and he there alſo orders, that after Proclamation made, if they did not then march, the Sheriff ſhould take and detain in Priſon all Defaulters until farther order, and out of the Profits of their Eſtates to ſend as many armed Men as they ought to maintain.

The People weary of watching and guarding the Sea-Coaſts being about to go home, are reſolving to keep to their Duty.

* *Rot. Pat.* 48. *H.* 3. *M.* 3. *Dorſ.*

But when the People, tired out with watching and guarding the Sea-coaſts in *Norfolk*, *Suffolk*, and *Eſſex*, againſt Foreigners, were about to go to their own Homes, they alledg'd, they had been there Forty Days, and would ſtay no longer; and the King having notice of their Intentions, on the Seventeenth of *September* wrote * Letters to all that were aſſembled for that purpoſe in thoſe Counties, importing, 'That whereas he was apprehenſive of ſeveral Things that 'might happen, by reaſon of ſome News he had lately heard, it was 'neceſſary for them to ſtay a while longer upon the Coaſt; there-'fore commanded them, by the Faith in which they were bound to 'him,

'him, and under pain of losing all they had in the Kingdom, that 'for His, and the common Defence of the Nation against Stran- 'gers, they should stay there, and not depart until they received 'his Licence; and further commanded the Sheriffs to provide Money 'from the Counties, for such as were not able to bear their own 'Charges, for the space of Eight Days ensuing, or longer, if there 'were need; and directed them, under the like Penalties (as before) 'to seize the Lands and Goods of all Defaulters. *Anno Dom.* MCCLXV.

And there is also on * Record another Writ or Letter from the King to the Sheriffs of *Oxford* and *Buckingham*-shire, to command and enjoin all Knights and Free-holders in their Bailiwicks, that were able to bear Arms, and had Lands to the Value of an Hundred Shil- 'lings, or Ten Pounds a Year, under the Penalty of losing all their 'said Lands and Tenements, to come to him in their proper Persons 'with Horse and Arms, where-ever he was in *England*, with all pos- 'sible speed, to oppose the Strangers that were now suddenly expect- 'ed from beyond Sea; and to furnish themselves with Money for 'their Expences in the Army, until three Weeks after *Michaelmas*; 'and the Sheriffs were to provide for the Expences of such Foot Soul- 'diers as were not able to do it for themselves, by Taxing the Coun- 'trey for that purpose. * *Rot. Pat.* 48. *H.* 3. *M.* 3. *Dors.*

Another Writ to the Sheriff of *Oxon* and *Bucks*, to warn all the Free-holders of those Counties to attend the K. in Person.

I have been the more exact in setting down the substance of these Records, because they serve to prove the King's Power over the Militia of the Kingdom in those Times, and that independent from Authority of Parliament.

The King's antient Power over the Militia in those Times.

But tho' I must here own Dr. *Brady*'s diligence is much to be commended, in collecting and printing these Records at the end of his History, yet I can by no means assent to his [5] Opinion, that notwithstanding all these reiterated Writs or Letters for the raising and arraying the Militia of the several Counties in *England*, and for the setting out of Ships for the guard of the Sea-Coasts, yet that all this was only a Politick fetch of *Simon Montfort*'s to cheat the People, and make them afraid of a Foreign Invasion; and that these Rumours were only spread abroad on purpose to keep the Peoples Heads warm with Jealousies and Fears, that an Army might always be ready to baffle all attempts of rescuing the King out of the Power of the Barons, who was all this while forc'd to own them to be true and faithful Subjects to him, by sending out the above-mentioned Declaration and Letters; but the Doctor gives us no other authority for this Opinion, than a * Record already cited in the beginning of this Year, and which he has Printed in his † *Appendix* to this effect, That whereas divers Persons had raised Reports, that the King intended to bring an Army of Strangers into the Kingdom to destroy the Nation, *&c.* therefore to undeceive the People, he then wrote to all the Sheriffs of *England* to make Proclamation in their County-Courts, that he intended no such thing, with other Matters, for which I refer you to the Record it self already cited. But here I must observe, that the Doctor is guilty of a double Mistake, first in positively asserting from this Record, that *Montfort* and his Confederates were the raisers of this Report, when it names no body in particular, but only says, that they were *Quidam*, *some Persons*, who had spread it abroad; nor is his Consequence any better grounded, that granting *Simon Mont-*

[5] *P.* 646. Dr. *Brady*'s great Mistake, in supposing their Invasion not to have been really intended.

* *Ro. Pat.* 48. *H.* 3. *M.* 20. *Dors.* The Authority the Doctor brings to prove this is not to the Purpose.

† *N.* 216.

fort

Anno Dom. MCCLXIV.

ſort and his Party had been formerly the raiſers of this Report, and that it had been then altogether falſe and groundleſs, therefore they muſt likewiſe be ſo at this time, when all the Kingdom was actually in Arms; for when the King iſſued out the firſt Writ or Letter, mention'd by the Doctor, which bears Date *September* the 20th in the 47th Year of his Reign, concerning the above-mention'd Report, he was then wholly at his own diſpoſal, it being ſeveral Months before the Battel of *Lewes*, which happen'd in *May* following; and tho' there might be no juſt Ground for any ſuch Report then, yet there might very well be ſo now, when (the King being kept againſt his Will under *Montfort*'s Cuſtody, and Prince *Edward* alſo a Priſoner) Queen *Eleanor*, who was then in *France*, together with the Earls of *Pembroke* and *Warren*, and ſeveral other Great Men that had lately been driven out of *England*; when, I ſay, She and they endeavour'd all they could to ſet them free, and *Simon Montfort* had then very good Intelligence, that the Queen had really borrow'd Forces of the King of *France*, and other Foreign Princes, to free the King her Huſband, and the Prince her Son, from that force they then lay under; and ſo much the [1] Doctor himſelf owns, when he cites this Paſſage out of *Matt. Weſtminſter*, who ſays, That almoſt all *France*, as far as the *Alps*, by the Inſtigation of that King; *Peter*, Earl of *Savoy*; *Boniface*, Archbiſhop of *Canterbury*; and the Biſhop Elect of *Lyons*, and other of the Queen's Relations, were greatly incenſed againſt the *Engliſh*, that thus traiterouſly oppoſed their King, which might (ſays the [2] Doctor) raiſe a Suſpicion in them, of the Inclinations and willingneſs of thoſe People to aſſiſt the King, but ſpeaks not of any Shipping provided, or Forces raiſed there to reduce them to Obedience. And I very much admire at this Author's careleſneſs; for had he but conſider'd the precedent Page in the ſame Author, he would have found that he ſays the direct contrary; therefore I ſhall here give you the whole Relation at large, ſince it falls in very opportunely in point of Time, and ſerves to clear ſo conſiderable a Matter of Fact, which the Doctor has either negligently or wilfully omitted. And *M. Weſtm.* relates it thus; [3] That the Lords Marchers of *Wales*, to wit, *Roger de Mortimer*, *James de Audley*, *Roger de Clifford*, *Roger de Leyburn*, *Haimo L' Eſtrange*, with divers others that had made their eſcape from the Battel of *Lewes*, now muſter'd up freſh Forces in the Marches, and did all they could to oppoſe the Barons; wherefore *Simon Montfort* being in Confederacy with *Llewellyn*, Prince of *Wales*, march'd into thoſe Parts with a great Army, and taking the Caſtles of *Hereford* and the *Haye*, waſted the Lands of *Roger de Mortimer* with Fire and Sword; whereupon *Hugh* his Brother was compell'd to ſurrender himſelf to the Barons, with his Caſtle of *Richar*, which was committed to the Cuſtody of *John Fitz-John*; and *Ludlow* was alſo deliver'd at the ſame time: from whence the *Welſh* and *Engliſh* Army went forward to *Montgomery*, where the ſaid *Roger* and *James* made a feign'd Peace with the Barons, as it afterwards prov'd. But now the Earl of *Leiceſter* was forc'd to quit this Expedition, and to march toward the Sea, againſt the Foreigners, whoſe coming over in great Numbers, under the Conduct of the Queen, and *Peter* Earl of *Savoy*, was very much fear'd; to reſiſt whom, all the ſtrength of the Kingdom being ſummon'd by the King's Edict, was then aſſembled

[1] *Comp. Hiſt. p.* 648.

[2] *Ib.*

[3] *M.W. ib.*

Matt. of *Weſtminſter*'s Relation plainly proves this Invaſion to have been really deſign'd.

bled upon *Barham-Down*, and towards which Expedition the Biſhops likewiſe had receiv'd a Tenth of their Livings from the Rectors of Churches, as alſo from Religious Houſes; and one might have then ſeen on that Heath ſo great an Army both of Horſe and Foot, as you would not have believ'd could be then rais'd in *England*. *Anno Dom.* MCCLXIV.

[4] In the mean time Queen *Eleanor*, with an Army that ſhe had gather'd from divers Nations, and which was commanded by ſo many Dukes and Earls as ſeem incredible, remain'd at *Bruges* in *Flanders*; a great Fleet lying alſo in the Port of *Dam*, in *Flanders*, to tranſport them hither, which they were mighty deſirous of; yet the *Engliſh*, and eſpecially the Seamen belonging to the *Cinque-Ports* ſeem'd not in the leaſt to be afraid of them; but at laſt all this vaſt Army of Noblemen and mercenary Souldiers were forc'd to return home, for (God otherwiſe ordering it) their Expedition was quite fruſtrated by contrary Winds. But there were thoſe who knowing the ſtrength and number of that Army, affirm'd, that if they had once Landed here, they would certainly have ſubdu'd the whole Kingdom; yet God the Father of Mercies having then compaſſion on the People of *England*, caus'd the Hearts of ſo great a Multitude to fail, ſo that, I ſay, they return'd home without doing any thing, after they had ſpent ſo much Treaſure in vain. However thus much muſt be own'd for the Honour of Queen *Eleanor*, that ſhe then acted like a courageous *Virago*, to the utmoſt of her Power, for the delivery of the King her Husband, and her Son Prince *Edward*. [4] *Id. ib.* A full Account of the manner of it from the ſame Author.

Thus far *Matt.* of *Weſtminſter* (whom the Doctor himſelf has but now cited) and tho' this Author appears highly concern'd for this King's Intereſt, and lived and wrote in his Grandſon's Time, about Fourſcore Years after theſe Tranſactions, yet he was ſo true an *Engliſh-man*, that he did not think it at all ſafe or beneficial for the Nation to have had the King reſtor'd by an Army of Foreigners, which I could wiſh ſome Men in our Time would take notice of. And now I ſhall leave it to the Doctor to conſider, whither *Matt. Weſtminſter* mentions nothing of any Shipping provided, or Forces raiſed beyond Sea to reduce the Barons to their Obedience.

And to put this quite out of doubt, *Thomas Wikes*, under this Year relates, that the Queen, with her Son *Edmund*, ſtaying in *France*, and hearing what had happen'd to her Husband, ſhe ſtraight borrow'd great Summs of Money, and therewith raiſing an Army of all thoſe Nations he there names, they marched down to *Dam* aforeſaid, in order to reſcue the King out of the hands of the Barons, and reſtore him to his former Authority. With whom alſo agrees the Continuator of the Chronicle of *Mailroſe*, who wrote ſhortly after, (and which the Doctor muſt needs have ſeen when he was writing his Hiſtory;) but this Author does not only agree with the two former, in his Account of the vaſt Army which the Queen had then raiſed, and brought down to the Sea-ſide, but alſo gives us the reaſon of their diſappointment, *viz.* That all the while they lay on the Coaſt of *Flanders*, which was for Two Months together, they were ſo kept in by contrary Winds, that they could not paſs over into *England*, inſomuch that at laſt being neceſſitated to ſell their Horſes and all their Baggage, to their very Cloaths, for want of Money to ſubſiſt, they were forced to return into their own Countries. *Thomas Wikes's* Relation of what the Qu. now did in *France*, to carry on this Invaſion. The true reaſon of the failing of this intended Invaſion, was the contrary Winds, ſo that this Army which lay ready to come over was forc'd to diſband.

I write

Anno Dom. MCCLXIV.

I write not this to vindicate the Actions of *Simon Montfort*, for whoſe Memory I have as little kindneſs perhaps as the Doctor himſelf, but to let the Reader ſee how far prejudice againſt either a Perſon or Cauſe may carry an Hiſtorian to paſs by, or conceal, ſo conſiderable a piece of Hiſtory. But to return to our Own.

[5] *M. W.*

Whilſt the E. of *Leiceſter*, is taken up in preventing the Invaſion, the Lords Marchers make Incurſions upon the *Engliſh* Counties.

[5] Whilſt the Earl of *Leiceſter* was thus imployed in preventing the Invaſion of theſe Foreigners, and had drawn off great part of his Forces, the above mentioned Lords Marchers of the King's Party breaking the Peace they had lately made, again renewed the War, and invading the Counties on this, as well as on the other ſide the *Severn*, ſtruck ſuch a terrour into the Inhabitants thereabouts, that they took Sanctuary, by making Huts in the Church-yards for the preſervation of their Perſons and Goods againſt theſe Invaders. The principal Author of this miſchief was *Haimo L'Eſtrange* a noted Plunderer, who altho' he had often fought ſtoutly, yet had by his Cruelty caſt a great Blot upon his Reputation: But theſe Barons being fixed in their Caſtles, had poſſeſſed themſelves of all the Marches between *Briſtol* and *Cheſter* in the Name of King *Henry* and his Son the Prince: then *Robert de Walleran* and *Warren de Baſſenborne*, Governors of *Briſtol*, marched thence one Morning by break of day with a Party of Horſe to the Caſtle of *Wallingford*, in which *Henry*, Son to the King of the *Romans*, and Prince *Edward* were then kept Priſoners, tho' under the ſpecious name of Hoſtages, thinking to have ſurprized it, and thereby to have ſet theſe Princes free, yet it proved to no purpoſe; for the Gariſon being awakened, gave them a brisk repulſe; however they were in hopes by the Succour and Reinforcement of the Lords Marchers, (who were making all the haſte they could up to their aſſiſtance) that they ſhould have carried the Place.

And poſſeſs themſelves of all the Marches between *Cheſter* and *Briſtol* in the King's Name.

[1] *Id. ib.*

The Earl of *Leiceſter* being provok'd by this Inſurrection calls a Council of the Barons at *Oxford*, where it is reſolv'd that the King, with the Earl, ſhould go into thoſe Parts, which is done accordingly.

[1] The Earl of *Leiceſter* being now provoked with this late Inſurrection and Breach of the Peace, held a Council of the Nobility at *Oxford* concerning this matter; and therein they reſolved, That he with a potent Army ſhould go immediately into thoſe Parts; whereupon (carrying with him the outwardly complying King) he marched to *Worceſter* in order to reduce the Lords Marchers to obedience; towards whom nevertheleſs the King was thought too much inclinable, tho' he durſt not then ſhew it, ſince they fought not only for his Deliverance, but alſo for the Liberty of the Prince his Son; therefore theſe Lords, who were much inferiour in number to *Leiceſter's* Forces, drew back their own beyond the *Severn*, and there ſtopt; and the better to reſiſt the Earl and his Forces, they broke down the Bridge at *Worceſter*, and ſunk the Ferry-boats, that ſo they might by that means hinder their Enemies from paſſing over; yet for all this they found it in vain to fight againſt ſo many brave and valiant Men, eſpecially when they had *Simon Montfort*, an experienced Warriour, to command them; and having alſo Prince *Llewellyn* (who was now marched out of *Wales*) upon the back of them, they were ſo put to it, that they were forced to make peace with that Earl on theſe hard Conditions, *viz.* That they ſhould leave the Nation for a Year, and deliver up all their Caſtles to the Earl; and to theſe Terms they the more readily conſented, becauſe they were in hopes that Prince *Edward* by that time might be freed of his Impriſonment,

Whereupon the Lords Marchers retreat over *Severne*.

The Lords Marchers being hard put to it by *Simon Montfort*, are forced to make Peace upon very hard Conditions.

priſonment, when there were none in Arms to take either his or his Father's Part, ſo that by this means the Earl of *Leiceſter* became poſſeſſed of almoſt all the Caſtles upon the *Marches* from *Briſtol* to *Cheſter*; which City and Caſtle, with the Earldom and all its Appurtenances, Prince *Edward* was ſome time after forced to grant him in exchange of other Manours and Lands, before his Liberty could be ſo much as treated of; This Grant was confirmed by the King on the 20th of *March* following: and alſo the Caſtles and Honours of *Pec*, the Caſtle and Town of *Newcaſtle underline* in *Staffordſhire* were then granted with them, to him and his Heirs. But tho' this was propoſed, and perhaps agreed to between them, yet was it not confirm'd by the King till the year following, as appears by his Patent upon Record in the Tower: yet that this Exchange was real, and not meerly pretended, as Dr. *Brady* aſſerts, ſee a Record of 49 of *Henry* the 3d. (*Rot. Pat.* 49. *H.* 3. *m.* 16.) which is printed in the Appendix at the end of this Volume, *N.* 12. *Anno Dom.* MCCLXIV.

† *Rot. Pat.* 49. *H.* 3. *M.* 46.

* *Compl. Hiſt.* p. 648.

But to come to ſomewhat more conſiderable; the *London* Annals inform us, that about the Feaſt of St. *Simon* and *Jude*, it was provided by the Council of the Great Men, who had then the Adminiſtration of the Government in their hands, that three Biſhops ſhould be choſen who ſhould have full power to aſſeſs the Damages, and make ſatisfaction for all Loſſes received by Clergy-men during the late Troubles, and that if any refuſed to ſtand to their Judgment, they were to be *Excommunicated*: theſe Biſhops were alſo to keep in their hands and receive the Profits of all Benefices of ſuch Foreigners as had been baniſhed the Kingdom, and they were to keep them till the Settlement of a more firm Peace could be made.

But that the King continued in the Marches of *Wales* till towards *Chriſtmaſs*, appears by his Writ to the Sheriff of *Middleſex* dated at *Worceſter* the 13th of *December*, whereby he commands certain Statutes ſent down along with it, to be proclaimed and obſerved under great Penalties. But ſince I have ſpoken farther of this Body of Laws, at the end of this Reign, I refer the Reader thither, if he deſires farther ſatisfaction about them; only he may take notice, that a Copy of the Writ ſent down with them, is Printed in the * *Appendix* to this Volume.

* N. 12.

Thus all things being for the preſent quiet in the Marches of *Wales*, the King went directly to his Palace of *Woodſtock*, there to keep his *Chriſtmaſs*, whilſt the Earl did the like at his Caſtle of *Kenelworth* in *Warwick-ſhire*, and is reported to have had no leſs than Two Hundred Knights in his Family, who received his Stipend or Wages, beſides many others that follow'd him when he took the Field; inſomuch that all *England* was now in ſubjection to him, except the moſt *Northern* Parts of it, which by the means of the King of *Scots*, and *John Balliol*, ſtill held out againſt him. All Affairs being thus under his Government, the King that had now reign'd Fifty Years, ſignified no more than a Cypher, ſo that he could not go any where on Progreſs without a Keeper, and under the diſpoſal of others, who were commonly one or more of the Earl of *Leiceſter*'s Sons; *Hugh d' Eſpenſer*, the Juſtitiary; the Earl of *Glouceſter* being excluded, whom they chiefly ſuſpected and feared, as One that was moſt able to break this Confederacy; and all the King's Caſtles and ſtrong

[1] *T. W. ib.* The King and the Earl of *Leiceſter* return into *England* to keep *Chriſtm.*

The K. being under the government of *Sim. Montfort* is no more than a Cypher.

Anno Dom. MCCLXIV. Forts of the Kingdom they divided among themſelves, making the King's Capital Enemies the Chief Officers of his Houſe.

[2] *In hoc Anno.* The ſad Condition of the Kingdom undom under the management of the Earl of *Leiceſter*, and thoſe of his Party.

I ſhall now give you from [2] *Thomas Wikes* a farther Account of the deplorable State of *England*, during this Oligarchy of the Earl of *Leiceſter*, and the Lords of his Party, under whom the Inhabitants of the *Cinque-Ports* were grown to that height of Inſolence, that ſetting out a great number of Privateers, they cruized about the *Engliſh* Seas, and taking all Veſſels they met with, as well *Engliſh* as Foreign, they ſeized their Goods, killed their Men, and flung their Bodies into the Sea; by which means *England*, that uſed to excel all other Nations in plenty of Foreign Commodities, was now become ſo indigent, that Wines, Salt, Iron, and all other Wares that came from beyond Sea, roſe to that exceſſive Rate, that they were ſold at above Four times their former Price; ſo that no Commodities being able to be carried in or out, the Merchants were reduced to great Extremities: The Earl perceiving this, and being willing to pacifie the People, gave out, that *England* could very well ſubſiſt without Foreign Commodities (which was very hard to ſuppoſe, ſince all Kingdoms ſubſiſt by a mutual exchange of Wares or Manufactures with their Neighbours;) yet ſome Perſons who were deſirous to curry Favour with the Earl, leſt they ſhould ſeem to be any ways beholding to Foreign Countries, left off coloured Cloaths, and wore them white.

From whence we may obſerve, that we were not then able to Dye a Piece of Cloath in *England* in thoſe Days; as alſo how miſerable a State this Nation was then in, and would be again, when ever a free Trade ſhall be obſtructed, either through the too great Naval Force of our Neighbours, or of thoſe of our own Countrey, when employ'd to its prejudice.

[3] *Id. ib.* The ſordid Covetouſneſs of *Henry de Montfort.*

[3] Beſides theſe Depredations, *Henry de Montfort*, eldeſt Son to the Earl of *Leiceſter*, very much ſullied his Military Honour, by ſeizing and applying to his own uſe all the Wooll of the Kingdom in the very Ports, and which the Merchants of *England* and *Flanders* had lately bought to tranſport into Foreign Parts; and thus of a Warriour he became a Wooll-Merchant: With theſe and other Grievances *England*, of a Flouriſhing Kingdom, was now ſo poor and deſpicable, that it became a by-word and ſcorn to its Neighbours; yet during this Winter things continued pretty quiet, but the War broke out afreſh the Summer following with greater violence, as you will find anon.

The Death of *Godfrey*, Archbiſhop of *York*. * *M. W.*

Nothing happen'd further conſiderable in the Eccleſiaſtical Affairs, except * the Death of *Godfrey*, Archbiſhop of *York*; a Prelate remarkable for no great Learning, or other good Qualities: *Walter Gifford*, Biſhop of *Bathe* and *Wells* ſucceeded him by the Pope's immediate nomination.

Anno Dom. MCCLXV.

The K. under the Guardianſhip of one of *Sim. Montfort's* Sons.

We have already told you, that the King this Year kept his *Chriſtmaſs* at *Woodſtock*, being then under the Guardianſhip of one of *Simon Montfort's* Sons; the Earl of *Glouceſter* being, upon ſome late Jealouſies and Quarrels that had ariſen between the Earl of *Leiceſter* and him, wholly excluded from having any thing to do in the Government, except in ſome publick Affairs, from which he could

The E. of *Glouceſter* excluded from the Government.

not

not well be exempt: But I will give the Reader a further light into this Quarrel, ſince it was the cauſe of that great Revolution which not long after followed. *Anno Dom.* MCCLXV.

[4] *Leiceſter* was now become ſo very great, that the Earl of *Glouceſter* envied him, and thought himſelf ſlighted and ill uſed by him; ſince it was not ſufficient for him thus to carry about the poor Captive King, but he alone muſt order all the great Affairs of the Kingdom as he pleas'd; yet that which moſt offended *Glouceſter* was, that he took to his own uſe the Profits and Revenues of the Kingdom, and all the Money that was paid for the Ranſom of Priſoners, which by Agreement was to have been divided between them, and which indeed muſt have amounted to a vaſt Summ; for the Earl of *Glouceſter* claim'd the King of the *Romans* and his Son *Henry* for his ſhare, who had ſurrend'red themſelves to him at the Battel of *Lewes*, but they being detain'd by *Simon Montfort*, and kept as his Priſoners ever ſince, it ſo highly provok'd the Earl of *Glouceſter*, that he only waited for an opportunity to be revenged of him. [4] *Id. ib. T.W.* The original of the Quarrel between the Earls of *Leiceſter* and *Glouceſter*.

The Earl of *Leiceſter* being ſenſible enough of the ill Conſequences of this Quarrel, engaged the King to interpoſe his Intereſt to reconcile it; and alſo made uſe of the Mediation of ſome of the Biſhops, (as appears upon * Record) altho' to no purpoſe; for the Earl of *Glouceſter* knew very well, that what the King did, was only in compliance to *Simon Montfort* who had him then in his Power. * *Rot. Pat.* 49. *H.* 3. *M.* 13. *N.* 54.

And that all Diſcourſe of this Difference between theſe Earls might (if poſſible) be ſtifled, it appears farther on * Record, that he cauſed the King to write to all the keepers of the Peace, and Sheriffs in *England*, to apprehend ſuch as ſhould offer to ſay, there was any Diſcord between thoſe Two Earls; but That had the common Fate of all ſuch Methods, to make what they deſired to conceal, to be the more talk'd on. But to return to the Hiſtory. * *Rot. Pat.* 49. *H.* 3. *N.* 54.

[5] On the Morrow after the Feaſt of St. *Hilary* (being the 14th of *January*) there was a great Aſſembly of the Nobility held at *London*, wherein it was decreed, That all the Lords of the Marches of *Wales*, who had been concern'd in the late Inſurrection againſt *Simon Montfort* and the Barons, ſhould by *Eaſter* following paſs into *Ireland*, there to remain as it were in Baniſhment for Three Years, and not to return without the conſent of the Governours of the Kingdom; but they being forewarn'd, that if they went over, there were deſigns laid againſt their Lives, they thought it better to put it off; and thereupon they took ſhelter in the Lands of the Earl of *Glouceſter*, who then connived at it, beginning now to incline to the Party of the Lords Marchers. [5] *T.W. A.W. Sub A. D.* 1264. A great Parliament in which the Lords Marchers are baniſh'd into *Ireland*.

[1] In this Meeting there was alſo a grievous Accuſation brought in the King's Name againſt *Robert de Ferrars*, Earl of *Derby*, (whom [2] *Simon Montfort* had cauſed to be committed to Priſon in the *Tower* of *London*) for divers Miſchiefs, and burnings of Towns, which this Earl had committed both before and after the Battel of *Lewes*; but the truth of it was, that this Earl was looked upon as too powerful, by reaſon of his great Eſtate; and having ſtood in a manner Neuter during the late War, it was thought convenient by the Earl, that he ſhould be hinder'd from joining with the Earl of *Glouceſter*'s Party, whom [3] *Simon Montfort* intended likewiſe to have ſurprized and [1] *Id. ib.* The Earl of *Derby* is accuſed of great Miſdemeanors. [2] *A. W.* [3] *T. W.*

Anno Dom. MCCLXV.

clapp'd up in Priſon, laying to his Charge the late harbouring of the Lords Marchers in his Territories, being the declar'd Enemies of the ſaid Earl and his Faction; but the Earl of *Glouceſter* not being willing to truſt himſelf in his hands, thought it his ſafeſt Courſe to withdraw from this Aſſembly; and therefore taking with him a ſmall Guard of Men, he retir'd to his ſtrong Holds in the Borders of *Wales*.

The Earl of *Glouceſter*, fearing to be clapp'd in Priſon, withdraws from the Parliament.

[4] Then likewiſe *John Gifford*, a Baron of great Courage and Reputation, being impeach'd by the Earl of *Leiceſter*, that contrary to the late *Miſe* or Agreement at *Lewes*, he had enter'd upon divers Lands, which belong'd to other Lords in right of their Priſoners; wherefore he fearing the Earl's great Power, tho' he gave Security to appear and Anſwer his Accuſations, yet at laſt not being willing to truſt him, he follow'd his Patron the Earl of *Glouceſter*, and retir'd to him into the ſaid Marches, where we ſhall leave them for a time.

[4] *A. W. John Gifford* being likewiſe impeach'd, fearing *Simon Montfort's* Power withdraws into the Marches of *Wales*.

But notwithſtanding this great Council of the Nobility that had now met at *London*, *Simon Montfort* and his Faction did not think it ſafe to rely upon their Authority; and therefore he had alſo iſſued out the King's Writs for a Parliament to meet at *Weſtminſter*, on the *Octaves* of St. *Hilary* (or 22d of *January*) next enſuing, to which were ſummon'd not only the Archbiſhops, * Biſhops, Earls and Barons, but alſo all the Abbots and Priors of *England*; and beſides theſe, Writs of Summons were alſo ſent to the Sheriffs of the Counties to *elect* and *return* Two Knights for each Shire, and Two Citizens, and as many Burgeſſes for each City and Borough of *England*, and for each of the *Cinque-Ports* as many Barons, as appears ſtill upon * Record in the *Tower*, which is alſo taken notice of by the Writer of the City-Annals, only he miſtakes in the number of the Knights of Shires, making them to have been Four inſtead of Two, and the like he does in the number of the Citizens, Burgeſſes, and Barons of the *Cinque-Ports* that were ſummon'd to this Parliament. But this Author is the only one that (as I can find) makes any mention of their appearing at this Parliament, tho' without any Remark of its being a new Inſtitution; which I obſerve, becauſe theſe being the firſt Writs of Summons to the *Commons* that are now extant on the Rolls, [5], therefore Dr. *Brady* will needs infer from hence (tho' without any juſt grounds) that theſe were the firſt Writs of this kind that were ever iſſued, and that neither Knights of Shires, nor Citizens, nor Burgeſſes, *&c.* were ever ſummon'd to Parliament before this Critical and Rebellious Year; but of this I ſhall ſay more in another place, therefore ſhall here only inquire into the Cauſe of this great and ſo general Aſſembly, which was on Two Accounts; the One to ſet the Prince at liberty, with the ſafety of *Simon Montfort*, and thoſe of his Party; the Other to obtain the King's Charter of Pardon and Indemnity for all that had been paſt.

* *Rot. Claus.* 49. *H.*3.*M.*11. Printed in Dr. *Brady's* Anſw. to Mr. *Petyt*, *p.* 137.

* *Ib. In Scedula.* Printed *in eod. p.* 140.

[5] Anſwer to Mr. *Petyt*, *p.* 144. *Com. Hiſt. p.* 649.

But the great end of ſummoning this Parliament was the delivery of the Prince out of Priſon, where he had now continued above halfa Year, which was not well reſented, even by ſome of the Barons themſelves; who, tho' they were of the oppoſite Faction, yet thought it reaſonable that he ſhould be ſet free, ſince he had only deliver'd himſelf up at the Battel of *Lewes*, as a Hoſtage for the performace of the Articles then agreed to by the King his Father; wherefore, in order to this, the Earl of *Leiceſter*, and the Lords *Hugh d' Eſpenſer*, and *John*

Fitz-

Fitz-John, with the Biſhops of *London*, *Worceſter*, and *Chicheſter*, and others their Adherents (who manag'd all things in this Parliament at their pleaſure) thought fit to contrive a certain Form of Articles or Conditions for delivering the Prince out of Priſon, which, tho' not agreeable either to Law or Juſtice, yet being reduc'd into Writing, and by him agreed to, as alſo by the King his Father, the Earls, and all the other Great Men of his Party corroborated with their Seals; which Agreement, tho' ſeemingly made with his own conſent, rendred his Condition almoſt as bad when he was ſet free, as whilſt he continued a Priſoner. *Anno Dom.* MCCLXV. The Prince is reſtor'd to a ſeeming Liberty, but upon very hard Terms.

But tho' Dr. *Brady* has not thought fit here to give us the Articles or Conditions upon which the Prince was then deliver'd (or rather from a cloſe Priſoner to be kept in a more free Cuſtody) I ſhall here recite the Subſtance of them from the Original * Record in the *Tower*, which I find alſo enter'd in an antient Manuſcript Book of the Laws and Statutes of *England*, in *Bennet*-College Library; and is likewiſe printed in the Annals of *Waverly*, to which I refer the Reader; as alſo to the * *Appendix* to this Volume, where you will find it at large. * *Rot. Cart.* 49. *H.* 3. *M.* 4. * *N.* 13.

This Agreement is by way of Charter or Conceſſion from the King himſelf, beginning thus.

'I *Henry*, King of *England*, Lord of *Ireland*, Duke of *Acquitain*, 'to the *Community* of *England*, Greeting, *&c.* The Form and Subſtance of the Agreement, or Conditions for the Prince's Liberty.

Then in the Preface he recites the Agreement that had been made after the late hoſtile Diſturbance in the Kingdom, by his own aſſent, 'and by the free Will of *Edward* his eldeſt Son, as alſo of the Pre'lates, Earls, Barons, and *Commonalty* of the Kingdom; and that 'then for the Peace and Security thereof, the ſaid Lord *Edward*, and '*Henry* his Nephew, Son to the King of the *Romans*, had been gi'ven as Pledges; and farther, that an Ordinance lately made by the 'King's own aſſent, and the free Will of his ſaid Son *Edward*, as alſo 'of the ſaid Prelates, Earls, *&c.* in the Month of *June* laſt paſt, be'ing the 48th Year of his Reign, ſhould be for ever inviolably ob'ſerved; wherefore he now lets the whole * *Body* of the Kingdom 'underſtand, that he had ſworn upon the Holy Evangeliſts, that he 'would faithfully obſerve the ſaid Ordinance, and not in any thing 'contradict it; and there was to that end expreſly added in the 'ſame Oath, that he would not, by reaſon of what had been done 'during the time of the late War and Diſturbance, accuſe or puniſh 'any of thoſe who had fought againſt him, or whom he had defied 'as Enemies, to wit, the Earls of *Leiceſter* and *Glouceſter*, and their 'Adherents, as alſo the Barons and Citizens of *London*, and thoſe of 'the *Cinque-Ports*; neither would he do them any damage, or per'mit it to be done by his Officers: and that he had further ſwore to 'obſerve all thoſe things which had been agreed upon or provided 'for the delivery of his ſaid Son and Nephew; expreſly willing and 'conſenting, that if He himſelf, or his Son *Edward* ſhould do any 'thing againſt the ſaid Ordinance, Promiſe, or Oath, or diſturb the 'Peace and Tranquility of the Kingdom, or by reaſon of former 'Actions done in the time of the War, ſhould do, or cauſe to be done, 'any damage to any of thoſe Perſons above-mentioned, whom he 'had formerly defied, it ſhould then be lawful for all thoſe of his *Communitatis.* * *Univerſitatem Veſtram.*

'King-

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'Kingdom to riſe up againſt him, and do their utmoſt endeavour to
'* diſtreſs him, ſo that he would have all and ſingular Perſons obliged
* *Ad Gravamen.* 'to do it by this preſent Precept or Command, notwithſtanding any
'Fealty or Homage formerly done to him, to pay him their Obedi-
'ence; but ſhould do all things to diſtreſs him, as if they were no
'ways obliged to him; until ſuch time, as what had been done a-
'miſs ſhould be reform'd and reſtor'd with due ſatisfaction, accor-
'ding to his ſaid Ordinance and Promiſe; and this being perform'd,
'they were then to obey him, as they had done before: but if any
'Perſon of the Kingdom ſhould preſume to act againſt the Premiſes,
'or ſhould diſturb the Peace and Tranquility thereof, or aſſiſt either
'him, his Son *Edward*, or any other, by Aid, Advice, or Counſel, to
'act againſt any of the Premiſes, and that he be thereof Convicted
* *Conſideratione.* 'by the * Judgment of this Counſel, and of the Great Men of the
'Kingdom; it was thereupon agreed, by the unanimous conſent of
'himſelf and his Son *Edward*, with the Earls, Barons, and Commonalty
'of the Kingdom, that the Body of ſuch Perſon might be taken, if it
'could be found, and if it could not be found, that then he ſhou'd be
'Outlawed, but whither he were found or not, he and his Heirs ſhould
'be for ever diſinherited, as if they had committed Felony or Treaſon:
'and it was further agreed, by the unanimous Will and Conſent of
'Himſelf and his Son, and all the reſt above-mention'd, that the an-
'tient Charters of common Liberties and Foreſts, which had been
'formerly granted to the *Community* of the Kingdom, and againſt the
'Violaters of which, Sentence of *Excommunication* had been de-
'nounced by the Pope, at the Requeſt of the King, and the Great
'Men of the Kingdom, lately aſſembled at *Worceſter*; wherefore the
'King Wills, that the Charters before unanimouſly agreed on ſhould
'be inviolably obſerved for ever; to the obſervance of all which,
'the King here ſolemnly obliged himſelf by Oath upon the Holy E-
'vangeliſts; as alſo commanded all Juſtices, Sheriffs, and Bayliffs of the
'Kingdom, to be bound by the like Oath, ſo that no Man ſhould
'obey any Bayliff until he had taken it; and farther, if any ſhould
'preſume to break the ſaid Charters, or Articles, he or they were to
'be grievouſly puniſhed by the Judgment of his Court, both for his
'Perjury, as alſo for the Sentence of *Excommunication* by him in-
'curr'd (all Clerical Privileges being only preſerved as it ought): and
'that all theſe things ſhould be firmly obſerved, he farther enjoins
'the whole Body of the Kingdom, that all and every Perſon of them
'ſhould perform and keep all and ſingular the Premiſes, and alſo
'oblige each other by Oath ſo to do. In witneſs of which he tranſ-
'mits the ſaid Ordinances, together with theſe Letters Patents under
'his Seal, to be kept for their perpetual Memory in each County,
'under the Cuſtody of Faithful Men to be choſen for that purpoſe;
'and that no Man might pretend Ignorance of them for the future,
'they were to be proclaim'd in a full County-Court Twice in the
'Year, once after *Eaſter*, and again after *Michaelmaſs*. Alſo that the
Premiſes might remain firm and unſhaken, the Biſhops had then thun-
dered out their Sentence of *Excommunication* againſt all thoſe who
ſhould wittingly endeavour to break them, to whoſe Juriſdiction the
King alſo here willingly ſubmits himſelf as to the Premiſes, renoun-
cing all Privileges and Diſpenſations already obtain'd, or that might

be

be obtain'd from the Pope to the contrary: In teſtimony of which he now tranſmits to them the ſaid Letters Patents, dated at *London*, 14 *Martii*, in the 49th Year of his Reign, *Anno Dom.* MCCLXV.

There is alſo in the above-cited Manuſcript Volume of Laws, a like Charter of Prince *Edward*, to the ſame effect with this of the Kings, and which being alſo almoſt in the very ſame words, need not to be repeated. I find likewiſe in the ſame Book a Writ that was ſent down into the Counties with *Magna Charta*, and that of the *Foreſts*, which were now alſo confirm'd in the ſame manner and Form as they were in the Ninth Year of this King's Reign.

There is alſo a larger Form of this Agreement in the next * Roll, which Dr. *Brady* hath printed in his † Introduction to his *Engliſh* Hiſtory, and is in the *French* of that time; it alſo recites *verbatim* the Ordinance above mentioned, made the year before for the Government of the Kingdom, and for the better keeping and performance of which, it is alſo recited, that the enſuing Form of Articles for the deliverance of the Prince, was made and provided, which Articles being to the ſame effect as thoſe in the above mentioned Charter, and alſo very long, I ſhall not take further notice of them, but refer the curious Reader to the Copy of it, which is printed in the Appendix at the end of this Volume, and where are divers remarkable Clauſes in it which are not in the *Latin* Charter; in which I ſuppoſe there was no more inſerted, than what was abſolutely neceſſary for all the Subjects of the Kingdom to take cognizance of at their peril; only I ſhall obſerve, that therein is further contain'd theſe following Articles.

* *Rot. Cart.* 49. *H.* 3. *M.* 5.
† *P.* 32.
A larger Form of this Agreement for the Prince's delivery.

With the particular Articles therein contain'd.

First Prince *Edward* was to take care that the Knights or the Military Tenants in the Marches of *Wales* ſhould perform what they had promiſed; and if they did not, that he would become their Capital Enemy, and compell them to it by force of Arms.

2. He promiſed that for three years next enſuing, he would not leave the Kingdom without the conſent of the King's Council of Barons:

3. That he would neither bring over himſelf, nor procure to be brought over, any Foreigners into *England*; and that if any came, he, being thereto required by the ſaid Council, would do his utmoſt to ſubdue them.

4. That whereas the King had before the Battel of *Lewes* openly * defied the Earls of *Leiceſter* and *Glouceſter*, with their Adherents, therefore all the Freemen of the Kingdom ſhould renew their Oath of Fealty to the King; ſtill ſaving all the Articles above-mention'd: Beſides which, there were alſo theſe private ones relating more particularly to the Prince; *viz.* That he ſhould immediately make over to the Earl of *Leiceſter* the Caſtle and Town of *Cheſter*, together with the County in Fee, as alſo the Caſtle of *Pec* and *Newcaſtle under Line*, together with their Appurtenances, in lieu of other Lands in *England*, which the ſaid Earl had made over to him in Fee, near the value of the Lands he had parted with; alſo the Caſtle of *Briſtol*, with the Town and its Appurtenances, were to remain in the Hands of the Earl, until all theſe Things were perform'd, who was yet to be anſwerable to the Prince for the Iſſues and Profits thereof, (the Charges in keeping the ſaid Caſtle being deducted;) and this was to be

* *Deſiderunt*, *i. e.* given up their Fealties.

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* *Prodes homes.*

Notwithſtanding which Agreement, thus made and perfected, Prince *Edward* could not be immediately releaſed; for it ſeems there was another Treaty about it with the Great Men of that Party, upon *Thurſday* (being the Morrow after *Aſhwedneſday*) when the Diſcharge from the King to *Henry de Montfort*, the Prince his Keeper for the Receipt of his Body, bears date the Tenth of *March*, as appears by Two ſeveral * Records, the former unprinted, but the latter Dr. *Brady* has given us in his † Appendix.

Notwithſtanding the Agreement the Prince is not releaſed till Two Days after its Date.

* *Rot. Pat.* 49. *H.* 3. *n.* 100.
† *Rot. Pat.* 49. *H.* 3. *M.* 19. *N.* 219.

Yet that the Prince was releaſed during this very Parliament (notwithſtanding [1] Dr. *Brady*'s aſſerting the contrary) appears from the Date of this very Writ for his Diſcharge, which is but Two Days after the Charter laſt mention'd, and was certainly ſeal'd during the Seſſion of this Parliament, which ſtill continued.

[1] *Comp. Hiſt.* p. 649.

But to put this out of all doubt, the *London* Annals give us a more particular Account of the manner of the Prince's Deliverance out of Priſon, relating it to be now done in the great Hall at *Weſtminſter*, where the Prince was deliver'd to the King in the Preſence of a great Aſſembly; after he had ſeal'd the above-mention'd Agreement, and which being then publickly read, the Biſhops, in their *Pontificalibus*, ſolemnly *Excommunicated* all thoſe that ſhould preſume to Act any thing againſt the Charters of Liberties and Foreſts; and then for the better ſecuring of the ſaid Agreement, the Lord *Henry*, Son to the King of *Almain*, did, of his own Accord, proffer himſelf to remain in the Cuſtody of *Henry de Montfort*, as a Hoſtage, to the Feaſt of St. *Peter ad Vincula* (being the firſt of *Auguſt*) till it were ſeen how the Prince would carry himſelf in reſpect of the Foreigners who were ſtill expected to invade the Kingdom.

A more particular Account of Prince *Edward*'s delivery from the *London* Annals.

[2] *Id. ib.* [2] But on the 7th of *March* before this, the Mayor and Aldermen renewed their Oath of Fealty to the King in Perſon; and on the *Sunday* following, all the Males within the City, of Twelve Years old, took the ſame Oath before the Aldermen of their ſeveral Wards. But to return to our Hiſtory.

Tho' the Prince was now releaſed out of *Dover*-Caſtle, he was ſtill but a Priſoner at large, under a Guard, and carried about together with his Father whitherſoever the Earl of *Leiceſter* pleaſed; and farther, the Caſtles of *Dover*, *Scarburgh*, *Nottingham*, and *Corfe*, were to remain in the hands of the Barons for Five Years, as a Security for themſelves, but, as they pretended, for the publick Peace of the Kingdom, as appears by another unprinted * Record, the Contents of which [3] Dr. *Brady* hath alſo given us.

* *Rot. Pat.* 49. *H.* 3. *n.* 87.
[3] *Id. p.* 649.

But

But notwithſtanding, theſe ſolemn Acts of Agreements and Treaties above-mention'd were but of very ſhort continuance, and indeed laſted no longer than till a fit opportunity was offer'd the King and Prince to break them, which they quickly found by this means; the Earl of *Leiceſter* was ſo puffed up, that he and his Sons carried themſelves very inſolently towards the Earl of *Glouceſter*, as you have already heard; but tho' there had been divers Diſputes between them, yet they did not break out into any publick Act of Hoſtility, until upon this Occaſion. *Anno Dom.* MCCLXV.

The Two Eldeſt Sons of *Leiceſter* had now proclaimed a Tourneament for all the young Nobility of *England* to meet at *Northampton*, Fifteen Days after *Eaſter*, to ſhew their Proweſs; where, tho' moſt of the Noblemen of the Kingdom were alſo to Aſſemble, yet the Earl of *Glouceſter* (who was invited thither) fearing a ſurpriſe from *Simon Montfort's* Wiles, excuſed his non-appearance there, and inſtead of coming up, as was then expected, he fortified his Caſtles, and privately confederated with the Barons of the Marches, who were now got again in Arms; which as ſoon as the Earl of *Leiceſter* heard, he immediately diſmiſſed the Torneament to make War in earneſt: and therefore preſently raiſing all the Forces he could, and [4] taking the King and the Prince along with him, about the end of *April* he marched towards the Borders of *Wales*, againſt the Earl of *Glouceſter* and Lords Marchers, whom he then declared publick Enemies to the Kingdom.

The firſt Declaration of Hoſtility between the Earls of *Leiceſter* and *Glouceſter*, and on what occaſion.

Glouceſter Confederates with the Lords Marchers, againſt the E. of *Leiceſter*,

[4] *A. Wig.* 218.

[5] So ſoon as he came to *Glouceſter*, (with the King and Prince in his Company) he ſtrongly fortified the City and Caſtle, becauſe he heard that the Earl thereof, with the Lord *John Giſford*, was then in the Foreſt of *Dean*, being reſolv'd to defend themſelves againſt him and his Accomplices. But whilſt the King and *Leiceſter* continued there, which was Fifteen Days, divers Meſſengers of Peace paſs'd between the Earl of *Glouceſter* and *Simon Montfort*; ſo that at laſt they agreed to refer their Differences to Four Arbitrators, to wit, *Walter de Cantelupe*, Biſhop of *Worceſter*; the Lord *Hugh d' Eſpenſer*; *John Fitz-John*; and *William de Munchanſie*, by whoſe Mediation there was an Agreement patched up for the preſent between them; and I could wiſh our Author had told us upon what Conditions; but it ſeems it was not ſo fixed, that the Earl of *Glouceſter* would thereupon truſt himſelf in the other's Power; for all we can find is, that notwithſtanding this ſeeming Reconciliation, the ſaid Earl deſign'd to have ſurpriz'd the Earl of *Leiceſter* by an Ambuſh (together with the King and Prince) in their March between *Glouceſter* and *Hereford*, But the Earl being warned by his Spies of this Stratagem, he eaſily avoided it, and ſo they arriv'd ſafe at *Hereford*; but not long after their coming thither, the Earl of *Glouceſter* having now again declar'd himſelf an open Enemy, and rais'd conſiderable Forces, poſſeſs'd himſelf of the adjacent Countrey, ſo that *Simon Montfort* could not depart from *Hereford* with any ſafety, becauſe the Army he had there with him, was not ſtrong enough to encounter that of his Adverſaries in the Field; in this condi-

[5] *Id. ib.*

The Earl fortifies *Glouceſter* for fear of the Earl of that Place.

The two Earls agree to refer all their Differences to two Arbitrators, by whom an Agreement is made up for the preſent.

Which yet does not continue.

The Earl of *Glouceſter* endeavours notwithſtanding to have ſurpriz'd the E. of *Leiceſter*, in his march to *Hereford*.

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tion things continued till Prince *Edward*'s eſcape from thence, and his joining himſelf with the Earl of *Glouceſter* and the Barons of his Party.

The Prince eſcapes and joins the E. of *Glouceſter*.

Of the manner of which, as alſo of the Earl of *Glouceſter*'s joining with him, I ſhall give you this ſhort Account from [1] *Walter Hemingford*'s Chronicle, which relates, that the Earl of *Glouceſter* being much diſpleaſed at the inſolent and arbitrary Carriage of the Earl of *Leiceſter* and his Sons, and having refuſed to come to the Torneament at *Northampton*, (as you have already heard) preſently retired to his Caſtles in *Wales*; and reſolving abſolutely to break with him, he ſent again to demand thoſe Priſoners of Quality who had fallen to his ſhare at the Battel of *Lewes*, (of whom the King of the *Romans* was the chief;) but the Earl utterly refuſed to ſend them, anſwering haughtily, *That it was ſufficient that he had ſaved his Life and Eſtate for him in that Battel:* which rude Return ſo highly incenſed the Earl of *Glouceſter*, that he was reſolved to be revenged of him; wherefore ſending forthwith to the Lord *Roger Mortimer* (who had been always on the King's ſide) he deſired a Conference with him for the benefit of the King and Kingdom; but he doubting ſome Treachery from him, deſired a Hoſtage, which was preſently granted; thereupon meeting together, the Earl made great Complaints againſt *Simon Montfort*, proteſting, *That he repented he ever had offended the King, and was now reſolved to wipe off that Reproach:* Wherefore they ſent privately to *Robert de Clare*, *Glouceſter*'s Brother, (who was then ſeemingly of the Earl of *Leiceſter*'s Party.) to let him know that they Two were now agreed, and reſolved to ſet the Prince free as ſoon as ever they were able to effect it; alſo the Lord *Mortimer* ſent privately to Prince *Edward* a very ſwift Horſe, the better to facilitate his eſcape.

[1] *Script. Ang. Vol.* II. *Oxon. p.* 585.

A further account of the manner of it.

The Earl of *Glouceſter* is reconciled to the Lord *Mortimer*, and the manner how it was brought about.

They reſolve to ſet the Prince at liberty.

All things being thus laid, [2] the Prince deſired leave from the Earl of *Leiceſter* to ride abroad and Air himſelf, which being granted, and that he had pretty well breathed Two or Three Horſes, he mounted that which had been lately ſent him by the Lotd *Mortimer*, and when he had got a pretty way from thoſe that were appointed to guard him, he turn'd about to *Robert de Roſs*, and thoſe that accompanied him, and plainly told them, that he had been long enough in their Cuſtody, and therefore now took his leave of them; ſo laying the Reins on his Horſe's Neck, he galloped away from them as hard as he could drive; they followed him with all the ſpeed they could, but without overtaking him; at laſt ſeeing ſome Men that were ſent by the Lord *Mortimer* meet him, to conduct him to the Caſtle of *Wigmore*, his Perſuers were forced to deſiſt, and return to *Hereford*, where the Earl of *Leiceſter* being highly concerned at his eſcape, gave them a very bad Reception.

[2] *Id. ib.* Who not long after makes his eſcape from *Hereford*.

To prevent the ill Conſequences of which Accident, on the 30th of *May* he made the King write [3] Letters to all his Tenants *in Capite*, as well Archbiſhops, Biſhops, Abbots, Priors, as Earls, Barons,

[3] *Rot. Cl.* 49. *H.* 3. *M.* 4. *Dorſ. Vid. Dr. B.'s Append. N.* 221.

Barons, Knights, and all others (except thoſe that were of the Party of the Earl of *Glouceſter*) letting them know, that whereas he and certain of his Great Men and Feudataries, ſometime ſince came to *Hereford* to take care of the Peace of thoſe Parts, hoping to have found his Son *Edward* a great and chearful aſſiſtant in that buſineſs; he, to the contrary, on the *Thurſday* in *Whitſon-Week*, about the Evening, had made his eſcape from the Perſons that accompanied him, and were his Guard; and this by the contrivance of certain Knights and Eſquires that were privy to the Deſign, and that he went off, (as he certainly believed) to *John de Warren*, and *William de Valence*, and the Barons Marchers, his Rebels and Diſturbers of his Peace; he therefore commanded them, by the faithful Homage and Love in which they were bound to him, to come with what haſt they could with Horſe and Arms, and all their force to *Worceſter*, in order to go with him againſt his Enemies and Rebels. Dated at *Hereford* the 30th of *May*.

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The K. makes the King give notice of it to the Biſhops and Nobility, commanding their ſpeedy attendance.

[4] But not thinking this ſufficient, on the Seventh of *June* following, the King alſo wrote to the Guardians of the Peace, and Sheriffs of every County, to prohibit, by Proclamation, all People of their reſpective Counties from giving any Aid or Aſſiſtance to his Son *Edward*, the Earl of *Glouceſter*, or any Rebels of their Confederacy; and that ſince he had commanded, that all Men ſhould take an Oath to preſerve the late Ordinances made at *London*, therefore they ſhould all riſe againſt the ſaid Rebels, as diſturbers of the Peace, and tranſgreſſors of that Ordinance, and arreſt their Bodies, and keep them in ſafe Cuſtody: theſe Letters or Writs were directed into the ſeveral Counties, by the King, the Earl of *Leiceſter*, the then Juſtitiary, and others.

[4] *Rot. Pat.* 49. *H.* 3. *M.* 14. *Dorſ.* *Dr. B.'s Append.* N. 222. He alſo writes to all Guardians of the Peace, and Sheriffs, commanding them not to give any Aſſiſtance to the Prince and Earl of *Glouceſter*.

[5] Then the Earl of *Leiceſter*, to engage the Clergy as much as he could in this Quarrel, cauſed * another Letter to be written in the King's Name to the Biſhop of *London*, and the other Biſhops of the Province of *Canterbury*, in which they were required to *Excommunicate* by Name in their ſeveral Dioceſſes, his Contumatious and Rebellious Son, and the other Rebels, as they were then termed, who aſſiſted the Prince. But I do not find that the Biſhops obey'd this Command.

[5] *Rot. Pat.* 49. *H.* 3. *M.* 13. *n.* 54. Another Letter is written to the Biſhops, commanding them to Excommunicate the Prince and his Adherents.

And then to ſecure the City of *London* to the Barons Intereſt, another Letter was written in the King's Name, directed to the Mayor, Aldermen, Sheriffs, and the whole * Community of *London*, wherein he thanks them for their Fidelity and Conſtancy to him and his Friends, and deſires them to continue therein, and to contribute their utmoſt aſſiſtance to ſuppreſs and deſtroy his Rebels, where-ever, or of what Quality ſoever they were, and their Adherents, by all ways and means they ſhould think expedient. This was Sign'd by the King, the Earl of *Leiceſter*, &c. and Dated at *Monmouth*, as were alſo the former.

Other Letters written to the City to continue firm to the E. of *Leiceſter*'s Party.

* *Communitati.*

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Theſe Letters are not to be found in our printed Hiſtorians, but being upon Record, we muſt own our ſelves obliged to Dr. *Brady*'s Induſtry in finding out and collecting them, as alſo in noting the Rolls where they are to be found: and tho' ſome of them are of no great conſequence, as to the main of the Hiſtory, yet ſince they ſhew us how much the King was then over-aw'd by *Simon Montfort*, and thoſe of his Party, and the great concern they were in for Prince *Edward*'s eſcape, and joining with their Enemies, I have thought fit likewiſe to take notice of them. But now to return to our Hiſtory.

[1] *W. H.* The Prince is joyfully received by the Lord *Mortimer* at *Wigmore*; and thence goes to *Ludlow*.

[1] So ſoon as Prince *Edward* had thus given *Simon Montfort* the ſlip, and was got to the Caſtle of *Wigmore*, he was there joyfully received by the Lord *Roger Mortimer*, its Owner; and the Day following the Prince went to *Ludlow*, where he met the Earls of *Glouceſter* and *Surrey*, and being fully reconciled to them, [2] he ſolemnly promiſed and ſwore, that when by their Aſſiſtance he ſhould obtain the Victory over his Enemies, he would cauſe the antient and approved Laws of the Kingdom to be obſerved, and would abrogate all the evil Cuſtoms which had prevail'd in the Kingdom; and that he would perſwade the King his Father to baniſh all Foreigners from his Councils, and not ſuffer them to have the Cuſtody of his Caſtles, nor any ſhare in the Government; whereupon the Earl of *Glouceſter* ſupplied the Prince (being now wholly deſtitute) with all things neceſſary for his high Quality, as well as for their preſent undertaking.

[2] *T. W.* Where the Prince ſwears before the E. of *Glouceſter* and others to cauſe the antient Laws of the Kingdom to be obſerv'd, and to do his beſt to baniſh all Foreigners from his Father's Councils

[3] *Id. ib.* A great number of Warriours flock into the prince, who is alſo join'd by *William de Valence* and *Hugh Bigot*.

[3] Then there flocked in to Prince *Edward* not only the Lords Marchers, but alſo a great multitude of Warriours from all Parts of the Kingdom; and *William de Valence* and *Hugh Bigot*, who a little before had Landed in *Pembroke*-ſhire with a ſtong Party, now came in to him, whereby his Army was very much augmented: Alſo *John Gifford*, the Second Man to the Earl of *Glouceſter* in Military Affairs, brought in ſo great a Force both of Horſe and Foot, as ſtruck Wonder in their Friends, and a Terror in their Enemies; with which powerful Aſſiſtance the Prince and the Barons of his Party preſently march'd to *Worceſter*, which the Citizens, upon his Arrival, as preſently ſurrender'd to him, without making any Oppoſition.

The Prince having got *Worceſter* hinders the E. of *Leiceſter* from paſſing the *Severne*.

They being thus poſſeſſed of this Important Place, that ſo they might hinder the Paſſage of the Earl of *Leiceſter*, and his Army, over the River *Severne*, they not only took away all the Ferry-Boats, but alſo dug deep Holes in the Fords.

[4] *Id. p. 68.*

The Prince takes *Glouceſter*.

[4] In the mean time, the Lords *Robert de Roſs*, and *William de Veſcy*, had put themſelves with ſome Forces into *Glouceſter*, hoping thereby to hold it out againſt the Prince's Army, but they found themſelves miſerably miſtaken, for the Prince marching thither with all ſpeed, took the Town in Two Days time; the Lords above-mention'd, with all the Gariſon, betaking themſelves to the Caſtle; which, after Three Weeks Siege, was likewiſe, for want

want of Proviſion ſurrend'red, on the 30*th* of *June*, upon theſe honourable Articles, *viz.* That the Beſieged might march out with their Horſes and Arms, engaging by Oath, not to take up Arms againſt the Prince for Forty Days. *Anno Dom.* MCCLXV.

He having thus made himſelf Maſter of the Town and Caſtle, [5] put a ſtrong Gariſon into both; and then he, together with the Earl of *Glouceſter*, led their Army toward *Hereford*, with hopes to ſurprize there the Earl of *Leiceſter*, and ſo to reſcue the King out of his Power; but [1] the Earl having had Intelligence of it, would not venture to ſtay there any longer, but taking the King along with him, retreated to *Monmouth*, where ſoon after *John Gifford* with part of the Army coming before the Town, offered him Battel, but he finding the Place ſcarce tenable durſt not engage him, and ſo was forc'd to quit that alſo: Therefore marching from thence he took the Caſtle of *Hulks*, belonging to the Earl of *Glouceſter*, but he being very quickly at the Heels of him, retook it within Three Days after. In the mean time the Earl of *Leiceſter* marching farther into *South-Wales*, took the Town of *Newport*, lying near the Sea, and thence ſending away to *Briſtol*, order'd all the Ships of Burthen that lay there to be brought to *Newport*, to carry the King and himſelf, with all the Army to *Briſtol*; but the Earl of *Glouceſter* having notice of it, ſent ſome light Galleys, very well mann'd to lie at the Mouth of that River; and they meeting with thoſe Veſſels that were coming down from *Briſtol* to tranſport them, took and ſunk eleven of them, which utterly broke the Earl of *Leiceſter*'s Deſigns, tho' well enough laid; but the reſt of the Ships got ſafe back to *Briſtol*.

[5] *A. W.* p. 219.

[1] *T. W.* p. 68. *Montfort* receiving Intelligence of *Glouceſter*'s approach quits *Hereford*, together with the King, and goes to *Monmouth*, which he is alſo forc'd to quit.

Leiceſter takes *Newport*, and ſends to *Briſtol* for Ships to tranſport himſelf and his Army, but the Ships are either taken or ſunk.

[2] Upon this Succeſs Prince *Edward*, and the Earl of *Glouceſter*, marched againſt the Town of *Newport*, and engaging with *Simon Montfort*'s Forces upon the Bridge leading to the Town, they drove them back into it, and had certainly taken it, had not the Enemies ſet fire on that end of the Bridge which was in their Power, and thereby prevented it; whereupon the Prince's Men returning to their Camp, and the Earl of *Leiceſter* not daring to ſtay there any longer, [3] he ſtole away by Night, into the Territories of *Llewellyn*, Prince of *Wales*, deſiring his Aſſiſtance, which he promiſed him, upon condition that the King would reſtore him the Inheritance of his Anceſtors, which the Earl of *Leiceſter* was forced to grant in the King's Name, and ſent him a Charter for it under the Great Seal, the Cuſtody whereof was then committed to *Peter de Montfort*, and *R. de Sandwich*, Knights, which (ſays my Author) had been unknown for a long time before; but whither he makes the ſtrangeneſs of it to lie in its being committed to Lay-men, or elſe to Commiſſioners, I will not take upon me to determine: but under pretence of thus reſtoring Prince *Llewellyn*'s Rights, there were Five ſtrong Caſtles belonging to the King preſently given up, which that Prince cauſed to be levell'd to the Ground; but the *Engliſh* not being uſed to the *Welſh* way of living only upon Fleſh and Milk, without any

[2] *Id. ib.* Prince *Edw.* and the E. of *Glouceſter* march to *Newport*, and there engaging *Simon Montfort*'s Forces, make him retire with the King into *Wales*.

[3] *A. W.* 219. Where they deſire that Prince's Aſſiſtance which he promiſes, and on what Condition.

Whereupon no leſs than Five ſtrong Caſtles are deliver'd up to Prince *Llewellyn*.

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any Bread, were ſoon forc'd to quit the Countrey, and retreat to *Hereford*, which being not as yet taken was the King's Head Quarters: But to look a little back. Not long before this, about the end of *June*, it appears on * Record, that whilſt the King, and the Earl of *Leiceſter* were at *Monmouth*, he caus'd Letters to be written to *Simon*, his Second Son, then Guardian of the Peace in *Surrey* and *Suſſex*, in the King's Name, declaring, that whereas his Son *Edward*, and *Gilbert de Clare*, Earl of *Glouceſter*, together with *John de Warren*, *William de Valence*, *Roger Mortimer*, *James Audley*, and other Rebels adhering to them, had ſeized ſeveral Towns and Caſtles, and raiſed new War in the Kingdom; he therefore comanded and enjoined him to give him his utmoſt Aſſiſtance, to deſtroy and ſuppreſs thoſe Rebels, and all others their Abettors and Favourers; Dated *June* 28*th* at *Monmouth*. The ſame Letters were directed to *Brian Goniz*, Guardian of the Peace for *Somerſet* and *Dorſet*-ſhires; to *Hugh Peveril*, Guardian of the Peace for *Devon*-ſhire; to *Ralph Arundel*, and *Adam de Gurdun*, by the King, the Earl of *Leiceſter*, and the others, as before.

* *Rot. Pat.* 49. *H.* 3. *N.* 45. Dr. *B.*'s *Hiſt.* p. 651

Whilſt the K. was at *Monmouth* he writ Letters to *S. Montfort* the Younger, and other Guardians of the Peace, commanding them to deſtroy all the Adherents of Prince *Edw.*

[4] Whilſt the King continued in *Wales*, *Simon Montfort* the Son, in obedience to the King's (or rather to his Father's) Commands, left the Siege of *Pevenſie* (in which he had no Succeſs) and return'd to *London*, and there having muſter'd up what Forces he could, he came on the 12*th* of *July* to *Wincheſter*; But the Citizens denying him entrance he took it by Storm, and then plundering the Town, and killing many of the *Jews* he found therein, went from thence to *Oxford*, but the Towns-men there being more wary, received him peaceably: And from thence marched triumphantly to *Northampton*, where, being very confident of his own Strength, he reſolved to go on towards *Hereford* to relieve his Father; or elſe if he could meet the Prince by the way, to give him Battel; in order to which, on the laſt Day of *July*, *Simon Montfort* arrived at the Town of *Kennelworth*, where he and his Army quarter'd that Night; but Prince *Edward*, who had now paſs'd through *Worceſter*-ſhire with his Forces, having Intelligence of it, was reſolv'd to try if he could ſurprize them, before they could have any notice of his coming: wherefore making a ſpeedy March all Night, he came by break of Day to *Kennelworth*, and ſetting upon *Simon* and his Men (who were then in their Beds, and, as it ſeems, had no Scouts abroad) he either kill'd or took Priſoners the greateſt part of them, the chiefeſt of whom were the Lord *Robert de Ver*, *William*, Lord *Munchanſey*, and *Adam* of *Newmarket*, with many others; but *Simon Montfort* eſcap'd into the Caſtle and there ſtaid. This great Defeat happen'd the Firſt of *Auguſt*, and prov'd the Ruine of the Earl of *Leiceſter* and his Party: For,

[4] *T. W. A. W. p.* 619. *Simon Montfort* the younger quits the Siege of *Pevenſie*, and then takes and Plunders *Wincheſter*.

And thence coming to *Northampton*, is reſolved to march towards *Hereford* to relieve his Father.

But being ſurprized and routed by Prince *Edw.* is forc'd to take refuge in the Caſtle of *Kennelworth*.

[5] His Army not being able to ſtay any longer in *Hereford*-ſhire, for want of Forage and Proviſions, the Earl reſolved to lay hold on this opportunity of the Prince's Abſence to paſs the *Severne*, which he did, and ſo march'd towards *Warwick*-ſhire,

[5] *T. W.* The E. of *Leiceſter* having no notice of his Son's misfortune quits *Hereford*-ſhire, and marches towards *Warwick* in hopes o meet him.

to

to meet and join his Forces to thoſe of his Son *Simon*'s, who (as he heard) was then marching that way towards him, hoping by that means ſo to ſhut up the Prince and his Men between his own and his Son's Army, that they ſhould certainly fall into his hands: but that Miſchief which he deſign'd to others fell upon himſelf; for having no Intelligence of his Son's Misfortune, he [1] came to *Kemſey*, a Mannor of the Biſhop of *Worceſter*'s, and there lay all Night, and the next Morning marched by break of Day to *Eveſham*, where, when they came, the King (who was now with him, and whoſe Name and Authority he made uſe of) would needs ſtop there and breakfaſt, and ſo make a ſmall halt. *Anno Dom.* MCCLXV.

[1] *A. W.* The Earl with the K. comes to *Eveſham*, and there make a halt.

In the mean while Prince *Edward*, who was marched back with his Army from *Kennelworth* to *Worceſter* where (having left his Priſoners in ſafe Cuſtody) he advanced forwards towards *Eveſham*, intending (if he could) to meet with and ſurprize the Earl of *Leiceſter*, for he heard he was not then far from that place: wherefore to hinder all Intelligence by the Earl's Spies, he at firſt made as if he would go towards *Shrewsbury* or *Stafford*, but went not above two or three Miles that way before he changed his courſe, and ſo marching all Night, arrived next Morning not far from *Eveſham*: [2] And the Earl of *Leiceſter*'s Barber happening to go up into the Tower of the Abbey (where the King and his Lord then were) from thence diſcover'd the Prince's Army marching in Three Bodies, the Firſt led by himſelf, the Second by the Earl of *Glouceſter*, and the Third by the Lord *Roger Mortimer*; this being told the Earl, he was in hopes at firſt, that it might be his Son coming to his Aſſiſtance; but not long after being aſſured by their Enſigns that they were the Enemy, the Earl then began to deſpair, and ſaid, *Lord have Mercy upon our Souls, for our Bodies are theirs*; and ſince it was now too late to Retreat, he was reſolved to fight it out, and either Conquer or Die. Then (as [3] the ſame Author relates) his eldeſt Son *Henry* deſired him *not to deſpair, ſeeing that the chance of War was doubtful*; he anſwered, *Son, I do not deſpair, but I fear your own and your Brother's Pride and Preſumption have ruined us. Nevertheleſs, I hope I ſhall die for the cauſe of God and Juſtice.* Upon this all of them arming themſelves as faſt as they could, marched out of the Town to give them Battel, the King being likewiſe (tho' unwillingly) made to put on his Armour, and march out againſt his own Son, at the Head of thoſe that were his Enemies: but when they came out into the open Field, above the Town, the Two Armies met and joined Battel, when at the very firſt Onſet, the *Welſh-men* that were with the Earl of *Leiceſter* ran all away, many of whom were drown'd in the River *Avon*; nevertheleſs the Battel was very fierce, and laſted a long time, from about One of the Clock till Night; wherein the Earl (his Forces being overcome) was there Slain, together with many Lords and Noblemen, (to wit) *Henry Montfort*, his Son; *Hugh d' Eſpenſer*, the Juſtitiary; *Peter de Montfort*; *William de Mandeville*, *Ralph Baſſet*, *Roger de St. John*, and many other Knights and Eſquires of Note: there

In the mean while Prince *Edw.* marches towards the ſame Place, in hopes to ſurprize the Earl.

[2] *W. H. p.* 586. Near which the Prince arrives, without being diſcovered.

Upon the diſcovery of the Prince's approach, the Earl begins to deſpair.

[3] *Id. ib.* The Earl's Anſwer to his Son *Henry*.

The E. Arms, and marches out of *Eveſham*, againſt the Prince, and carries the King along with him.

The Battel is begun, in which *Simon Montfort*, with his Son *Henry*, and many other Barons are ſlain, and their Army totally routed.

Anno Dom. MCCLXV. there were alſo taken Priſoners *Guy de Montfort*, the Earl's Third Son, *John Fitz-John*, *Henry de Haſtings*, and divers others whoſe Names 'twere needleſs here to recite; whilſt on the Prince's ſide there fell no more of Note than One Knight and Two Eſquires.

[4] *T. W.* [5] *P.* 587. King *Henry* is wounded in the Shoulder, but is reſcued by *Adam de Montalt.*

[4] This Battel was fought near the Town of *Eveſham*, on the 4*th* Day of *Auguſt*: And [5] *Walter Hemingford* relates, that King *Henry* being there Wounded in the Shoulder, was like to have been kill'd, had he not cried out, *I am* Henry *of* Wincheſter, *your King*, *kill me not*; at which *Adam de Montalt* runing in, ſaved him; and the Prince his Son, not being far off, ran to him, and having only begged his Bleſſing, as being then in great haſte, left him to be guarded by ſeveral of his Knights, till the Fight was over and the Victory compleated.

[1] *M. W.* The Bodies of *Simon Montfort* and his Son are buried in the Choir of *Eveſham*-Abbey.

[2] *W. H.*

[1] After which the King and the Prince his Son marching back into the Town, left the Bodies of *Simon Montfort* and *Henry* his Son, with *Hugh le Deſpenſer*, to be buried by the Monks of *Eveſham*, before the High Altar of that Church; but the Earl's Body was firſt diſmembred, the Head, Arms, Legs, and Privy Parts being cut off: [2] But his Head was ſent to the Wife of *Roger Mortimer*, as a Token of the Victory, at which the Monkiſh Writers of that Time make great Exclamations; for ſince he paid ſo great a Deference to the Clergy, no wonder if they looked upon him as a mighty Champion for the Liberties of the Church and Kingdom; and I have ſeen at the end of an antient Manuſcript in the Publick Library at *Cambridge*, after a great many rhyming Verſes in his Praiſe, certain Prayers directed to him as a Saint, for no leſs did moſt of the Clergy and Common People of that Age eſteem him; inſomuch that ſeveral Miracles being ſaid to be done at his Tomb, the Pope's Legate by his order forbad that Superſtition.

Simon Montfort is counted a Saint by the Monkiſh Writers of that Age.

The Annals of *Waverly*, as well as other Writers, alſo take notice, that about the time of his Death there was a very great Storm of Thunder and Lightning and Rain, attended with a wonderful Darkneſs, of which there may be made a bad as well as a good Interpretation; but he was certainly a great Pretender to Godlineſs, and outwardly very ſtrict in Religious Duties, never beginning any Battel without Publick Prayers and Confeſſion, which gained him a great Reputation for Sanctity among the Clergy of that Age: yet notwithſtanding all his good Qualities, he was certainly a very ambitious Man, and very ungrateful to his Prince, who had raiſed him ſo high from a *French* younger Brother of a ſmall Fortune, that he not only permitted him to marry his Siſter, but made him one of the greateſt Men of *England*; yet nothing leſs would ſatisfie his Ambition, than the Sole Government of the Kingdom. He was alſo perfidious, as appears by his not ſtanding to the Arbitrement of the King of *France*, which he himſelf had agreed to; but as a juſt Reward of his Demerits, he and all his Family periſhed and came to nought, and that in a few Years. But to return to the Matter from whence we have digreſſed.

[3] Not

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[3] Not long after this Battel a great many of the Barons of *Ireland* came over to the King's Aſſiſtance, (to wit) *Maurice Fitz-Gerard*, *Maurice Fitz-Maurice*, *Walter de Burgh*, *Theobald Botiller*, and many others, whoſe Names need not be here ſet down. [3] *A. W. p.* 226.

[4] When *Simon Montfort* the Younger heard of the Death of his Father and Brother, and the total Rout of their Army, he was extreamly diſmayed; and tho' he would not then ſurrender the Caſtle of *Kenellworth*, in which he had remain'd ever ſince his late Defeat, [5] yet did he not think it convenient to detain his Uncle the King of the *Romans*, and divers other Noblemen, who had been there kept Priſoners, any longer in Cuſtody, but ſet them free without any Conditions; hoping (I ſuppoſe) by their Mediation to gain better Terms from the King, if ever he ſhould be forced to implore his Mercy: Alſo the Wife of *Hugh le D'eſpenſer*, who then held the Tower of *London* for her Husband, upon the News of his Death diſcharg'd all the Priſoners whom ſhe had there in her Cuſtody (except the Earl of *Ferrars*) and ſhe her ſelf retired to her Father the Lord *Philip Baſſet*, there to bewail her Misfortune. [4] *Id. ib.* [5] *Id. ib. T. W. p.* 71.

The Wife of *Hu. le D'eſpenſer* diſcharges the Priſoners in the *Tower*.

[1] Then the King left *Eveſham*, and went back to *Worceſter*, where he ſtaid a few Days; and having now regain'd his Liberty, whileſt he continued there revoked moſt of the Patents he had been obliged to paſs whileſt he was in the Power of *Simon Montfort*, as being made without his Conſent. Thus (for inſtance) we find among the Rolls in the *Tower*, that the Earl of *Leiceſter* having paſs'd a Grant of the Treaſurerſhip of the Church of *York* upon *Almeric de Montfort*, a Kinſman of his own, the King having now got his Seal into his own Hands, revoked that Grant, and beſtowed the Place upon *Edmund Mortimer*, Brother to the Lord *Roger Mortimer*: This *Patent bears Date the Seventh of *Auguſt*, at *Worceſter*; and may ſerve as a Reaſon, why ſo many Writs and Commiſſions were this Year iſſued out in the King's Name againſt his own Son, and all his Adherents, after his Eſcape from *Hereford*. [1] *W. H.* The King comes to *Worceſter*, and there revokes the Grants he had been made to paſs whilſt he was in the Cuſtody of *Simon Montfort*. * *Rot. Pat.* 49 *Hen.* 3. *m.* 11. *intus in ſcdula conſuta.*

And it farther appears upon the ſame Roll, that the next Day the King (being willing to ſhew Mercy upon Offenders) by the Mediation of ſome Biſhops and others, offered to receive the Burgeſſes of *Hereford* into his Protection, provided they would pay a ſufficient Fine for all their Offences againſt him and his Son *Edward*: Wherefore on the Twenty fourth of the ſame Month (as appears by the * Record) they were fined at Five hundred and ſixty Marks, which was a great Sum in thoſe Days to be paid by ſo ſmall a City. The King receives the Burgeſſes of *Hereford* into his Protection, upon payment of a Fine. * *Rot. Pat.* 49 *H.* 3. *m.* 38.

Theſe Affairs being thus diſpatch'd, [2] the King left *Worceſter*, and marched to *Wincheſter*, and there held a Parliament, to which all the Biſhops and Abbots and Great Men of *England* were ſummon'd, who had not been engaged in the War againſt him, only Four Biſhops were excepted, (that is) the Biſhops of *Lincoln*, *London*, *Worceſter*, and *Litchfield*, they having been entirely of the Baron's Faction. [2] *A.W. G.R.* The K comes to *Wincheſter*, and there holds a Parliament.

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[3] *M. W.* The King and the Nobility decree, that the City of *London* ſhould forfeit its Liberties.

[3] In this Parliament the King and the Great Men decreed, that the City of *London* ſhould for her Rebellion forfeit all her Liberties, and that the Poſts and Chains therein ſhould be taken away, and the Richer ſort of Citizens committed to Priſon, which was ſoon after ſeverely put in execution: But *Will. Riſhanger* is certainly miſtaken, for he makes theſe Things to have been actually done now, which were not perform'd till the King's coming to *Windſor*.

* *Rot. Pat.* 49 *H.* 3. *m.* 8. *Dorſ.*

It alſo appears upon * Record in the *Tower*, that this Parliament gave the King the preſent Seiſin or Poſſeſſion of all the Rebel's Lands; and he now appointed Two Commiſſioners in each County, who with the Sheriff were to extend them, and return the Extent, with the Names of the Lands, and their late Owners, to himſelf at *Weſtminſter*, by the Feaſt of St. *Edward*, (that is, the Thirteenth of *October*) next enſuing; and they were to appoint Two Collectors in every Hundred, to gather the *Michaelmaſs*-Rents, and to deliver to the Commiſſioners a Note what they were, as appears by the Commiſſion it ſelf, bearing Date at *Wincheſter* the Twenty firſt of *September*; by which *William Bagot* and *Robert du Grendon* were appointed for the Counties of *Warwick* and *Leiceſter*: and Commiſſioners were ordered after the ſame manner for the reſt of the Counties of *England*, whoſe Names you may find immediately after the Commiſſion it ſelf, in Dr. *Brady*'s * Appendix, to which I refer the Reader. [4] But the Doctor is certainly under a Miſtake, when he makes theſe Lands to have been then abſolutely beſtowed upon the King in this very Parliament; for this Record now cited does not ſay ſo much, only that they were to be ſeized into the King's Hands; but they were not veſted in him till the next Seſſion of this Parliament at *Weſtminſter*, as you will ſee anon.

* *N.* 223.

[4] *Comp. Hiſt.* p. 653.

[5] *A. W.* Prince *Llewellyn* had newly invaded *Cheſhire*:

The K. ſends Forces againſt him, but with ill Succeſs.

[5] Yet Matters could not be then throughly ſettled, becauſe Prince *Llewellyn* had newly invaded *Cheſhire* with a great Army, and had taken and raſed the Caſtle of *Hameclin*; wherefore there being a neceſſity to ſend ſome Forces thither, to ſtop his further Progreſs, the Parliament was adjourned to the Feaſt of St. *Edward* at *Weſtminſter*: then the King ſent the Lord *Maurice Fitz-Gerard*, and *Hamond L'Eſtrange*, againſt *Llewellyn*, who marching into thoſe Parts, and fighting with him, had but very ill Succeſs, being ſhamefully put to flight, and many of their Knights and Souldiers ſlain.

But to return to the Affairs of *England*, from which this Account of the *Welſh* is but a Digreſſion.

[1] *Annal. de Civit. Lond.* The K. comes to *Windſor*, and the Citizens of *London* get ſome Monks to intercede for them, but in vain.

[1] So ſoon as this Seſſion of Parliament was over, about *Michaelmaſs*, the King removed from *Wincheſter*, and came to *Windſor* with a great Force, intending (as the Report went) to have deſtroyed the City of *London*, for her obſtinate Rebellion againſt him; which when the Mayor and Aldermen heard, they were terribly afraid, tho' many of the mad-headed Commoners were for defending the City againſt the King; yet after ſeveral Conſultations and Debates, it was at laſt agreed by the major Part of the Better Sort of Citizens,

Citizens, to get ſome Religious Perſons or Monks (for whom the King had a great Reſpect) to intercede for them: But all their Interceſſions ſignified nothing, ſo much was the King at that time incenſed againſt the City, thro' the inſtigation of ſome of his Chief Counſellors. *Anno Dom.* MCCLXV.

[2] So that this Courſe not prevailing, they were at laſt adviſed by ſome of their Friends at Court to paſs an Inſtrument under their Common Seal, whereby they ſhould wholly ſubmit themſelves and all they had to the King's Mercy; which being done accordingly, it was forthwith ſent to him by Eight Citizens, who had the beſt Intereſt at Court; but in their Way thither, they were met by Sir *Roger Leyburn*, who told them, it was the King's Pleaſure they ſhould return home, ſince he was entruſted to deliver them his Majeſtie's Commands; ſo going with them till they came pretty near the City, he then left them, and went the neareſt Way to the Tower, where he took up his Quarters; but at his departure ordered the Mayor, and all the Principal Citizens, to meet him the next Morning at *Barking*-Church; which Order they punctually obey'd, and then Sir *Roger* in a long Speech laid before them the Heinouſneſs of their Crime, and the great Interceſſion that had been made for their Pardon; therefore their only Way to obtain it, was, to ſend the King their above-mentioned Submiſſion by him, under their Common Seal, which they preſently delivered up to him. [2] *Id. ib.* The City is forced to ſeal a Charter to the King under their Seal, whereby they wholly ſubmit themſelves to his Mercy.

[3] Then about Six Days after he returned, and meeting them at the ſame Place, let them know, that the King at the Interceſſion of their Friends had received their Submiſſion, and as a Tryal of their future Obedience, commanded all their Poſts to be pulled up, and the Chains taken away, with which the Ends of their Streets were barricado'd; and that his Majeſty's farther Pleaſure was, that the Mayor, and about Forty of the Principal Citizens, ſhould come the next day to *Windſor*, and further confirm the ſaid Inſtrument, and that they ſhould have the King's Safe-Conduct for Four Days, both to go and return, which he then alſo delivered them under his Seal; upon Confidence of which, the Mayor and Forty of the Chief Citizens went to *Windſor*, but finding the King gone abroad for his Recreation, they ſtaid for his Return: When he came home, tho' he ſaw them waiting for him, yet he took no notice at all of them, only they were bid to attend: But tho' the King preſently commanded, that no Man of what Degree ſoever ſhould do them any Injury in Word or Deed, yet he ſent them word, that he would not ſpeak with them that Night; whereupon they were delivered to the Cuſtody of the Conſtable of the Caſtle, who locked them up in a large Tower, where they had hard Fare, and worſe Lodging. [3] *Id. ib.* The Mayor and Citizens are required to pull up their Poſts and Chains. The Mayor and Forty of the Principal Citizens attend the King at *Windſor*, and are put in Priſon, notwithſtanding his Safe-Conduct.

[4] Then the next Day they were diſcharged out of the Caſtle, and kept by the Conſtable in ſeveral Lodgings in the Town, as he thought fit, except *Thomas Fitz-Thomas* (then Mayor,) *Michael Thony*, *Stephen Buckerell*, *Thomas Pynelſdon*, and *John de Fleet*, whom, as being Principal Ringleaders of their late Rebellion, he had granted to his Son Prince *Edward*, by whoſe Order they were kept [4] *Id. ib.* But are all ſet free, yet kept in Cuſtody in the Town, except the Mayor and Four more.

Anno Dom. MCCLXV. kept cloſe Priſoners a long time, (notwithſtanding their Safe-Conduct,) till they had paid him ſufficient Ranſoms for their Lives, Liberties, and Eſtates: But when the reſt of the Citizens heard of this ſevere Uſage, many of the moſt guilty privately conveyed away their Goods and Perſons, and never return'd back any more, which tended much to the City's Impoveriſhment.

And indeed *Thomas Wikes* here very well obſerves, that tho' theſe Citizens had juſtly deſerved the King's Diſpleaſure, yet that it was mean, and unworthy his Character, thus to break the Safe-Conduct and Protection he had ſo ſolemnly given them, and without which they would never have appear'd before him: Nor can I ſee any Excuſe could be made for theſe Proceedings, unleſs that they were only in perſuance of the late Ordinance of Parliament at *Wincheſter*, with which the King might ſay, he had no Power to diſpenſe.

The King having ſeized the Liberties of the City, makes ſeveral Noblemen Keepers of it.

And I ſuppoſe it was during this Interval, that the King whileſt he was at *Windſor*, ſeized all the City-Liberties, and in ſtead of a Mayor, appointed *Humphrey de Bohun* Earl of *Hereford*, *John de Baliol*, *Roger de Leyburn*, and *Roger Walerand*, Guardians of the City, by his Writ (ſtill upon * Record) directed to them, farther reciting, That whereas the Mayor, Citizens, and whole Community of the City aforeſaid, had ſubmitted themſelves both as to their Lives and Limbs, as well as their Lands, Tenements, and Eſtates, to the King's Mercy, therefore they were to cauſe Proclamation to be made, that his Peace ſhould be firmly kept in the City and Parts adjoining: Dated at *Windſor* the Sixth of *October*.

* *Rot. Pat.* 49 *H.* 3. *n.* 22. *Vid.* Dr. B's *Append.* *n.* 224.

* *Rot. Pat.* 49 *H.* 3. *n.* 8. *id. Append. n.* 225. And appoints *Phil. de Covel* to keep the Sheriff's Court.

The King then iſſued forth another * Writ of the ſame Date, whereby he commands thoſe who were to appear at the County-Court for *Middleſex*, to appear before and obey *Philip de Covel*, whom he then appointed Sheriff, and who was to hold the Court that Day in the Record above-mentioned.

[5] When the King had thus humbled the City, he went to his Palace of *Weſtminſter*, [1] and there celebrated the Feaſt of St. *Edward*, at which he appearing among his Nobility in Majeſtick State, with his Crown on his Head, ſeemed to have recovered that Royal Splendour which had been ſo long eclipſed: So ſoon as the Feſtival Solemnity was over, the Parliament, which was adjourned hither from *Wincheſter*, was again aſſembled, and laſted Eight Days, where the King and the Great Men treated of the Affairs of the Kingdom; and one of the Chief Things they then did was, [2] to paſs Sentence of Diſheriſon and Forfeiture of Eſtate upon all the King's Enemies in the late Rebellion; whoſe Lands being now given to Him, he preſently beſtowed them on thoſe who had ſerved him faithfully in this War, tho' this was, not long after, the Cauſe of a new Rebellion, as you will find anon: yet however, ſome of theſe diſinherited Noblemen were now admitted to redeem their Eſtates for Money; among whom was *Robert Ferrars* Earl of *Derby* and *Leiceſter*, who was then reſtored

[5] *Annales de Hide Mr. in Bibl. Bod. NE. A.* 3. 19.

[1] *T. W.* The K. comes to *Weſtminſter*, keeps the Feaſt of St. *Edward*, and then the Parliament meets again.

[2] *M. W.* The Eſtates of the Rebellious Barons being given to the King, he beſtows them on thoſe that had ſerved him. Yet ſome are admitted to compound.

reſtored upon certain Conditions, which he never perform'd; whereof it ſeems this was one, That if ever he again fell off from his Allegiance to the King, he ſhould be depriv'd of his Earldoms; which was afterwards put in Execution againſt him for another Rebellion, as you will ſee hereafter. *Anno Dom.* MCCLXV.

Theſe Affairs being thus diſpatch'd, the King, by Commiſſion (ſtill upon *Record) committed the Cuſtody of the City, and Tower of *London*, to Sir *Hugh Fitz-Otto* during pleaſure, he anſwering the Profits of them to the Exchequer, and Sir *Roger Leyburn* (one of her former Guardians) was ordered to deliver them to him; and the Citizens and *Community* of *London* were commanded to be anſwerable, and ſubmit to this *Fitz-Otto*, in all things relating to his Office. This new Guardian (according to the City [3] Annals) appointed Two Citizens in whom he could confide to act as Bailiffs under him.

* *Rot. Pat.* 49 *H.* 3. *m.* 4. The K. commits the Cuſtody of the City & Tower to Sir *Hugh Fitz-Otto, &c.*

[3] *Annal. de London. ib.*

[4] After which the King began to act more ſeverely, and beſtowed upon his Favourites the Houſes and Goods of about Sixty principal Citizens, who were fain to compound for them with thoſe to whom they were granted; then the King took pledges of the beſt Men's Sons in the City, for their Father's peaceable behaviour; and theſe being put into the Tower, were there kept at their Parent's Charge; but after great Suit made to the King, he diſcharged all the reſt of the Citizens, who were under the Cuſtody of the Conſtable of *Windſor*-Caſtle, except Four of the Richeſt and moſt notorious Offenders, who ſtill remain'd in Priſon.

[4] *Id. ib.* The King beſtows the Eſtates of 60 of the principal Citizens upon his Favourites.

[5] Then after freſh Interceſſions on the City's behalf, to know His Majeſty's pleaſure, what Fine he expected for their Offences; he demanded no leſs than Forty Thouſand Pounds, and then fell to Fifty Thouſand Marks; but upon the Citie's humble Remonſtrance, that it was the poorer ſort of Citizens who had been the chiefeſt Offenders, and had ſpoil'd and plunder'd the richer; and that they had alſo received great Loſſes from the Pyrates of the *Cinque-Ports*, during theſe Troubles, they obtained his gracious Favour and Pity.

[5] *Id. ib.* The King demands a Fine of 50000 Marks of the Citizens for their Offences.

[1] But whileſt this Affair was depending, on the 6*th* of *December*, the King at his going from *Weſtminſter* to *Northampton* (upon an occaſion of which you will hear more by and by) committed the Government of the City to Sir *John de Linde*, Knight, and Maſter *John Walden*, Clerk, who were to be Guardians or Seneſchals both of the City and Tower; and the Day following the King's Council ſent for Four and Twenty of the moſt notable Men of the City, who when they appear'd before them at *Weſtminſter*, they were inform'd, that it was the King's Pleaſure, that they, under the ſaid Seneſchals, ſhould ſee Peace and good Order kept in the City; and for this they took an Oath before the Council. But to return to more publick Affairs.

[1] *Id. ib.* The K. commits the Government of the City to Sir *John Linde* and Mr. *John Walden*, and under them to 24 of the principal Citizens.

[2] Some

Anno Dom. MCCLXV.

[2] *T.W. p.* 72. The main Tower of Dover-Caſtle being ſurprized by the Priſoners, P. *Edward* goes to their Relief, whereupon the Caſtle is ſurrender'd.

[2] Some time after the Parliament broke up, the King had Intelligence that Fourteen Gentlemen, who were Priſoners in the Caſtle of *Dover*, by the means of Two of their Keepers of Confederacy with them, having ſurpriz'd the main Tower of that Caſtle, reſolutely defended it againſt the Gariſon; whereupon Prince *Edward* preſently marched down to the Relief of thoſe Gentlemen who adhered to him in the ſaid Caſtle; and then the Beſieged finding themſelves Attack'd by thoſe within, as well as the Prince's Forces without, thought beſt to ſurrender it upon theſe Conditions; That they might march out with Horſe and Arms, their Lives and Liberties being ſaved. In this Caſtle was alſo taken the Counteſs Dowager of *Leiceſter*, the King's Siſter, and Widow of *Simon Montfort*, who being extreamly Mortified by the late fatal Loſſes of both her Husband and Son, had leave to paſs over into *France*, where ſhe ſpent the reſt of her Days in a Monaſtery.

The Counteſs of *Leiceſter* has leave to go over into *France*.

[3] *Id. ib.* The Queen returns into *England*, and is met by the King at *Canterbury*.

[3] Not long after this, about *All-holland-tide*, Queen *Eleanor*, and her Son Earl *Edmund*, who had been Two Years beyond Sea, Landed at *Dover* with *Ottobon* the Pope's Legate, and were met by the King at *Canterbury*, the King of the *Romans*, and many Earls and Barons attending them thither, to Welcome them; and preſently after they all return'd to *London*, where they paſs'd ſome Weeks with as much Satisfaction as the unquietneſs of the Time would permit: But they were ſoon diſturbed on this occaſion.

[4] *Id. ib. A.W.* *Simon Montfort* leaves *Kenellworth* Caſtle, and retires to the Iſle of *Axholme*, where many of the Diſinherited Barons reſort to him. Againſt whom the Prince marches with a ſtrong Force, and beſieges them in the Iſle, till they were forced to ſurrender it.

[4] About the end of *November*, young *Simon Montfort*, who ſtill kept the Caſtle of *Kenellworth*, fearing a ſpeedy and hazardous Siege, thought it the ſafeſt courſe to quit that Place; wherefore leaving a ſtrong Gariſon in it, and taking along with him Two Barons, *John d' Ayvil*, and *Baldwin Wake*, with a ſtrong Body of Horſe and Foot, he marched from thence (reſolved to make ſome freſh Diſturbance) into the Iſle of *Axholme* in *Lincoln*-ſhire, which being almoſt ſurrounded with Water, he eaſily fortify'd all the Avenues to it, and no ſooner was he there, but many of the diſinherited Barons reſorted to him: So ſoon as the King heard of it, he left *London*, (as you have already heard) and went to *Northampton*, where he muſter'd up a ſufficient Army, which he preſently ſent into thoſe Parts, under the Command of his Son Prince *Edward*, who cloſely beſieged his Couſin *Simon* in that Iſle till after *Chriſtmaſs*, and then he was forced to ſurrender himſelf, as you will find hereafter.

[5] *A. W.* The Inhabitants of the *Cinque-Ports* again renew the War.

[5] I have nothing more to add concerning Civil Matters, but that the Inhabitants of the *Cinque-Ports* were provoked at the late ill Treatment of the *Londoners*, as alſo becauſe Prince *Edward* had taken and hanged ſome of the Townſmen of *Winchelſea*; whereupon the reſt, together with thoſe of the other Ports, again renew'd the War, and ſetting forth a Fleet, ſail'd to *Portſmouth* about the end of *November*, and not only took that Town, but burnt it to the Ground, and beſides this, did a great many other Miſchiefs both by Sea and Land.

[1] As

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[1] As for Eccleſiaſtical Affairs, this Year affords not many; only *Ottobon* the Pope's Legate, immediately after his Arrival, ſummoned a Synod of all the Clergy at *Weſtminſter*, where he ſolemnly declared *Simon Montfort*, late Earl of *Leiceſter*, and all his Adherents *excommunicated*, as well thoſe that were alive, as thoſe that were dead: Notwithſtanding which, the Monkiſh Writers of theſe Times look'd upon this Man as a Saint, and ſuppoſe many Miracles to have been wrought at his Tomb: So credulous is Superſtition, join'd with a high Opinion of thoſe whoſe Actions their Party admire and cry up for meritorious.

[1] *M. W.* The Pope's Legate holds a Synod, where he excommunicates the late Earl of *Leiceſter*, and all his Adherents.

This Year affords very little of Foreign Matters worth our noting, only that Pope *Clement* the Fourth finding the Affairs of *England* in great Confuſion, and that King *Henry* was never like to aſſiſt him in the Conqueſt of the Kingdom of *Naples* and *Sicily*, he iſſued out his Bull, whereby he annull'd the Grant made of that Kingdom by Pope *Innocent* his Predeceſſor, to *Edmund* the King's Second Son, (as you have already heard) upon pretence that the Conditions thereof were not duely obſerved on the King's Part: But the true Reaſon was, that the Pope had newly conferr'd this Kingdom upon *Charles* Duke of *Anjou*, and Earl of *Provence*.

* See it at large in *D'acherie's Spicilegium, Tom.* 9. *p.* 207.

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The King and Queen continued ſtill at *Northampton*, where they kept their *Chriſtmaſs*, together with the King of *Almain*, the Legate, and a great number of Noblemen; in which Aſſembly it is moſt likely (as being a Great Council of the Barons) [3] was made this temporary * Ordinance, That in every County of *England* a Captain ſhould be maintained at the King's Charge, who, with the Aſſiſtance of the Sheriff, ſhould command the Forces or Militia of the County, to reſtrain the Violence of Robbers and Thieves, with which the Nation, ever ſince the late Wars, was then very much infeſted.

[2] *G. R.* A Great Council at *Northampton*, where is made an Ordinance againſt Thieves.

[3] *M. W.* * *Note, Matt. Weſtm.* relates this Law to have been made at that Place; but that could not be, for the Reaſon already given.

[4] But to give the remaining Particulars of the Rebels in the Iſle of *Axholme*; where as ſoon as Prince *Edward* arrived, by the means of ſeveral Bridges of Timber laid from the main Land into that Iſle, he ſo ſtraitned *Simon Montfort* and his Accomplices of Proviſions, that they were at laſt forced Three Days after *Chriſtmaſs*, to ſurrender the Place, upon theſe Conditions: That he and his Accomplices then in the Iſle of *Axholme*, [5] ſhould ſubmit themſelves and ſtand to the Judgment of the King of the *Romans*, and his Nephew Prince *Edward*, ſo that whatever they Two ſhould determine concerning them, ſhould be inviolably obſerved: (To whom *William Riſhanger* alſo adds the Pope's Legate, and the Lord *Philip Baſſet*.) Yet ſtill ſaving to himſelf and his Adherents their Lives and Limbs, and alſo excepting Perpetual Impriſonment. Then *Simon Montfort* was brought by Prince *Edward* to *Northampton*, and there preſented to the King, his Uncle King *Richard* interceding for him, and telling his Brother, that

[4] *T. W. A. W. Simon Montfort* and his Accomplices in the Iſle of *Axholme* ſurrender themſelves, and on what Terms.

[5] *T. W. p.* 73. *Simon Montfort* is brought to the King. K. *Richard* in vain intercedes for his Pardon.

Anno Dom. MCCLXVI. that upon the News of the Death of *Simon Montfort* his Father, he had been murthered by thoſe who then kept him Priſoner, had he not been ſaved by this *Simon* his Nephew; upon which Conſideration he was civilly treated by the King, and might ſoon have regained his Favour, had it not been for the Hatred of the Earl of *Glouceſter*, and ſome other of the Barons, his Enemies. [1] But at laſt it was agreed, that *Simon* ſhould deliver up the Caſtle of *Kenellworth* to the King, and depart the Kingdom, and receive out of the Exchequer every Year Five hundred Marks, whileſt he remain'd in Baniſhment: but thoſe within the Caſtle not liking theſe Conditions, would neither yield it to the King nor to *Simon*, but ſaid, they received not the Cuſtody of it from him, but from the Counteſs his Mother, and would ſurrender it to none but her ſelf: And on that Pretence they held that Caſtle near a Year longer, againſt all the Forces the King could bring againſt it. [2] But as for the reſt of the Noblemen and Gentlemen who were in the Iſle of *Axholme* with *Simon Montfort*, upon their taking an Oath never more to bear Arms againſt the King, they were ſet at Liberty, tho' many of them did not long obſerve it.

[1] *A.W.W.R.* He conſents to deliver up the Caſtle of *Kenellworth*, but it is refuſed by thoſe that kept it.

[2] *M.W.*

I ſhall now give you an Account of the Concluſion of the King's Diſpleaſure againſt the City of *London*: [3] Whileſt the King continued at *Northampton*, not long before *Chriſtmaſs*, the Citizens, by the Interceſſion of the Queen and the Pope's Legate, compounded with the King, upon their obliging themſelves to pay him the Sum of Twenty thouſand Marks, for a full Remiſſion and Pardon of all their Treaſons and Miſdemeanors; reciting, That whereas they had made a Fine of Twenty thouſand Marks for their ſaid Offences towards him, his Queen, King *Richard* his Brother, and his Son *Edward*, therefore the King gave them leave again to receive the Rents of their Lands and Tenements, within the City and without, due from *Chriſtmaſs* laſt paſt; and alſo granted that they ſhould have the Goods and Chattels of ſuch Malefactors as had been againſt Himſelf, or his Son *Edward*, in the late War, and had been or were to be indicted; except the Goods and Chattels of thoſe Perſons (already mentioned) whom he had given to his Son *Edward*, with divers other Exceptions, needleſs here to be repeated: And then He further granted to the Citizens Liberty to Trade by Land or by Sea, as freely as they had done in former Times, diſcharging them from all Cuſtom, Toll, &c. until the State of the City ſhould fully be ſettled by his Council; and farther ordered, that no Citizens who in the late Troubles had notoriouſly appeared to have been Enemies to himſelf or Son, for the future ſhould abide or be converſant in the City. This Pardon is dated at *Northampton*, the Tenth of *January*, as remains upon * Record in the *Tower*, in a Schedule faſtned to the Roll, the Original of which is in the Cuſtody of the City.

[3] *Annal. de London.*

Annal. de Hide.

The Citizens of *London* are pardon'd by a Charter, and on what Terms.

* *Rot. Pat. 50 H. 3. M. 35.*

Dr. *Brady*

Dr. *Brady* hath given us ſomewhat a larger Abſtract of this Pardon and Reſtitution, which the Reader may conſult if he pleaſes; and at the end of it there follows the King's Order to *John Walerand* and *John de la Lind*, his Guardians of the City of *London*, reciting, that whereas he had received into his Peace (or Favour) the Citizens of *London*, according to a Form granted in his ſaid Letters Patents, that they ſhould therefore releaſe the Pledges or Security of the Citizens whom they had in their Cuſtody, and permit them to go whither they would, except thoſe before excepted. The like Letters were directed to the Conſtable of *Rocheſter* Caſtle, with the ſame *Teſte*, *viz.* the King at *Northampton*, (dated the 11*th* of *January*.)

Anno Dom. MCCLXVI.

The Guardians of the City are order'd to releaſe their Pledges.

Theſe Records will ſerve to confute a great Error in *Matt. Weſtminſter*, who will needs perſuade us that the King kept his *Chriſtmaſs* this Year at that Place which bore this Author's name; and that there alſo the King held a Parliament, which is likewiſe a miſtake.

[3] The King's Affairs being now pretty well ſettled, he return'd to *London* a little before *Lent*, bringing *Simon Montfort* his Nephew, as a Priſoner at large, along with him, who preſently after, either not liking the Conditions upon which he was to be ſet free (one of which was, that he ſhould take an Oath not to act any thing during his Baniſhment, againſt the King) and fearing leſt he ſhould be perpetually impriſoned, ſtole away with divers of his Party, and going down to *Winchelſea*, there joined himſelf with a great many Privateers, belonging to the *Cinque-Ports*, who expected his coming; and then going to Sea with them, he lived there a long time as a Pirate. But when the King heard of *Simon*'s departure, about the end of *February*, or beginning of *March*, he ſent down Prince *Edward* with a ſtrong Party to reduce the Rebels of the *Cinque-Ports*; who coming to *Winchelſea*, and aſſaulting the Town, they had a ſharp conflict in the Streets, where ſome were killed, and many more driven into the Sea; and *Henry de Peham* their Captain being taken, the Prince would have hanged him, had not the E. of *Glouceſter* diſſuaded him from it; which Clemency met with ſo good Succeſs, that not long after all the *Cinque-Ports* came in, and made their Peace upon Condition, that they ſhould enjoy all their Liberties and Cuſtoms contained in their Antient Charters, without being diſinherited, or making any reſtitution for the damages they had done: which ſhews what a great Power thoſe Ports had in that Age, in Men and Shipping.

[3] *I.W. A.W.* The K. returns to *London*, and brings *Simon Montfort* with him, who immediately makes his Eſcape.

And joins with the Privateers of the *Cinque-Ports*.

P. *Edward* is ſent down to reduce thoſe Rebels.

I find nothing elſe conſiderable done by the King this Year, in favour of the late diſinherited Noblemen and Gentlemen, but that he now iſſued out a ſafe Conduct, whereby all the diſinherited (for by that name all the rebellious Barons, and their Confederates, were known and diſtinguiſhed) had time allowed them to come to the King until *Eaſter*, to treat with him, and to return without Injury to the Places from whence they came; this is upon * Record, and bears date at *Weſtminſter* the 11*th* of *February*: but what Effect it had upon theſe Outlaw'd Gentlemen, I do not find, tho I ſuppoſe they did not approve of the Terms upon which they were to be reſtored, or elſe ſo many of them would not have continued in Arms in divers Parts of *England*.

*Pat. 50. H. 3. M. 9. Dorſ.

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Not long after this the King wrote to the Biſhops, and all other Prelates, a * Letter (found upon Record) directed to all the Abbots, Priors, *&c.* of *England*, reciting, that when he was in the Cuſtody of *Simon Montfort*, they had collected a Tenth of all the Church Revenues in *England*, for one Year, for the Defence of the Kingdom and Church of *England*, (as was then pretended) and he now being willing it ſhould be expended for the true Defence and Profit of both, commanded them to pay the ſaid Tenths ſo collected, to the Biſhops of † *Bathe* and *Litchfield* appointed Receivers of it by himſelf, and *Ottobon* the Legate, according to the Form of the Mandate of the ſaid Legate to them directed, dated at *Weſtminſter* the 15*th* of *March*.

* *Rot. Pat.* 50. *H.* 3. *m.* 24. The K. orders the Tenths formerly given by the Clergy, to be paid in to certain Bps.

† Vid. *Clauſ.* 48. *H.* 3. *M.* 3. *Dorſ.*

[4] *T.W. G.R.* The Rebels in *Kenelworth* Caſtle ſally out, and plunder the Country, and cut off the Hand of the K's Meſſenger.

[4] In the mean time the Rebels that were in *Kenelworth* Caſtle, made it their buſineſs to ſally out, and plunder the adjacent Countries, thereby ſtoring it ſo well with all ſorts of Proviſions, that it was thought able to hold out for a long time; and they grew ſo inſolent upon it, that in contempt of the King's Authority, they cut off the Hand of his Herauld or Meſſenger, whom he had ſent into the Caſtle to ſummon them to ſurrender it, and ſo ſent him back in that woful Condition: wherefore the King being highly provoked with this Barbarity, commanded by his Writ (ſtill upon † Record) that all the Sheriffs of *England* ſhould make Proclamation in their ſeveral Counties, and all Market Towns, that all who owed him Service ſhould perſonally appear with Horſe and Arms; and beſides their ſaid Service, they ſhould meet him at *Oxford* with all the Force they could raiſe, within three Weeks after *Eaſter*, to go along with him againſt his Enemies and Rebels in *Kenelworth* Caſtle; and ordered Watches to be ſet in Towns and Burghs of every Country. The reſt being of no great Moment, I omit. This bears date at *Weſtminſter* the 15*th* of *March*.

† *Clauſ.* 50. *H.* 3. *M.* 5. *Dorſ.* The K. ſummons all that owed him Service, to meet him at *Oxford*, to march againſt *Kenelworth* Caſtle.

[5] *A. W.* The K. comes to *Oxford*, and marches from thence to beſiege that Caſtle.

[5] About the middle of *April*, the King came to *Oxford* with a great Army, and lodged in the Caſtle, and after about a Week's ſtay there, marched (with the Forces that then met him) to *Northampton*, in order to beſiege *Kenelworth* Caſtle; [1] yet the King did not go thither preſently, but continuing ſome time at *Northampton*, ſent his Son Prince *Edward* to reduce the City of *Lincoln*, which had been lately ſurprized and plunder'd by ſome of thoſe Rebellious Barons, who had formerly taken the Iſle of *Axholme*; but ſo ſoon as the Prince approached the City, the Rebels quitted it, and for a time diſperſed themſelves into other Places, tho before the end of Autumn they again rallied, and ſeized the Iſle of *Ely*, as you will find anon.

[1] *Id. ib. W. H.* The City of *Lincoln* is ſurprized, but retaken by P. *Edward*.

[1] *Id. ib. W. H.* A freſh Rebellion breaks out, which hinders the K. from beſieging *Kenelworth* Caſtle.

[5] The E. *Ferrars*, and ſome other Noblemen begin another Rebellion.

But in the mean time a freſh Rebellion broke out in the [2] North Parts of *England*, which for a while diverted the King from marching againſt *Kenelworth* Caſtle. For about the end of *April*, or beginning of *May*, *Robert* Earl of *Ferrars*, who had been lately ſet at Liberty by the King, and was to have compounded for his Eſtate, upon the payment of a great ſum of Money (hoping it ſeems to better his Condition) began a freſh Rebellion, and joining with two other Noblemen, *Baldwin Wake*, and *John Daywill*, with a great number of other Barons and Knights, they again took up Arms, and fell to plunder and ſpoil the North-Weſt Counties, and ſettled their Quarters in a great Wood or Foreſt in thoſe parts, called *Suffeld Frith*;

Frith; which the King hearing of, resolved to put a stop to their Insolence: but his Son, the Prince, being then otherwise imploy'd, he sent the Lord *Henry*, eldest Son to the King of the *Romans*, to command in chief over a strong body of Noblemen and Gentlemen, who marching down into those Parts, [4] came on *Whitson-eve* to the Town of *Chesterfield* in *Derbyshire*, where they surprized the Earl *Ferrars*, and the other Noblemen abovementioned (who were then in Bed) but they strait getting up, made the best Resistance they could, which occasioned a very sharp Fight for a time in the Town; but at last the King's Forces obtain'd the Victory, and killing divers of them, took most of the rest Prisoners: but the Earl made a shift to get away and hide himself in a Church; yet being soon after discovered there by a Woman, he was likewise taken Prisoner, and immediately sent to be kept in *Windsor* Castle: But *John Dayvill* and *Baldwin Wake*, who were of his Party, with some others, escaped, and got into the Isle of *Ely*, there to do more Mischief, as you will hear anon.

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[4] *M. S. W. H.* *Henry*, Son to K. *Richard*, surprizes the E. of *Ferrars*, and puts his Forces to flight, and he himself is taken Prisoner.

Again, another Knight called *Adam de Gurdun*, had about the same time taken up Arms in *Hampshire*, and lay in certain Woods between *Aulton* and *Farnham*, where with a great number of Men that followed him, he spoiled and plunder'd the Country; but the Prince arriving there, and with his Forces scowring the said Wood, about Sun-set found *Adam* with his Party just going to take up their Quarters: but here the Prince had like to have been in no small Danger, for leaping over a Ditch or Trench (which encompassed the Rebels Camp) to make his way to them, and his Forces not being able presently to follow him, he was necessitated for some time to engage hand to hand with this *Adam* their Leader, who was a strong and valiant Warrier; but at length Prince *Edward* got the better of him, and wounded him; and by that time the Prince's Men came in to his Assistance, quite routed the Rebels, and took *Adam* Prisoner, and sent him, by the Prince's Order, in Chains to *Windsor*-Castle, there to keep Earl *Ferrars* Company.

Prince *Edward* marches against *Adam de Gurdun*.

Fights with him, and takes him Prisoner.

But *Matt. Westminster* and *Nicholas Trivet*, relate it somewhat otherwise, and say, that tho the Prince caused all the rest of the Rebels he then took to be hanged, yet being in love with this *Adam*'s Valour, he order'd his Wounds to be dress'd; and presenting him that Night to the Queen his Mother at *Guilford*, not only obtain'd his Pardon, but got him restored to his Inheritance, and then took him into his particular Favour, who ever after served him faithfully; which was certainly a very remarkable Act of Generosity in this brave Prince.

But the Prince gets his Pardon, and restores him to his Inheritance.

[5] But somewhat to abate the Joy of these Victories, about the same time the *Welsh* gain'd a great Victory over the Lord *Roger Mortimer*, so that his Army being almost wholly cut off, he himself hardly escaped.

[5] *A. W.*

[6] Whilst these things were transacting, Earl *Edmund* the King's younger Son, was sent with a strong Party to *Warwick*, to restrain the Excursions and plunderings of those that kept the Castle of *Kenelworth*, and not long after the King himself followed with his Army, and remained at *Warwick* for some days, expecting more Recruits, together with his Engines of Battery. But the Annals of *Waverly*

[6] *T. W.* The K's 2d Son is sent to *Warwick*, to restrain the Excursions of the Garison in *Kenelworth* Castle.

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Waverly relate (and that with greater probability) that before *Midſummer* the King ſent his Son the Prince before, with a great part of the Army from *Warwick* towards *Kenelworth*, in order to beſiege it, but that the Gariſon ſallying out, fell upon the Prince's Forces with ſuch Violence, that they beat them back as far as *Warwick*; [2] however it is certain, that preſently after, the King, attended by all the great Men of the Kingdom, (who owed him Knight's Service, by reaſon of their Fees) being arrived in Perſon, began to lay cloſe Siege to the Caſtle on *Midſummer-Eve*, and batter'd it with all ſorts of warlike Engines: but it was altogether in vain; for the Rebels being well victualled, truſted to the ſtrength of the Place, and defended it ſo obſtinately, that a great many Men were killed on both ſides. But when the Siege had continued till towards the end of *Auguſt*, *Ottobon*, the Pope's Legate, with the Archbiſhop of *Canterbury*, and Biſhop of *London*, went down thither to try if they could propoſe any terms of Peace between the King and thoſe beſieged, but it was all to no purpoſe; for they expecting a ſpeedy and powerful Relief under *Simon de Montfort* from beyond Sea, would hearken to no reaſonable Conditions; wherefore the Legate *excommunicated* all thoſe that held the Caſtle, together with their Adherents in other Places. So that all the King's Forces could then do, was to keep it cloſe block'd up, in hopes they might be forced to ſurrender it at laſt for want of Proviſions.

[2] *Id. ib.*

The Caſtle being beſieged by the King, is defended by the Rebels with great obſtinacy.

The Pope's Legate, ABp of *Canterbury*, &c. go down to try if they can make a Peace, but in vain; whereupon the Caſtle is cloſely blockt up.

[3] In the mean while *Baldwin Wake* and *John Dayville*, with the reſt of thoſe Rebels who had fled from the Battel of *Cheſterfield*, encreaſing their Forces, had about *Michaelmaſs* ſeized upon the Iſle of *Ely*, (the Inhabitants being too weak to reſiſt them) and there raiſed a dangerous Rebellion; then ſallying out from thence, they ſpoiled the adjacent Counties of *Norfolk*, *Suffolk*, and *Cambridgeſhire*, of all their Goods and Proviſions, which they carried away with them into the Iſle: and beſides this, they plunder'd divers other Towns, not ſparing the Ornaments of the Churches.

[3] *Id. ib. W. H.*

John Dayville, and divers others, ſeize the Iſle of *Ely*, and ſallying out, ſpoil the adjacent Counties.

But the King and Prince were at the ſame time taken up with the Siege of the Caſtle of *Kenelworth*, tho they could not reduce it till near half a Year after: And the King being now reſolved to ſettle the Kingdom by the moſt healing Methods he could, at the Requeſt of *Ottobon* the Pope's Legate, and others of his own Biſhops and Nobility, [4] He ſummoned a Parliament to meet at *Kenelworth* Town, on the 24th of *Auguſt* following, and there it was agreed by the common Conſent of the Biſhops, Abbots, Priors, Earls, Barons, and all others then preſent, that ſix Perſons, *viz.* the Biſhop of *Exeter*, the Biſhop of *Bathe*, the Earl of *Worceſter*, Sir *Alan de la Zouche*, Sir *Roger Sommery*, and Sir *Robert Walerand*, ſhould be appointed on their Oaths to chooſe ſix others, as well Biſhops as great Men, whom they judged the leaſt Partial, and of the greateſt Experience, who together (according to their beſt underſtanding) were to do what they ſhould think moſt proper for the Security and Peace of the Kingdom. To thoſe twelve were to be committed the Caſe and Facts of all the diſinherited Noblemen, with full Power from the King, and great Men of the Kingdom, to determine and conclude concerning them; and if there aroſe any difference between the ſaid twelve, then that Opinion was

[4] *A. W. M. W.* The K. holds a Parliament at *Kenelworth*.

Whereupon twelve Bps and Noblemen are appointed to make a Decree concerning the diſinherited Barons.

to ſtand good and firm, which received the Aſſent and Approbation of the Legate and the Lord *Henry*, Son to *Richard* King of *Almain*; and theſe together were to ſettle all matters by the Feaſt of *All-Saints* next enſuing. *Anno Dom.* MCCLXVI.

The Preface of which Sentence or Decree, called in Latin *Dictum de Kenelworth*, begins thus: "In the name of the Holy and Undi-"vided Trinity, *Amen*, to the Honour of God, *&c.* Then follow "the Names of the compoſers of it, *viz. William* Biſhop of *Exon*, "*William* Biſhop of *Bathe* and *Wells*, *Henry* Biſhop of *Worceſter*, "*Thomas* Biſhop of *St. Davids*, *Gilbert de Clare* Earl of *Glouceſter*, "*Humphrey* Earl of *Hereford*, *Philip Baſſet*, *John Bayloffe*, *Robert* "*Walop*, *Alein de la Zouche*, *Roger de Somery*, and *Warryn de Ba-*"*ſyngburne*, together with the Pope's Legate, and the aboveſaid "*Henry* of *Almain*, who were appointed to provide for the good "Eſtate of the Realm, and namely for the Redemption of certain "Perſons diſinherited; having thereunto full Power from the King, "and the other Barons, and Counſellors, according to the Form "written and confirmed in the general and ſpecial Letters of the "ſaid King, and as the other aforenamed had ordered and agreed in "manner following, *&c.* They draw up the Decree, called *Dictum de Kenelworth.*

From whence we may obſerve, that this * Decree or Statute derives its Authority, not only from the King, but alſo from his Barons and Counſellors in Parliament; and is ſaid to be a Statute, being entitled *Dictum de Kenelworth*; that is, the Award or Agreement made at *Kenelworth* by the King, his Noblemen and Commons: * *Dictum.* *Vide* Raſtal's Statutes, *Vol. I. P.* 13.

It being intended to better the Condition of the Diſinherited, and to turn the Forfeitures, and loſs of their Eſtates, into a Compoſition in Money for them; therefore the Offenders were divided into ſeveral Ranks and Articles, according to the greatneſs of their Offences, after the following Order. The Heads of this Decree.

1. Concerning them that began the War, and perſevered in it.
2. They that were at *Cheſterfield*, againſt that King in Battel.
3. All thoſe that violently and malitiouſly kept *Northampton* againſt the King.
4. All thoſe that had fought againſt the King at the Battel of *Lewes*.
5. All them that were in *Kenelworth* Caſtle, who came from the ſacking of *Wincheſter*, or were in any other place againſt the King, whom he had not pardoned.
6. All them that fought againſt him at *Eveſham*.
7. All that were in the Fight at *Cheſterfield*.
8. All that freely, wilfully, and uncompelled, ſent any Aid or Service, againſt the King, or his Son.
9. The Bailiffs, and Servants of the Earl of *Leiceſter*, that plundered their Neighbours, burnt their Houſes, or killed them, or did other Miſchiefs.

All theſe abovementioned were to pay the value of their Lands for five Years; and if they paid their Redemption Money within that time, they were to have their Lands again: this Compoſition was to be paid at two or three payments, but if they paid the whole Sum at once, then all their Lands were to be delivered them preſently;

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ſently; if half, then but half; if a third part, then they were to have no more than a third part of their Lands reſtored.

But if they were not able to raiſe any Money at all, then their Lands were to remain in the Hands of thoſe to whom the King had given them, till the Money was raiſed out of the Profits of their Eſtates: and out of thoſe Compoſitions the King was to gratify ſuch as had done him faithful Service.

10. Then follow certain Clauſes concerning the Heirs of ſuch of the Diſinherited whoſe Fathers were dead, they being as yet under Age; for theſe their Lords were to pay their Fines for them, and to raiſe them out of their Eſtates.

11. Alſo all the King's Grants of Wardſhips of ſuch Heirs were to hold good till they came of Age, and then they were to be reſtored to their Eſtates upon the ſame Terms as others, in the ſame Condition.

12. All thoſe that were then in the Caſtle of *Kenilworth*, were to be admitted after the common Form, or Terms of Peace with the reſt, except *Henry Haſtings*, and thoſe who maimed the King's Meſſenger.

He was at this time Governour, or Commander in Chief at *Kenilworth* Caſtle.

13. The Earl *Ferrars* and *Henry Haſtings* were to pay ſeven years Profits of their Eſtates.

14. Thoſe who had committed leſs Offences than theſe abovenamed, might compound ſome for three Years, ſome two Years, others one Year, or half a year's Rent of their Lands, according to the nature of their Crime: thoſe that had no Lands were to be puniſhed in their Goods.

Note, in the Manuſcript Copy in the *Cottonian* Library, there are divers other things which need not be here recited; only this is worthy our Obſervation, that at the beginning of this Edict, are theſe remarkable Clauſes following, *viz.*

All Obligations, Writings, or Inſtruments made by the King or his Son, concerning the late *Oxford* Proviſions, or made or entered into by any of the King's faithful Subjects, by reaſon of the Troubles, were declared Null and Void by this Sentence; and thereby alſo it was declared that the King might and ought to exerciſe his Royal Power and Authority, without the hindrance or contradiction of any one, yet that the Great Charter, and Charter of the Foreſt, were to remain in full force by this Judgment.

Theſe Commiſſioners alſo humbly beſeech the King and Legate, that under the Penalty both of corporal Puniſhments, and eccleſiaſtick Cenſures, they would ſtrictly forbid any to ſpeak of *Simon Montfort* as a Saint, or to ſpread abroad the vain and fooliſh Miracles reported of him.

They alſo farther beſeech the Legate to abſolve the King, and all others of the Kingdom, both great and ſmall, from the Oaths they had taken, to obſerve thoſe Charters (concerning the late *Oxford* Proviſions) to the obſervation whereof they were bound by the Sentence of *Excommunication* pronounced againſt ſuch as did not obſerve them.

* This

This Decree or Statute called *Dictum de Kenelworth* was publiſhed and proclaim'd in the * Camp at, or before *Kenelworth*, on the 31ſt of *October*, in the Year of Grace 1266. and of the Reign of King *Henry* the 51ſt. *Anno Dom.* MCCLXVI.

This Law or Edict is much more prolix in the Original; but being now of no other uſe than to inform the Curious, I have only given you the Heads of it: what is here added, and not in the Latin Copy printed by *Tothil*, nor in *Raſtal*'s Engliſh Statutes, is to be found in the † Manuſcript in the *Cottonian* Library, with which I have compared this Tranſlation.

* It is *in Caſtris* in the Manuſcript Copies, and not *Caſtro*, as in the printed *Raſtal*, and Dr. *Brady*'s Tranſlation of it.

† *Claudius*, D. 2.

And therefore in the printed Copies of this Edict, theſe words, *dat. in Caſtro de Kenelworth*, (as if the Caſtle was then, or ſome time before ſurrendered) are Erroneous, for indeed it held out till almoſt *Chriſtmaſs* following, as all our Hiſtorians, both printed and Manuſcript, agree.

A great Error in the printed Copies of this Statute, which hath led Dr. *Brady* into the miſtake of making this Caſtle to have been ſurrender'd in *July*.

[5] And this perhaps might lead Dr. *Brady* into that miſtake, that it was delivered about the twentieth of *July* before; yet the Writ which he cites from the * Record, dated the twenty firſt of that Month, directed to the Sheriffs of *Staffordſhire* and *Shropſhire*, not to diſturb ſeveral therein named, who were then admitted to the King's Peace, having been before in Arms (tho in other Places, and not there) does not prove that the Caſtle was then taken, unleſs the Doctor could likewiſe make it out that the Perſons therein mentioned had been actually in it, which I believe would be very hard for him to do; for tho the Summons for this Parliament to meet at *Kenelworth* bears date the twenty ſecond of *Auguſt*, yet does it not from thence follow, that the Caſtle was at that time in the King's Power; ſince tho they certainly met at the Town of *Kenelworth* before the Caſtle was taken, yet they did not all continue there till ſuch time as this Sentence or Decree could be finiſhed and proclaim'd, but were either Diſſolved or Adjourned to *Northampton* (a Place of better Reception) as you will find by and by.

[5] Compl. Hiſt. *p.* 657.

* *Cl.* 50. *H.* 3. *M.* 2.

But notwithſtanding the great Clemency and Moderation of thoſe Biſhops and Lords, who were authorized to draw up this Statute or Decree of *Kenelworth*; yet it wrought no effect at all upon the Rebels, for thoſe in the Caſtle ſtill continued obſtinate, and refus'd to ſubmit to them; as did alſo *John Dayville*, and his Party in the Iſle of *Ely*, who not only ſlighted it, but ſtill continued to make freſh Excurſions, waſting and plundering the Countries round about.

T. W.

[1] To put ſome ſtop to theſe Violences, the Legate called a Synod of the Clergy at *Northampton*, at the Feaſt of *All-Saints*, and *excommunicated* all thoſe who were then in Arms againſt the King, and all Clergymen that favour'd *Simon Montfort*, and gave him any Aſſiſtance, as particularly *John* Biſhop of *Wincheſter*, *Henry* Biſhop of *London*, and *Stephen* Biſhop of *Chicheſter*; who being alſo ſuſpended, were all not long after fain to go to *Rome*, to beg the Pope's Abſolution.

[1] *G. R. W. H.* The Legate holds a Synod at *Northampton*.

But the Reader may take notice, that tho the Continuator of *Matt. Paris* places this Council under the next Year, yet he is certainly miſtaken; for the Annals of *Waverly* and St. *Auguſtin*, as well as *Walter Hemingford*'s Chronicle, all agree, that beſides the Synod

Anno Dom. MCCLXVI. Synod abovemention'd, the King held alſo a Parliament at the ſame time at *Northampton*, wherein all thoſe who ſtill maintain'd the Faction of *Simon Montfort* were diſinherited; that is, (as the Annals of *Waverly* well explain it) the late Statute or Decree made at *Kenelworth* was then confirm'd in another Aſſembly, I ſuppoſe either becauſe many of the Biſhops and Clergy were not preſent before, by reaſon of the Army that was then quarter'd about *Kenelworth*, or rather for want of Lodgings and other Accommodations in ſo ſmall a Place.

A Parliament alſo at *Northampton*, wherein the Statute of *Kenelworth* is confirmed.

[2] But it ſeems, notwithſtanding the late Excommunication of the Rebels, thoſe in the Iſle of *Ely* were arrived to that Inſolence, and became likewiſe ſo powerful, as to march out of the Iſle as far as the rich City of *Norwich*, which they ſurprized and plundered, to the value of above twenty thouſand pounds; and in their return did the like to the Town of *Cambridg*, carrying away from thence not only ſeveral *Jews*, but alſo the richeſt of the Townſmen, whom they kept Priſoners till they would ranſom themſelves at exorbitant Rates.

[2] *T. W.* The Rebels of the Iſle of *Ely* plunder *Norwich* and *Cambridg*.

[3] But it is now time to return to the Siege of *Kenelworth* Caſtle, which having been blocked up moſt of the laſt Summer, and all this Winter, the Beſieged were thereby driven to that Extremity, as to eat their Horſes; at length all manner of Proviſions and Fewel failing, (the Cold being very ſevere) they began to make a much more feeble Defence than they had hitherto done; ſo that about the beginning of *November* they were forced to Capitulate, and at laſt agreed for the delivery of the Caſtle within the ſpace of forty days, if it were not relieved by their Lord, *Simon Montfort*, before that time: and for the true performance of this, Sir *Richard* de *Edmundevill*, and ſeven other Knights, were delivered as Hoſtages till that time was accompliſhed; during which it was alſo agreed, that if their Lord *Simon* relieved the Caſtle, then theſe Hoſtages were to be again return'd into it; but if otherwiſe, the Caſtle was to be delivered when the forty days were expired: but no Relief coming to them within that time, they were forced to ſurrender upon St. *Lucy*'s day, or the 13*th* of *Decemb.* but when the Beſieged march'd out, it was a miſerable ſight to ſee how pale and meager they looked, by reaſon of the great want of Victuals they had ſo long been under; and when the King's Men went into it to take Poſſeſſion, they were almoſt choak'd with the horrid ſtench of the dead Carcaſes, and other Naſtineſs they met there; but as for the Beſieged, they had but too good Terms given them (conſidering their great obſtinacy) for they did not only march out with their Arms and ſuch Horſes as they had left, but alſo with all the rich Plunder they had taken from the adjacent Country before the Siege began; all which, together with their Lives and Liberties, were to be ſecured to them.

[3] *Id. ib.*

So that if we conſider the paucity of the Defendants, in compariſon of the great Army that lay before it for near half a Year, in all which time they received no Recruits, either of Men or Proviſions, we muſt grant that this was one of the longeſt Sieges that we can find in Hiſtory of a place remote from the Sea or any Navigable River; and I wonder that ſo conſiderable an Action is ſo ſlightly taken

taken notice of by moſt of our Hiſtorians, many of whom (tho they mention it as it were by the by) yet all of them, as well in Print as Manuſcript, place the ſurrender of it on the day abovemention'd; tho I ſuppoſe *Roger Wendover* and *Matt. Weſtminſter*, their ſilence as to this particular, has been the occaſion of Dr. *Brady's* great miſtake about it, as hath been already obſerved: but ſo ſoon as the King was poſſeſſed of this ſtrong Caſtle, (being forfeited to him by the Treaſon of the late Earl of *Leiceſter*, his Brother in Law) he beſtowed it upon Earl *Edmund* his ſecond Son, who was alſo ſometime before created Earl of *Derby*, upon the Attainder of *Robert de Ferrars* the late Earl thereof. And as ſoon as the King had ſettled his Affairs in thoſe Parts, he went to *Woodſtock*, and there ſtayed till *Chriſtmaſs*. *Anno Dom.* MCCLXVI.

[1] As for the Eccleſiaſtical Affairs of this Year, they are not many more than what hath been already related, only in the late Council or Synod at *Northampton*, there was by the Pope's Legate's Decree granted to the King the Tenths of all the Revenues of all Biſhops, Abbots, and other Clergymen throughout all *England*, *Wales*, and *Ireland*. [1] *A.W. ib.*

[2] In *February* this Year, *Walter* de *Cantelupe* Biſhop of *Worceſter*, who had been a zealous maintainer of the Baron's Party, and therefore had been *excommunicated* by the Pope's Legate, but lying upon his Death-bed, he was very penitent for his Fault; and therefore ſending to the Legate for Abſolution, he obtained it, and then departed this Life. [2] *MW. A.W.* The death of *Walter* Bp of *Worceſter*.

Anno Dom. MCCLXVII.

*This Year (according to the Continuator of *Matt. Paris*, who ſtill begins it at *Chriſtmaſs*) the King kept that Feſtival at *Oxford*, in the Abbey of *Oſney*, together with his Queen and the Pope's Legate, where there were great endeavours uſed to make a Reconciliation between the Earl of *Glouceſter* and the Lord *Mortimer*, but without any Effect; but *Matt. Weſtminſter* ſays he kept this *Chriſtmaſs* at *Coventry*, tho the matter is not much which of them is in the Right; but whereever it was, [3] it is certain that before the Holy-days were over, he removed to *Weſtminſter*, there to celebrate the Feaſt of St. *Edward's* Departure, which was always kept on the Vigil of *Epiphany*, at which Solemnity (as *William Riſhanger* relates) many Prelates, Earls, and Barons being preſent, the King cauſed the Pope's Legate to ſit at Dinner in his own Royal Seat, he himſelf ſitting below him, which was a plain owning of the Pope's Superiority even in Temporals. To this Feaſt the Earl of *Glouceſter* was invited, but being again diſcontented at ſome of the King's late proceedings, refuſed to come, yet ſent a Meſſage to the King, admoniſhing him to remove all Strangers from his Councils, and alſo to cauſe the late Proviſions of *Oxford* to be obſerved throughout his Kingdom; which ſhews great fickleneſs in this Lord, ſince he himſelf had been one of thoſe who had contrived the Statute of *Kenelworth*, whereby theſe Proviſions were declared void.

But the true reaſon of his Diſcontent ſeems to have been the King's failure in ſome Promiſes which he had made to him, when he met him at *Eveſham*, the performance of which he now demand-

* Note, *Thom. Wikes*, and the Annals of *Waverley*, with ſome others who wrote in the Time of *E.* 1. begin the Year about the latter end of the Reign of this King at *Lady-day*.

[3] *TW. G.R.* The K. keeps the Feaſt of St. *Edward* with great Solemnity, where he makes the Pope's Legate ſit above him at Dinner.

The E. of *Glouceſter*, tho invited to this Feaſt, refuſes to come, and why.

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ed; and the King not answering according to his expectations, it produced a fresh Rebellion, as you will find anon.

[4] *A. S. A.* A Colloquy or Treaty with the Nobility at *London.*

[4] About *Candlemass*, the King held a Colloquy, or Treaty with the Nobility at *London*, where I find nothing transacted, but that *Matthias de Bezilles*, who had been sometime before made Constable of *Dover* Castle, was now for some Misdemeanours removed, and the King gave the Custody of it to *Edward Stephens* of *Portchester*.

[5] *G. R.* The K. summons a Parliament to meet at St. *Edmundsbury.*

[5] Not long after this lesser Council was over, the King summon'd the Earls, Barons, Archbishops, Bishops, Abbots, and all others that owed him Military Service, to meet him at *St. Edmundsbury*, within eight days after *Candlemass*, with Horse and Arms, to march against those that had taken and still held the Isle of *Ely*: whereupon all but the Earl of *Glouceſter* obeyed the King's Command, and he was then very busy in the Confines of *Wales*, raising a great Army. But *John de Waren* and *William de Valence* were sent to admonish him to come to the Parliament; yet they could not prevail with him any farther, than to obtain certain Letters or Charters, sealed with his own Seal, by which he engaged never to bear Arms against his Lord the King, nor his Son Prince *Edward*, unless in his own Defence; nevertheless he declared that he would resist *Roger de Mortimer*, and other his Enemies, to the utmost of his Power: This he cunningly pretended, because he would not be thought to run again into a downright Rebellion.

The K. summons the E. of *Glouceſter* to come to Parliament, who refuses it, yet seals a Charter never to fight against the K.

When all the Bishops and Abbots, and Clergy, summon'd to this Parliament, were met at the Place abovemention'd, the King and the Legate required their immediate compliance with these following Articles, *viz.*

The Bps and Clergy being met, the King and the Legate desire their Compliance to several Articles.

[1] *Id. ib.*

[1] *First*, that the Prelates and Rectors of Churches, should grant them the Tenths of their Churches for three years next to come, as also for the Year last past, in like manner as they gave them the Barons to guard the Sea-Coasts against the Incursions of Strangers. But to this they answered, That the War was begun by evil Designs, and by the same did still continue, and for that reason it was necessary to lay aside those unjust Demands, and to treat of the Peace of the Nation, and make use of this Parliament for the benefit both of Church and Kingdom; and not go about to extort Money, especially when the Nation was so much impoverish'd by War, that it must be a long time before it could be able to recover it self.

With their Answers.

Secondly, They required, that their Churches might be taxed by Lay-men, according to the just and true value. To this also they answered, that That was not reasonable, but contrary to justice, for Lay-men to meddle with collecting of Tenths; nor would they ever consent to a new way of taxing, but that the old one should stand.

Thirdly, That the Bishops and Abbots would pay the Tenths of their Baronies and Lay-fees fully, according to the true and highest Value: to this they answered, That being impoverished by Depredations and Plunderings, and by following the King in his Expeditions, they had already spent all their Money, and were run so much behind-hand, that their Lands were forced to lie untilled.

Fourthly, They required, that all Clerks holding Baronies or Lay-Fees, should go armed in Person against the King's Enemies,

 or

or find ſo much Service as belong to their Lands or Tenements: But to this they anſwered, That they ought not to fight with the Material, but the Spiritual Sword (to wit) with Prayers and Tears; that by their Benefices or Fees, they were bound to maintain Peace, and not War; and that they held their Baronies in *Frank-Almoign*, (*i. e.* in pure Alms) and therefore owed no military Service but what was certain, and would not perform any that was new. *Anno Dom.* MCCLXVII.

Fifthly, They required on the behalf of the Pope, that with all ſpeed, the Expedition of the Croſs might be preached through the whole Kingdom: to this they anſwered, That a great part of the People had been killed in War already, and that if now they ſhould undertake the *Cruſade*, few or none would be left to defend the Nation.

Laſtly, It was urged, that the Prelates, whether they would or not, were obliged to comply with all theſe demands by the Oath they had taken at *Coventry*, to aſſiſt the King by all the honeſt means they could: but to this too they anſwered, That when they took that Oath, they only meant ſpiritual Help and wholeſom Counſel, and not Money nor Arms.

[2] What was done further in this Parliament I cannot tell, only that being ſummon'd for the repreſſing of the Rebels in the Iſle of *Ely*, it is certain, that ſo ſoon as it was diſſolved, the Lords and Tenants by *Military Service*, then marched with the King from *St. Edmundsbury* towards the ſaid Iſle; yet before the King left that Place, he prevail'd with the Pope's Legate (who had accompanied him thither) to ſend certain Biſhops to thoſe diſinherited Barons in the Iſle, admoniſhing them,

[2] *T. W.* The K. with his Army of Military Tenants marches to the Iſle of *Ely*, accompanied by the Pope's Legate, who ſends certain Bp's to the Rebels, to perſuade them to return to their Allegiance.

Firſt, to return to the Faith and Unity of the Catholick Church; but to this Meſſage they anſwered, that they firmly held the ſame Faith they had learned from the holy Biſhops, *viz. St. Robert* (that is, *Groſteſt* or *Grout-head*, late Biſhop of *Lincoln*) and *St. Edmund* and *St. Richard* (both Archbiſhops of *Canterbury*) and other Catholick Men; that they believed the Articles of Faith contained in the Creed; the Goſpels alſo and Sacraments, which the Univerſal Church held and believed, they did believe, and in that Faith they were reſolved to live and die.

Secondly, he admoniſhed them to return to the Obedience of the *Roman* Church: to this they anſwer'd, They did obey the *Roman* Church as the Head of all Chriſtianity, but not the Luſt, Covetouſneſs and Exactions of thoſe that ought otherwiſe to govern it.

Thirdly, He admoniſhed them to return to the King's Peace according to the late Award: to this they anſwered, Firſt, that the Legate was ſent into *England* to make Peace, but he rather kept up the War, becauſe he manifeſtly joined with the King's Party, and encouraged it, and in ſo doing, maintained the War. Secondly, they ſaid, the Award was void, for that the Pope commanded the King and Legate that none ſhould be diſinherited, and they had ſuch high Fines ſet upon them, that they amounted to a diſinheriting.

Fourthly, He admoniſhed them to receive Abſolution from the Sentence of *Excommunication* pronounced againſt them according to the Form of the Church: to this they anſwered, That their firſt

Anno Dom. MCCLXVII. Oath (which was to maintain the *Oxford* Proviſions) was for the Advantage of the Kingdom, and the whole Church, and all the Prelates of the Kingdom thundered out the Sentence of *Excommunication* againſt all thoſe that ſhould act contrary thereto; that they reſolved to ſtand to that Oath, and were ready to die for it, and exhorted the Legate to revoke his Sentence, otherwiſe they would appeal to the Apoſtolick See, or to a General Council, as the Supreme Judg.

Fifthly, He admoniſhed them not to commit any more Robberies, nor to damnify any one: to this they anſwered, That ſince they fought for the benefit of the Kingdom and Church, they ought to live upon the Goods of their Enemies, who detained their Lands.

Then from anſwering, they proceeded further, to deſire the Legate to admoniſh the King to remove Strangers from his Council; and they likewiſe requir'd of the Legate, that their Lands might be reſtored without any Fines or Ranſoms; that the *Oxford* Proviſions might be obſerved, that they might have Pledges or Hoſtages ſent them into the Iſle for their Security; and that they might peaceably enjoy it for five Years, until they ſaw how the King would keep his Promiſes. Then they proceeded to complain of the King's late turning the Biſhops of *Wincheſter*, *London* and *Chicheſter* (being prudent Perſons) out of his Council, as alſo of the Legate's taking to his own uſe the Goods and Revenues belonging to Biſhopricks: they alſo declared againſt his great Charges and Exactions from Monaſteries, whereby they were diſabled from giving Alms, and beſtowing Hoſpitality.

That the Churches or Livings of *England*, and the Eccleſiaſtical Revenues, were beſtowed upon Strangers who were her Enemies, ſo that they had none but mean Curates, and thoſe too hired for a very ſmall matter.

As for what concerned Eccleſiaſtical Matters, they were real Grievances, and ſuch as the Nation then groan'd under, yet had neither Power nor Courage enough to redreſs them. But as for thoſe relating to Civil matters, they were no other than what *Simon Montfort* and thoſe of his Party had before inſiſted on. [3] But the King and the Legate being highly exaſperated at theſe demands; the Treaty broke off, and the King prepared to beſiege the Iſland, which this * Author (tho erroneouſly) ſuppoſes not to have been undertaken till the Year following, whereas it was indeed beſieged and taken this very Year, as I ſhall ſhew farther by and by.

[3] *G. R.* The K. and Legate being diſpleaſed with the Rebels demands, the Treaty breaks off.

* *Id.* p. 1004.

And I ſuppoſe this miſtake led [4] Dr. *Brady* into a greater, when, contrary to the order of Time, he ſeparates this Treaty with thoſe in the Iſle of *Ely*, from the Parliament at St. *Edmundsbury*, and places it juſt after the Council at *Northampton*, without the Authority of any Author to juſtify his ſo doing; whereas if he had conſulted [5] *Wikes*'s Chronicle, he might there have found, that the Parliament at St. *Edmundsbury*, when this Treaty began, was held at *Candlemaſs* near four Months after the other at *Northampton*.

[4] Hiſt. *p.* 659.

[5] *P.* 78.

But I ſhall now from this Author laſt mentioned (being the moſt exact I can find) proceed to give you an Account of the reſt of the

the Tranſactions relating to theſe Rebels, as well as other matters. *Anno Dom.* MCCLXVII.

[1] The King, finding he could not prevail with the Rebels in the Iſle of *Ely*, removed from St. *Edmundsbury* to *Cambridg*, reſolving to block up all the Avenues which led to it, that ſo he might hinder the Rebels from going out, and plundering the Country as they had done before. [1] *R. W.* p. 78. The K. not being able to take the Iſle of *Ely*, retires to *Cambridg*.

Here the King paſſed all the *Lent*, keeping his Army with him to little or no purpoſe; and tho he had got together a great many Veſſels from *Ipſwich*, *Dunwich*, *Yarmouth* and *Lyn*, and had put a great many Souldiers on board them, yet ſo ſoon as they landed upon the Iſland, they received a Repulſe, and were forced to return.

[2] But whilſt the King thus waſted both his Time and his Money at *Cambridg* to little purpoſe, Prince *Edward* was better imploy'd; for the Lord *John Veſci* (one of the late diſinherited Barons) had then raiſed ſome Forces in the *North*, and therewith recovered his Caſtle of *Alnwick* and other Lands Adjacent, of which he had been lately diſſeized: whereupon Prince *Edward* marching down with a brave Army into thoſe Parts, he reduced that Lord to ſuch ſtreights, that he was forced to crave pardon for his Crime, and ſurrender himſelf and his Eſtate to the Prince's Mercy; who to ſhow himſelf generous, freely pardoned him, upon which the reſt of his Accomplices being likewiſe forced to yield, that Rebellion was ſoon quell'd. [2] *Id. ib. P. Edward* in the mean while ſubdues *John de Veſci* and other Rebels in the North.

[3] Whilſt the King ſtaid thus at *Cambridg* (as I have ſaid) to little purpoſe, the Earl of *Glouceſter*, and ſeveral other Barons of his Party attended with a great Army, went from the Marches of *Wales* to *London*, pretending it was for the King's Service; by which means the Citizens gave him entrance into the City, which he fortified as well as he could, and then ſent to the Legate forthwith to deliver up the *Tower*, and being refuſed, he forbad all People to ſend in any Proviſions to him: then the Rabble of the City and Counties adjacent, plundered all thoſe who they thought were not of their Faction. [3] *M. ib. M. W.* The E. of *Glouceſter* marches up and ſeizes the City of *London*.

But ſince the Annals of the City of *London* (already cited) do very much excuſe the Citizens for ſo eaſily admitting the Earl of *Glouceſter* with his Adherents into the City, and do alſo give us a more particular Account of theſe Tranſactions than any other Author, I ſhall here therefore add what they relate concerning this Affair, *viz.* That the Earl of *Glouceſter* pretending he only came up to aſſiſt the King againſt the Rebels in the Iſle of *Ely*, the Pope's Legate was ſo far deceived therewith, that when the Earl came to *Windſor*, the Mayor and Citizens attended the Legate (who was then left chief Governour in the King's Abſence) to know whither the Earl ſhould be admitted into the City or not; the Legate's Anſwer was, That they ſhould admit him by all means, for he verily believed he was the King's Friend: whereupon about a Week before *Eaſter*, the Citizens ſent ſome of their Body to meet the Earl upon the Road to *London*, and deſire him not to quarter his Army within the City, which he readily granted, only demanded leave to march his Army through it, and ſo he did, and took up his Quarters in *Southwark*; and the day following, when the Legate (who then lay in the A more full Account of theſe Tranſactions from the City Annals. The E. of *Glouceſter* is admitted into the City by the Legate's Order.

Anno Dom. MCCLXVII.

the *Tower*) would not go over the Bridg to meet the Earl, he thereupon came into the City with many Attendants, and met the Legate in *Trinity* Church, and there had a long Conference with him; but what the iſſue of it was our Author does not tell us, but it is very probable that the Earl required the Legate to deliver up the *Tower* into his Hands (as hath been already ſaid) which being refuſed, the War began between them, as you will ſee by and by.

[4] *Id. ib.* The Earl quarters his Army in the City. And *John Dayville*, with many of his Accomplices come up to *London.*

[4] After this the Earl pulled off the Vizard, and began to act more openly, and quartering his Army in the City, thereby made himſelf maſter of it; but his Intentions more plainly appear'd, when *John Dayville*, the chief Ring-leader of the Rebels in the Iſle of *Ely*, came up with a great many of his Party, and join'd with him: but the City fearing this plundering Crew, drew up their Draw-bridg againſt them, and ſhut their Gates; whereupon *Dayville* and his Company were fain to take up their Quarters in *Southwark*: but preſently after *Eaſter* the Earl took away the Keys of the City from the Mayor, and delivered them to thoſe in whom he could confide; by which means the Rebels in *Southwark* came in and out of it at their Pleaſure, which ſo alarm'd the better ſort of Citizens, that they left the Town for fear of the King's Diſpleaſure, and the Earl thereupon preſently ſeized their Eſtates.

Whereupon many of the beſt Citizens leave the City.

[5] *Id. ib.* * *Communiam.* The meaner ſort of People begin again to domineer, and plunder the chief Citizens.

[5] Then the meaner ſort of People began again to domineer, calling themſelves the * *Community* of the City, as they did in *Simon Montfort*'s time; ſo that many of the chief Citizens, who were looked upon to favour the King's Party, were impriſoned, and their Goods plundered; and the Mayor being now diſcharged from his Office, one *Richard de Culworth* was made chief Baily of it under the Earl of *Glouceſter*: then all thoſe who had been *outlaw'd* for breaking the King's Peace during the late War, and had fled for the ſame, return'd into the City without any controul, and thoſe that were Priſoners in *Newgate* for their late Rebellion, were ſet free; which when the Legate heard, and that thoſe whom he had formerly *excommunicated*, did now what they pleaſed, he put the City under a kind of *Interdict*, commanding that the Bells ſhould not be rung for Divine Service, and that it ſhould be read and not ſung, the Church-doors to be kept ſhut, leſt the *excommunicated* Rebels ſhould come in to hear it.

The Legate forbids ſinging of Service in the City Churches.

[1] *T. W. ib.* The fair Pretences of the E. of *Glocester* make a ſtrong Party for him.

[1] But to return to our firſt Author; notwithſtanding all the Legate could do, the Earl of *Glouceſter* had a ſtrong Party as well within the City, as without; for his pretences ſeem'd very popular, *viz.* That he only took up Arms for the good of the Commonwealth, and to make the King reſtore the diſinherited Barons in the Iſle of *Ely* to their Eſtates upon reaſonable Conditions; and further, to force Prince *Edward* better to obſerve the Oath which he had formerly took to him at *Hereford*: but as for the particular Articles of that Treaty, our Author for brevity ſake thinks it not fit to give them us.

[2] *Id. M.W.*

[2] Then the Earl fell cloſely to beſiege the Legate in the *Tower*, who, for want of better Defendants, was forced to call in the *Jews* for his Guard, the Earl's Men endeavouring all they could by Engines and other means to take it, whilſt the Defendants on the other hand did their utmoſt to repel them, and hold it out till the King's Arrival; who ſo ſoon as he had heard of the ſurprize of the City, preſently

preſently left *Cambridg*, and his unſucceſsful deſign of blocking up the Iſle of *Ely*, and marched up towards *London*. Then Prince *Edward* being now return'd victorious out of the *North* with a powerful Army, joined his Forces with the King his Father's; who then ſent to the Earl of *Glouceſter*, commanding him to leave the City, and if he refuſed it, he would come thither in Perſon, and force him and the diſinherited Barons of his Party, to quit what they had unjuſtly ſeized on. *Anno Dom* MCCLXVII.

The K. having join'd his Forces with his Son's, marches up to *London*, and commands the E. of *Glouceſter* to depart.

So the King and Prince about three Weeks after *Eaſter* marched as far as *Windſor*, where their Army daily encreaſed, inſomuch that he finding himſelf now ſtrong enough to march, drew nigh the City, and came by the favour of the Night and encamped very near its Walls; then drawing up his Forces next morning in ſight of the Citizens, he relieved the Legate, who got out of the *Tower* by a Poſtern on that ſide next the River, whom the King received very joyfully; and he preſently after marched with his Army to *Stratford*, a Town within three Miles of *London*, and there incamped without any Oppoſition: but both Parties being mindful of the former chances of War, deferr'd fighting as much as they could; tho *Matt. Weſtminſter* relates, that they challenged the King to a Battel upon *Hundeſlow-heath*; and how the next day the King went thither, but found no Enemy; which does not ſeem likely, that ſo great a Man as the Earl of *Glouceſter*, who had a great Army of his own, beſides moſt part of the ordinary Citizens at his beck, ſhould provoke the King to fight, and then not dare to march into the Field. But this is certain, that the Earl of *Glouceſter* continued in *London*, and the King remained with his Army at *Stratford* for above two Months this Summer.

And relieves the Legate from his Confinement in the *Tower*.

The K. incamps at *Stratford*; where both Armies lie in ſight of each other, without fighting.

[3] But nevertheleſs thoſe of the Earl's Party in *London*, marched down into *Kent* and *Surrey*, and plundering thoſe Counties, they brought great ſtore of Proviſions into the City, which was then almoſt blocked up on the *Eſſex* ſide: and not being contented with this, the miſchievous Rabble ſpoiled the King's Palace at *Weſtminſter*, breaking the very Windows and Doors, and falling upon all thoſe that they thought took the King's part; and they either kill'd, or drown'd in the *Thames*, without any Mercy, all Perſons whomſoever they ſuſpected. [3] *T.W.* p. 80.

The Earl's Party in *London* plunder *Kent* and *Surrey*, and ſpoil the K's Palace at *Weſtminſter*.

I muſt not here omit, that during theſe Combuſtions, [4] the King being in great want of Money, the Pope's Legate took out the Jewels and golden Images belonging to the Church of *Weſtminſter*, which he pawned to certain Merchants for a great ſum of Money to ſupply the King's preſent Neceſſities, which Jewels were again reſtored to the ſaid Church ſome time after the Concluſion of the Peace. But to return to matters more Material. [4] *M. W.*

The Legate pawns the Jewels, *&c.* belonging to the Church at *Weſtminſter*, to ſupply the K's Neceſſities.

At laſt, when the Earl of *Glouceſter* perceived that the King's Forces daily encreaſed, and that the Earls of *Boloigne* and St. *Paul* were come to his Aſſiſtance out of *France*, with two hundred Knights and their Retinue; and the *Gaſcoins* likewiſe, with many great Ships well mann'd and provided, were arrived in the *Thames*, and only expected the King's Orders: and likewiſe found that he could not take the *Tower* by Force, but his Army was like to be blockt up and ſtarved in the City, he then applied

The E. of *Glouceſter* being afraid of the King, deſires a Treaty of Peace.

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plied himſelf to *Richard* King of *Almain*, and the Ld *Philip Baſſet*; and they after many Meetings and Treaties, about the middle of *June*, made his Peace with the King, in which he and all his Favourers and Adherents, together with the *Londoners*, were included, and by the King's Charter he was pardon'd all Actions done from the beginning of *April*, when he firſt came from *Wales*, either within or without the City. But this Pardon was not to extend to thoſe that were diſinherited by the Decree of *Kenelworth*, and that were not in the King's Peace the day the Earl began to march: and that the King might be farther aſſured he never would make War againſt him any more, he gave his Oath and Charter, under the Penalty of ten thouſands Marks for Security. This Accord bears date at *Stratford* the day after, and is upon * Record in the *Tower*, as is alſo the Charter of Pardon, being both cited by [4] Dr. *Brady*.

Which is at laſt concluded, with the Terms on which it was made.

* *Rot. Pat.* 51. *H.* 3. *M.* 16. *N.* 49.

[4] Compleat Hiſt. *p.* 662.

To which it is further added in the City Annals, that by this Agreement the aforeſaid Penalty was to continue in force againſt the Earl, till the Pope's Judgment were known, and whatſoever he ſhould determine concerning this matter the Earl ſhould be bound to obſerve; ſo that this Judgment was given before *Candlemaſs* next enſuing.

The K. remits to the City of *London* all ill Will, by reaſon of the late Troubles.

There is alſo in theſe Annals another Charter of the King to the City of *London*, whereby he remitted to the Citizens all Rancor and ill Will, which he might bear againſt them by reaſon of the late Diſturbances: this Charter is in French, and bears date ſome days after the Charter of Pardon to the Earl of *Glouceſter*; by whoſe Interceſſion *John Dayville*, *Nicholas de Segrave*, and other Barons (who came lately out of the Iſle of *Ely*) were alſo pardoned and reſtored to their Eſtates, according to the Articles ordained by the Decree of *Kenelworth*.

Several Barons are alſo pardon'd at the E. of *Glouceſter's* Interceſſion.

And ſome time after there was a great Treaty or Colloquy of the Nobility at *Windſor*, where by the mediation of the King of the *Romans* and the Lord *Henry* his Son, a perfect Reconciliation was made between Prince *Edward* and the Earl of *Glouceſter*.

Theſe troubleſom Affairs being thus diſpatched, and the K. having diſcharged and ſent home all thoſe foreign Forces that came over to his Aſſiſtance, very well rewarded for their Pains; he then reaſſumed [5] the Siege of the Iſle of *Ely*, which had been for ſome time intermitted; and where ſince the departure of *John Dayville*, late Governor of *Kenelworth* Caſtle, *Henry de Haſtings* had made himſelf Commander in chief, tho contrary to the Oath he had given at the taking of that Place: for upon the drawing off of the King's Forces towards *London*, thoſe in the Iſle had renewed their wonted Depredations upon the adjacent Counties, [1] of whoſe ſad Condition Prince *Edward* having great Compaſſion, was reſolved to put a ſtop to their Violence as ſoon as poſſible; wherefore taking with him a ſtrong Army, he firſt marched down to the Abbey of *Ramſey*, and there by great Promiſes and Rewards, brought in the Inhabitants of the neighbouring Parts, who knew all the Channels, Fords, and ſecret Paſſages that led to the ſaid Iſle; theſe making Bridges of Reeds, or (as *William Riſhanger* relates) of Hurdles and Timber, the Prince and his Forces got into the Iſle with little or no Reſiſtance, which too was the eaſier compaſſed, becauſe the Summer being very dry, moſt of

[5] *M. W.*

[1] *T. W.*

The Prince is ſent down to beſiege the Iſle of *Ely*.

The manner how he carried on his Attaque.

*

of the boggy and marſhy Places were now become firm Ground: and to prevent any ſudden Aſſaults or Reſiſtance from the Beſieged, who he ſaw were drawn up to hinder his landing, he cauſed Proclamation to be made, that whoſoever of the Rebels offer'd to aſſault his Men, or any ways to hinder their Paſſage over, he would not fail to make them pay for it with the loſs of their Heads, if it ſhould pleaſe God to grant him ſucceſs; promiſing alſo pardon to all thoſe who would ſubmit to his Mercy: ſo granting them two days Truce to conſider of theſe Conditions, their courages were then ſo cool'd, that they quietly ſubmitted to the Prince's Pleaſure, and ſurrender'd the Iſle without any other Conditions than only their Lives and Liberties ſaved; into which Place the Prince with all his Forces marched in Triumph.

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The Rebels ſurrender the Iſle to the Prince.

This good Succeſs happened about St. *James-tide*, by which this long and dreadful Civil War that had for above five Years tormented this ſinful Nation, was now abſolutely extinguiſh'd; and the *Engliſh* Nobility leaving the troubleſom and dangerous trade of War, had now time again to follow their Country Employments and Recreations.

But before I diſmiſs this Subject, I cannot but take notice that the Continuator of *Matt. Paris*, by placing this reduction of the Iſle of *Ely* under the Year following, has led [2] Dr. *Brady* into the ſame Error, who has alſo placed this Action under the Year 1268. whereas it was indeed undertaken and finiſhed this very Summer 1267. not long after the Earl of *Glouceſter*'s making his Peace with the King, as all the Authors (except he and the Doctor) agree.

The miſtake of *Will. Riſhanger*, about the Time of taking this Iſle, has led Dr. *B.* into the ſame Error.

The Civil Wars being thus happily concluded, the King had now time to correct the inſolence of the *Welſh*, [3] who taking Advantage of the diſſenſions in *England*, had lately, under the Conduct of Prince *Llewellyn*, waſted the *Engliſh* Borders, notwithſtanding the League made with him about two Years ago: wherefore the King, as I ſay, to repreſs his Inſolence, came with a great Army as far as the Caſtle of *Montgomery*, with an intention to march into the Bowels of *Wales* it ſelf; but when *Llewellyn* heard of it, and was now deprived of his uſual Aſſiſtance, the rebellious Barons, his Heart beginning to fail him, he by the Legate's perſwaſion (who came along with the King for that purpoſe) deſired a Treaty of Peace, which was ſoon concluded upon theſe Conditions.

[2] Compleat Hiſt. *p.* 664.

[3] *R. W. M. W.* P. *Llewellyn* having invaded the *Engliſh* Borders, the K. marches againſt him with a great Army.

Upon which News the *Welſh* Prince deſires a Treaty of Peace.

Firſt, all Lands were to be reſtored on both ſides, and that the Laws or Cuſtoms of the Marches ſhould ſtill hold good; that King *Henry* ſhould grant unto Him and his Heirs, the Principality of *Wales*, and that they ſhould always be ſtiled Princes of *Wales*, and ſhould receive the Homage and Fealty of all the Barons of *Wales*, who were to hold their Lands of them *in Capite*, except the Homage of *Mereduc* the Son of *Rheeſe*, which the King retained to himſelf and his Heirs; and if ever the King ſhould grant it to the Prince of *Wales*, he ſhould pay for it five thouſand pound. The King likewiſe granted him the four *Cantreds* of *Borthwald*, to hold them as fully as ever the King and his Heirs had poſſeſſed them; for which Principality, Lands, *&c.* the ſame Prince and his Succeſſors were to ſwear Fealty and do Homage, and perform the accuſtomed Services due to the King and his Heirs, as they had been done by him and his Predeceſſors to the King and his Anceſtors;

Which is concluded upon certain Conditions to be performed on both ſides.

Anno Dom. MCCLXVII. and further, he was to give him twenty five thouſand Marks in Money. This Agreement bears date at *Shrewsbury* the 25*th* of *September* 1267. at which Place the King and Prince then met for their better Accommodation; and this agrees with the * Record in the *Tower*, cited by † Dr. *Brady* in his Hiſtory.

* *Cart.* 51. *H.* 3. *M.* 2.
† *P.* 663.

[4] As for Eccleſiaſtical Affairs, this Year affords little conſiderable; but that the Pope now exceeding even the plenitude of his Power, (as my Author words it) burdened the *Engliſh* Church by an unuſual kind of Contribution; granting to the King by his Bull, a tenth part of the Rents and Annual Revenues of all Archbiſhops, Biſhops, as alſo of all the Clergy, as well Regular as Secular, for three Years to come, ſome few Religious Orders only excepted; who, inſiſting upon their Privileges, and that they might not ſeem to contribute with the reſt, compounded, by paying down at once a great Sum of ready Money, very near the true value of their Revenues: and that the Laiety might have nothing to do with the levying of it, it likewiſe appears upon || Record, that the Biſhops aſſigned *Walter* the (Archbiſhop) Elect of *York*, *Stephen* of *Canterbury*, and *Rufin Clivel*, Archdeacons in that Church, to receive and pay it to the King; one third part at *Eaſter* following, another third part at *Midſummer*, and the laſt at *Michaelmaſs*, and ſo for every one of the three Years: and the King by aſſignment of the Legate, appointed Collectors of this Tenth in every Dioceſs, as appears by two [5] ſeveral Records to that purpoſe; and divers Deans and Chapters did likewiſe compound with the King for their Tenths, as did all the Clergy of the ſeveral Dioceſſes, as you may further ſee by other † Records alſo cited by Dr. *Brady*, tho he is a little miſtaken in placing the Pope's Grant of theſe Tenths under the following Year; when it appears not only from the Hiſtorians above cited, but alſo from the Record it ſelf by him cited, that it was granted this very Year, tho it is true, the Compoſitions laſt mentioned were not made till the next.

[4] *T. W.*

The Pope granted the King a Tenth of all Eccleſiaſtical Revenues, without the conſent of the Clergy.

|| *Chart.* 51. *H.* 3. *M.* 10. in Schedula.

[5] *Rot. Pat.* 52. *H.* 3. *M.* 32. intus, & *M.* 33.

† *Rot. Pat.* 52. *H.* 3. *M.* 9. & *M.* 2.

But before I diſmiſs this Subject, I muſt needs take notice of what *Thomas Wikes* alſo informs us, *viz.* that the Pope was ſo cunning that he would not grant the King this Tenth from the Clergy, until he had firſt agreed to pay all the Arrears of the Tribute or Acknowledgment which had been now unpaid for ſeveral Years, during the late Diſturbances; and that he then appointed Maſter *Simon* his Chamberlain to receive the ſame of thoſe that were to pay it.

Anno Dom. MCCLXVIII. Where the King kept his *Chriſtmaſs* this Year is ſomewhat uncertain, but *Matt. Weſtminſter* ſuppoſes it to be held at that place; yet the Annals of *Waverly* (I believe with greater certainty) ſuppoſe him, together with the Pope's Legate, to have celebrated that Feſtival at *Wincheſter*; from which time nothing happen'd conſiderable till *Midſummer*, when the King ſummoned a Parliament at *Northampton*, [1] and (as our Author words it) there aſſembled a great Multitude of the || *Engliſh* Knighthood; where by the ſolemn preaching of *Ottobon* the Pope's Legate, Prince *Edward* and Earl *Edmund* his Brother, the King's Sons, as alſo *Henry* eldeſt Son to the King of the *Romans*, with the Earls of *Glouceſter*, *Warren*, and *Pembroke*, and about a hundred and twenty other Knights, being

A great Parliament is aſſembled at *Northampton*.

[1] *T. W.*

|| *Anglicanæ Militiæ.* Where P. *Edward* and E. *Edmund*, with ſeveral other Noblemen undertake the *Cruſado*.

ing touched with the great loſſes in the *Holy Land*, they all received the Croſs at the hands of the Legate; and by the like ſuperſtitious Devotion a great multitude of Perſons of inferior Quality likewiſe undertook the *Cruſado*, in the Cities and Boroughs, by the preaching of the *Franciſcan* Friars. *Anno Dom.* MCCLXVIII. As do alſo a great Multitude of other Perſons.

[2] Then the Pope's Legate having diſpatched his Buſineſs in *England*, and filled his Bags with Money for his Maſter's Uſe, reſolved now to return to *Rome*; and ſo taking his leave of the King at *Northampton*, paſſed over into *France*, and from thence proſecuted his Journey homeward. About the ſame time alſo *Richard* King of the *Romans* having been by occaſion of the late Civil Wars, and his Captivity, long abſent out of *Germany*, paſſed over thither in the beginning of *Auguſt*, to ſettle his Affairs in thoſe parts; where all that my [3] Author informs me he did, was, that at a great Diet of the Princes and free Cities held at the City of *Wormes*, he cauſed a Law or Decree to paſs by their General Conſent, whereby all new impoſed Cuſtoms or Exactions upon Commodities, that paſſed up and down the River *Rhine*, ſhould be wholly taken off and aboliſhed, and only the antient and received Cuſtoms which were wont to be paid to the Kings of the *Romans*, to be kept up and preſerved; and that if any City ſhould refuſe to ſubmit to this Decree, all the reſt of the Eſtates of the Empire ſhould make War upon it, and waſte their Territories, and pull down their Forts upon the River: by which Action King *Richard*, as he ſatisfied the *Germans*, ſo he highly advanced his own Reputation. This, tho it properly belong'd to the next Year, I have added under this, that I might here lay together whatever this Prince perform'd during his reſidence in *Germany*.

[2] *Id.* p. 86. *A. W.* The Pope's Legate takes his leave of the King.

Richard K. of the *Romans* takes another Voyage into *Germany*.

[3] *Id.* p. 87. Where he calls a Diet, and takes off many new Impoſts or Cuſtoms.

[4] This Year alſo the King held a Colloquy at *Wincheſter*, about the 17*th* of *November*, and therein he made his Son Pr. *Edward* Lord High Steward of *England*; which I take notice of, becauſe I do not find this Parliament mentioned in any other Author; and it is the more remarkable, becauſe we find that within a Month after, (that is, eight days after *Martynmaſs*) the King [5] held a Parliament at *Marlebridge*, (now *Marlborough* in *Wiltſhire*) where the wiſe or diſcreet Men of the Kingdom, as well of the greater as the leſſer Order, being ſummon'd, many Laws were made [1] by their unanimous Advice and Conſent, for the amendment of the Kingdom, and the due Adminiſtration of Juſtice; of which body of Laws, called in our Law Books the Statutes of *Marlebridge*, I ſhall give you the chiefeſt Contents at the end of this King's Reign. And here I muſt alſo take notice, that Dr. *Brady* being deceived by *William Riſhanger*, (whoſe Authority he principally follows toward the end of his Hiſtory) places this Parliament under the next Year, whereas it appears by the * Title of this Statute, that it was made in the fifty ſecond Year of this King's Reign, being in this very Year 1268.

[4] *A. W.* The K. holds a Colloquy or Treaty at *Wincheſter*, and what was done there.

[5] *W. H.* p. 588. The K. holds a Parliament.

[1] *Id. ib.*

* Vid. *Raſtal's* or *Pulton's* Edition of Statutes.

There remains nothing more conſiderable to be remarked this Year, [2] but that the King being now reſolved to ſettle the Peace and Tranquillity of his Kingdom, cauſed it to be proclaimed in every County throughout *England*, that whoſoever ſhould invade or unjuſtly uſurp any one's Goods or Poſſeſſions, ſhould be liable to a

[2] *G. R.* p. 1005. The K's Proclamation againſt ſtealing.

Anno Dom. MCCLXVIII.

a Capital Puniſhment, which was ſoon after executed upon one at *Dunſtable*, for having driven away twelve Oxen of the Villaines of *Colney* (belonging to the Abbey of St. *Albans)* who perſued, took him, and brought him before the Bailiff of the Liberty of St. *Albans*, who read to him in *Engliſh* the King's Proclamation before the whole Multitude, and then by virtue of this Royal command, he ſentenced him to be beheaded. This I take notice of, tho of no great importance, becauſe Dr. *Brady* has mentioned it as if it were an inſtance of the King's Prerogative, to cauſe Men to be executed by his ſole Proclamation without any legal Trial; whereas it is certain, that Theft of live Cattel was puniſhable with Death before this Statute was made; and tho Offenders in that kind have now the benefit of the Clergy, yet that is only allowed by later Statutes: nor does it follow that the Bailiff or Steward (who was then Judg for the Abbey in criminal Cauſes) condemned this Man preſently to be hang'd by the King's ſole Power and Prerogative, without any Trial by Jury: tho this Circumſtance be not particularly mentioned by the Author, from whom the Doctor has taken this Relation.

[3] *T. W. Ottobon* the Legate holds a *Synod*, wherein ſeveral Eccleſiaſtical *Canons* or Conſtitutions were ordained.

[3] The Eccleſiaſtical Affairs of this Year fall out to be more conſiderable, than they have been for ſome Years before; for about the beginning of *April*, *Ottobon* the Pope's Legate, ſummoning both the ſuperior and inferior Clergy, held a General Synod or Council in the Church of St. *Paul*'s at *London*, of all the Archbiſhops, Biſhops, and other Prelates, with the inferior Clergy; where after he had confirm'd the Decrees or Conſtitutions that were made in the time of *Otto* his Predeceſſor, he then publiſhed certain new ones, which he cauſed to be read before all thoſe that were there preſent; and being thus publiſhed, he by his Legantine Authority commanded them to be obſerved through the whole Kingdom. Theſe Decrees or Conſtitutions being very long, and wholly relating to Eccleſiaſtical matters, I ſhall refer the Reader to *Lyndwood*'s Volume of *Eccleſiaſtical Conſtitutions* for them, where he may obſerve, that both theſe made in this Synod, as well as thoſe of *Otto* abovemention'd, do contain the greateſt part of our Eccleſiaſtical or Canon Law.

A Bull of the Pope's is read in this Synod, whereby he abſolved *Simon Montfort*, and all thoſe that were ſlain with him, from the Sentence of *Excommunication*.

I find alſo in the Annals of St. *Auguſtins* of *Canterbury*, that there was read in this Synod, a certain Brief or Bull of the Pope's, whereby he abſolved *Simon Montfort*, late Earl of *Leiceſter*, and all thoſe that were ſlain with him at the Battel of *Eveſham*, from the *Excommunication* which their Souls hitherto lay under; alledging, that the Court of *Rome* had been miſinform'd concerning the grounds of the Sentence given againſt them; which if it were ſo, (as I find it in no other Author) it plainly ſhews, that the Pope did not then take upon him to be infallible; but whither they were thereby diſcharg'd out of Purgatory, or only made it lawful for Men to pray for them, I will not take upon me, as a Caſuiſt, to determine.

[4] *P. 86.* The Seculars are ſain to grant a Twentieth part of all their Livings.

And according to [4] *Thomas Wikes*'s Chronicle, notwithſtanding the Tenths of all Eccleſiaſtical Revenues already granted by the Pope to the King, yet the Secular Clergy were likewiſe forced this Year to contribute (through the too great eaſineſs of the Biſhops) a Twentieth part of all their Eccleſiaſtical Livings; which Money by the King's conceſſion was to be diſtributed among the

diſinherited

diſinherited Noblemen and Gentlemen, whoſe Lands the King had indiſcreetly beſtowed upon others, from whom by this means the Perſons diſinherited might redeem them at a certain value; which being done, thoſe Gentlemen were to be pardon'd all former Offences. *Anno Dom.* MCCLXVIII.

And this ſame Author ſays [5] (but a little before this time) that tho the King had received by Fines or Ranſoms from the Citizens of *London* for their Crimes, above 20000 Marks, yet it ſignified nothing, for it all went away to pay the Queen's Debts, which ſhe had contracted whilſt ſhe was beyond Sea: and [1] he alſo tells us further, that tho the annual Income ariſing from the Tenths of the Clergy, exceeded the whole Revenues of the Crown; yet the King's Treaſure was thereby little or nothing encreaſed, which proceeded from his two great eaſineſs; ſo that this was alſo ſquander'd away after the uſual manner upon unworthy Favorites, and ſoon diſperſed like the morning Dew before the Sun. I have taken notice of this, that ſo the Reader may obſerve, *that if never ſo much be given by the Subject, yet if it be not iſſued out with frugality and good Management for the publick Good, it contributes little or nothing towards the end for which it was intended.*

[5] *P.* 74. The vaſt Sums the K. received are all ſquander'd away.

[1] *P.* 86.

I have no more to note concerning Eccleſiaſtical Affairs, [2] only that about the end of *November* Pope *Clement* the fourth departed this Life. He was of ſomewhat a better Character than his Predeceſſor for Piety and Acts of Mortification, yet I do not find he was leſs greedy of Money than thoſe that went before him: the beſt thing I meet with recorded of him, being this, that he would by no means be prevailed upon to grant Diſpenſations for Pluralities of Eccleſiaſtical Benefices: but after his Deceaſe the Cardinals not agreeing upon an Election, the Papal Throne continued vacant for above three Years.

[2] *Id. ib.* The Death of Pope *Clement* the 4th, with his Character.

But before I conclude this Year, it will not be amiſs to mention ſome foreign Affairs of great Moment, *viz.* that *Conradin* Duke of *Swevia*, Grandſon to *Frederick* the Emperour, being confederated with *Henry* Brother to the King of *Caſtile*, (who was at that time chief Senator of *Rome*, and General of her Forces) they marched with their Armies to the Kingdom of *Naples*, which *Conradin* claim'd as Heir to his Grandfather, that they might thereby deprive the new King *Charles* of *Anjou*, of that Crown; who preſently quitting the Siege of *Nocera*, went with his Army to meet them near the Lake of * *Celano*, where he gave them Battel, which was very Bloody; yet King *Charles* at laſt obtain'd the Victory, the Duke's Army being totally routed, and he himſelf and *Henry* abovementioned, were forced to ſave themſelves by flight: but they were both ſoon after taken in Diſguiſe, and delivered up to the Conqueror, who being the Year following about to undertake a Voyage to the *Holy-Land* (with his Brother the King of *France*) the better to ſecure this new acquired Kingdom in his Abſence, he cauſed Duke *Conradin* to be beheaded in the Market-place of *Naples*, and thereby confirm'd that old Obſervation, *That Princes ſeldom ſpare the Competitors of their Thrones, eſpecially if they know they have a better Title to them than themſelves:* but to return to the Hiſtory.

Vid. *Mezeray's* French Hiſtory, in the Reign of St. *Lewis*, under this Year.

* Anciently called *Lacus Fucinus.*

King

Anno Dom. MCCLXVIII. King *Charles* being now eſtabliſhed in his Kingdom, he alſo took upon him his former Dignity of Senator of *Rome*, and Vicar of the *Roman* Empire in *Thuſcany* and *Romania*,* over both which he appointed *Guido de Montfort*, younger Son of Earl *Simon* deceaſed, his Lieutenant: this *Simon* had about two Years ſince made his eſcape out of priſon in *England*, and having married the Daughter of an *Italian* Count called *Aldebrandino*, by his Advice he did great miſchiefs to the *Romans* and *Thuſcans*, and a few Years after treacherouſly murdered his Couſin *Henry*, Son to the King of the *Romans*, as you will find when we come to that Time.

* *M. W.*

Anno Dom. MCCLXIX. [3] The King kept his *Chriſtmaſs* at *Weſtminſter*, after which I find nothing conſiderable to have happened till fifteen days after *Eaſter*; and then [4] a great Multitude of the Noblemen of *England* were aſſembled at *London*, (by which expreſſion I ſuppoſe our Author means a Parliament) but the King ſeem'd only to trifle away the time with them, they [5] having no great matters then brought before them, ſaving (and that chiefly by the means of Pr. *Edward*, and the Lord *Henry* Son to the K. of the *Romans*) that it was ordain'd, that the *Jews* (who had till then intolerably oppreſt the *Chriſtians*, under pretence of certain yearly Fees, or quit-Rents, which they were obliged by their Bonds to pay them at certain ſtated times) ſhould be forbidden to receive ſuch Extortions for the future; and it was further order'd, that all ſuch Muniments or Writings which the *Jews* had from them, ſhould be delivered up to the *Chriſtians*.

[3] *M.W.G.R.*

[4] *T. W.* A Parliament or Colloquy at *London*.

[5] *M. W.*

The *Jews* forbid to hold Eſtates in Fee, to take exceſſive Uſury, or receive any Quit-Rents in Fee.

But what was the meaning of theſe annual Fees abovemention'd, will be beſt underſtood by this following Writ upon * Record, directed to the Mayor and Sheriffs of *London*, which (tho dated near two Years after) refers to this Law, and gives us the beſt Interpretation of the words of our Author: for in this Writ the Law is thus recited, "That whereas the King has provided, by the Advice of "the Prelates and Great Men who are of his Council, that no "*Jew* ſhould enjoy a Freehold in any Mannor, Lands, *&c.* and by "Charter, Gift, Obligation, or other ways, only that they might "keep the Houſes, wherein they then inhabited, in Cities, Boroughs "and Towns: then after other Clauſes, forbidding *Jews* to plead by the King's original Writs, any where but before his Juſtices appointed for them, it follows, that they ſhould only receive their principal of *Chriſtians*, according to their Bonds or Chirographs; and at laſt concludes with another Clauſe, whereby they are alſo forbid to receive any perpetual Rents, called Fees, out of the Eſtates, or by the hands of *Chriſtians*: wherefore the King hereby ſtraitly enjoins, that the Perſons to whom this Writ is directed, cauſe the ſaid Proviſion, Ordinance and Statute to be proclaimed throughout their Bailywick, *&c.* Given at *Weſtminſter* 25° die *Julii* A. R. 55°.

Rot. Pat. 55. H. 3. M. 10. Dorſ.

This Law concerning the *Jews*, more plainly recited in the King's Writ, to the Mayor of *London*.

[1] *T. W.* E. *Edmund* the K's Son, marries the Daughter of the E. of *Albemarle*.

[1] Before the Diſſolution of this Parliament, about the beginning of *April*, Earl *Edmund*, the King's ſecond Son, was married to *Avelina*, Daughter and Heir to *William* late Earl of *Albemarle* and *Holderneſs*; and ſhe was alſo to have been, after her Mother, (who was Daughter to the Earl of *Devonſhire*) Lady of the Iſle of *Wight*. The Wedding was kept at *Weſtminſter* with great Solemnity, the King

and

and Queen, with all the Nobility being preſent. But this Joy did not laſt long, [2] for the young Lady died before the Year was ended: and I muſt here obſerve, that *Matt. Weſtminſter* places this Marriage under the precedent Year, and *William Riſhanger* under the next; but they are both miſtaken, and *Thomas Wikes* is in the right, who places it in this Year, which is alſo confirm'd by a * Record in the *Tower*.

Anno Dom. MCCLXIX.

[2] *Sandford's* Gen. Hiſt. *l.* 2. *cap.* 7.

* *Rot. Pat.* 53. *H.* 3. *m.* 16.

Nothing elſe happened remarkable this Summer, till the [3] beginning of *Auguſt*, when *Richard* King of the *Romans* being return'd out of *Germany*, landed at *Dover*, bringing over along with him a beautiful young Lady named *Beatrix*, the Daughter of *Theodoric de Falkmorite*, a *German* Nobleman of great Reputation, whom he had married about *Midſummer*, more for her Beauty than Portion, which was but ſmall. But they were both received with great Joy, many of the Nobility of the Kingdom going out to meet them, and the King and Queen ſhewed them great Honour and Reſpect.

[3] *T. W. A. W. Rich.* K. of the *Romans* arrives in *England* with a young Wife.

[4] Some time after this *Lewis* King of *France* ſent over his Envoys on purpoſe to Pr. *Edward*, deſiring him that (with the King his Father's leave) he would come over into *France*, to treat with him concerning matters of great Moment; whereupon the Prince preſently made haſt to go over to that King, and as ſoon as they met, he told the Prince, that ſince he himſelf had vowed an Expedition for the recovery of the *Holy Land*, he deſired the Prince, as a young and valiant Warrier, and experienced Commander, to accompany him thither: to which requeſt the Prince replied, that his Majeſty might very well know that the King his Father's Revenues were extreamly waſted and reduced by reaſon of the late Civil Wars; and that as for his own particular Appenage, it was much too ſmall for ſo great an Undertaking; whereupon the King of *France* generouſly offer'd to lend Prince *Edward* the ſum of thirty thouſand Marks, which he accepting of, immediately mortgaged to the King of *France* the Revenues of *Bourdeaux*, for the true payment of the Money.

[4] *G. R.* K. of *France* ſends Envoys to P. *Edw.* deſiring his Preſence in *France*;

And his Company to the *Holy-Land*, but the Prince excuſes himſelf.

The *French* K. offers to lend P. *Edw.* 30000 Marks, which he accepts.

As ſoon as the Prince had finiſhed this Agreement with the *French* King, he return'd into *England* about the beginning of *September*, that he might prepare all things ready for his Voyage to the *Holy-Land*, and at his Return was received by the King his Father with great tenderneſs, who ſince he could not go that Pilgrimage himſelf, was highly pleaſed with his Son's undertaking it.

The Prince returns into *England*,

The Annals of *London* do here alſo further inform us, that the Prince now alſo brought over with him the King of *France*'s Charter, containing the Articles between them for the intended Expedition; which being ſet down at large in thoſe Annals, and are no where elſe to be found (as I know of) I ſhall give you the Heads of them from the *French* Original, which begins thus.

And brings over a Charter concerning the late Agreement between himſelf and K. *Lewis*.

Lewis by the Grace of God King of *France*, to all thoſe to whom theſe Preſents ſhall come, Greeting, *&c.* and then it recites, that whereas he and the Lord *Edward*, eldeſt Son to the King of *England*, were agreed to go on Pilgrimage beyond Sea, they have entered into theſe mutual Covenants.

The Heads of this Charter.

1. The

Anno Dom. MCCLXIX.

1. The King of *France* agrees to lend the ſaid Lord *Edward*, the ſum of ſeventy thouſand Pounds *Turnois*, of which two thouſand five hundred pounds were to be paid to *Gaſton* Viſcount *Byern*, for the Paſſage of the Lord *Edward* and his Forces through the Country of the ſaid Viſcount.

2. All the reſt of the ſaid Sum was to be laid out for Horſes, Victuals and Shipping, for the tranſport of the ſaid Lord *Edward* and his Forces, and was to be paid according to his Orders by King *Lewis*'s Officers, to ſuch Perſons to whom the ſaid Money ſhould become due.

3. The aforeſaid Sum of ſeventy thouſand pounds *Turnois* ſo lent, was to be paid in the ſpace of ſeven Years, at two half yearly payments to be made at *Paris*, during the ſaid Term, and was to be raiſed out of the Cuſtoms of the City of *Burdeaux*, by the Conſtable or Lieutenant thereof. The firſt payment of which Sum was to begin from the Year of our Lord 1273. and for the better aſſurance of this Obligation, the Lord *Edward* was to procure the King his Father's Letters of Confirmation.

4. But for default of ſuch payment, the King of *France* might ſeize all the Goods, both moveable and immoveable, belonging to the ſaid Lord *Edward*, within the Kingdom of *France*.

5. Alſo the Lord *Edward* further covenants with the ſaid King, that he will by the Feaſt of *Aſſumption* of the Bleſſed Virgin next enſuing, be ready at *Aigues mortes*, to ſail to the *Holy-Land*.

6. The Lord *Edward* further engages in good Faith, that he will come and paſs over ſooner if it be poſſible; and that in his Journey through *France*, he will do no damage neither by himſelf nor his People, in the Territories of the ſaid King, nor either of his Brothers within that Kingdom, either in his going, ſtaying, or returning from the ſaid Pilgrimage.

7. Laſtly, when the Lord *Edward* ſhall be engaged in this Expedition, he ſhall be obedient to King *Lewis* as one of the Barons of his Realm, and perform his Service to him as his Sovereign Lord.

All which Articles the ſaid Lord *Edward* hath ſworn upon the Holy Evangeliſts to do and obſerve in good Faith: and for the true performance of which, the ſaid Lord *Edward* was to deliver at *Paris* one of his Sons as a Hoſtage, to be redelivered upon the return of his Father from the ſaid Pilgrimage; but if he died before that time, the Child was to be delivered to his Mother, or to the King of *England* if ſhe were then dead: and for the true performance of this the King of *France* obliges himſelf and his Heirs. Then the Charter thus concludes.

In witneſs whereof the ſaid Lord *Edward* has delivered to the King of *France* his Letters Patents, ſealed with his Seal.

Then alſo follows this Memorandum,

And further, *Henry* eldeſt Son to the King of *Almaign*, *Gaſton* Viſcount of *Byern*, *Thomas de Clare*, Brother to the Earl of *Glouceſter*, and the Lord *Roger Leyburne*, have at the Requeſt of the Lord *Edward*, ſworn upon the Holy Evangeliſts, that they will do their endeavour, and will truly counſel and adviſe him to obſerve and keep all the aforeſaid Covenants; and in Teſtimony of which the ſaid King *Lewis* hath alſo cauſed his Seal to be put to this Charter, dated *Ann. Dom.* 1269.

[4] Not

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[5] Not long after Prince *Edward*'s return, the King was reſolved to tranſlate the Reliques of *Edward* the *Confeſſor* (for which he had a great Veneration) into a richer Shrine, and therefore ſummon'd to meet at *Weſtminſter* on the 13*th* of *October* all the Prelates and Great Men of *England*, as alſo the richeſt Men of all the Burroughs and Cities in the Kingdom, that they might render this Solemnity the more illuſtrious; who being all aſſembled, beſides a vaſt confluence of ordinary People, the King himſelf and his Brother King *Richard* began the Ceremony, by taking up the Coffin wherein the ſaid Bones or Reliques were laid, upon their Shoulders; to which alſo the Princes *Edward* and *Edmund*, with divers other Earls and Great Barons put their helping hands: and being ſo carried, it was placed in a Shrine of Gold, adorn'd with precious Stones, which was then ſet in a high and eminent place with all due Reverence, where I ſuppoſe they continued till the 27*th* year of *Henry* the *Eighth*, when the greater Monaſteries being diſſolved, all ſuch Shrines and Reliques were removed as ſuperſtitious.

[5] *T.W.* p. 88.

K. *Henry* ſummons the Nobility, *&c.* to be preſent at the Tranſlation of St. *Edward*'s Reliques into a richer Shrine.

[1] And our Author further adds, that all theſe things were perform'd in the Abbey Church of *Weſtminſter*, which the King had then newly rebuilt at his own expence, of ſuch a Structure as the like was not to be ſeen in Chriſtendom; and then alſo the Monks firſt conſecrated the Sacrament in it after this new building: when the Service was over, there was a great Feaſt in *Weſtminſter-Hall*, at which the King intended to have worn his Crown, but for ſome reaſons he alter'd his Reſolution. And it is here to be noted, that at this Feſtival the Archbiſhop of *York* (who in the Abſence of the Archbiſhop of *Canterbury* then beyond the Seas, perform'd all the ſacred Functions at this Solemnity) had his Croſs carried before him as Primate of *England*, which gave great Offence to moſt of the Biſhops, becauſe they had not ſeen the like before.

[1] *Id. ib.*

The Abbey of *Weſtminſter*, being newly rebuilt, is new Conſecrated.

But to return to matters of greater moment: As ſoon as this Solemnity was over, the Nobles of the Kingdom began to treat in Parliament concerning the weighty Affairs thereof, in which there was granted to the King, by the conſent of the major part of the great Men, a Twentieth part of the moveable Goods of all Perſons in the Kingdom.

A Parliament gives the King a 20*th* part of all moveables.

But the Annals of *London* are more expreſs in this matter, and ſay, that all the *Freemen* of the Kingdom of *England*, as well of the Towns, as of the Cities and Burroughs, gave the King a Twentieth part of all their moveable Goods, towards his expences in his intended Voyage to the *Holy-Land*; for it ſeems he had not yet declared that he would not go himſelf in Perſon.

A fuller Account of it from the Annals of *London*.

I cannot but here obſerve from our former [2] Author, that altho the Perſons aſſign'd by the King's Council for collecting this Tax of a Twentieth part, had been named for all the Counties of *England*, yet could not the Money be ſuddenly rais'd, ſo that the Aſſeſſment was delay'd till toward *Lent*, and the Collection of it till *Midſummer* following, which cauſed great murmuring and diſcontent among the People; becauſe altho a great deal of their Stock was now ſold off, or killed, and their Barns emptied, yet were they forced to pay the Tax, not only according to what they were then poſſeſſed of, but as their Stock was at *Michaelmaſs* before, by

[2] *T.W. ib.*

A great Abuſe in collecting the late Tax, which cauſes Diſcontent.

Anno Dom. MCCLXIX.

which means a much greater ſum of Money was raiſed than at firſt intended; but the beſt uſe made of it then, was, that a great part of it was reſerved to aſſiſt Prince *Edward* in his intended Expedition to the *Holy-Land*.

[3] *Id. ib.*

The E. of *Glouceſter* being diſcontented, refuſes to come to Parliament.

[3] About this time the Earl of *Glouceſter* following ill Advice, refus'd to appear, tho ſummon'd to the two laſt Parliaments, ſometimes pretending that he was afraid to be taken and put in Priſon, by the contrivance of Prince *Edward*, who it ſeems was very jealous of his Proceedings; ſometimes that he was afraid of the Incurſions of the *Welſh*, if he ſhould leave *Wales*, where he then reſided, and come up to *London* with his Attendants: but at laſt, after many Diſputes and angry Meſſages, leſt a Civil War might again break out, it was by the mediation of divers Prelates and Noblemen agreed between the aforeſaid Prince and Earl, that they would ſubmit all differences to the determination of *Richard* King of the *Romans*; which Agreement the King himſelf not only approved of, but both the Parties abovementioned engaged by their Charters and mutual Oaths to ſtand to it; but this Buſineſs did not take effect till the beginning of the next Year.

The Pr. and Earl agree to refer all their Differences to the K. of the *Romans*.

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When the King and Queen had kept their *Chriſtmaſs* (together with ſeveral of the Great Men of the Kingdom) at his Mannor of *Eltham*, he removed from thence to *London*, and on *Hock-monday*, that is, on the Monday after *Eaſter* (according to the [4] City Annals) all the Biſhops, Earls, Barons, Knights, and *Freeholders* of the whole Realm, aſſembled at *Weſtminſter* by the King's Writs of Summons, and there they treated of divers matters relating to the State of the Nation, but were chiefly taken up in reconciling the Differences between Prince *Edward* and the Earl of *Glouceſter*; for it ſeems, they were not ſatisfied in ſome Points of the Award or Sentence, that the King of the *Romans* was ready to make; and therefore the time for the perfecting of it was put off till eight days after *Midſummer*, and the Parliament was thereupon adjourned to that Time.

[4] Annal. de *London*.

A great Parliament at *London*, and what was done at it.

[5] *Id. ib.*

The Bps renew the Sentence of *Excommunication* againſt all Tranſgreſſors of the *Great Charters*.

[5] But in the mean while (*viz.* on the 13*th* of *May*) the Biſhops of *Wincheſter*, *Worceſter*, and *Hereford*, with divers others of their Order, came to St. *Paul*'s Church, and there cauſed the Bull of Pope *Honorius* the *Third* to be publickly read, whereby he confirm'd the *Charters* of *Liberties* and *Foreſts*, which had been granted by King *Henry* at the beginning of his Reign; and at the ſame time alſo the Biſhops ſolemnly pronounced the Sentence of *Excommunication* againſt all infringers of thoſe Charters, as had been formerly publiſhed in *Weſtminſter-Hall*, A. D. 1253. But to return to Temporal matters.

[1] *T. W. A. W.*

The Award of the K. of the *Romans* at laſt publiſhed, with the Heads of it.

[1] Then eight days after *Midſummer*, almoſt all the Great Men met again at *London*, to try how they could beſt accommodate the aforeſaid Differences between Prince *Edward* and the Earl of *Glouceſter*; and at laſt, after many Conferences and Conſultations had with the ſaid Noblemen, King *Richard* finiſhed his Sentence or Award between the Parties, which was then openly read, and was to this effect.

1. That if the Lord *Edward* went beyond Sea for the *Holy-Land* in *September* following, the Earl of *Glouceſter* ſhould alſo go over the next *March*, if he were not hindred by ſickneſs, or ſome other reaſonable Cauſe, ſuch as ſhould be allowed by the ſaid King of the *Romans*. *Anno Dom.* MCCLXX.

2. And if the ſaid Earl ſhould aſſiſt the Lord *Edward* with any Men in this Expedition, then the King of *England* was to allow him the ſum of eight thouſand Marks, and ſhould alſo find him an able Ship for his Tranſportation; but if he did not aſſiſt the Prince with any Forces, the Earl was then only to receive three thouſand Marks, which was to be expended upon this Voyage, and on nothing elſe.

3. That whither the Earl went over beyond Sea or not, he ſhould not move or make any War or Diſturbance in *England*.

4. And for the true Obſervation of the Premiſes, the ſaid Earl was to ſubmit himſelf to the Juriſdiction of the Archbiſhops and Biſhops of *England*, to be by them *excommunicated* if he any ways tranſgreſſed the ſaid Articles, and ſhould alſo ſubmit all his Lands to an *Interdict*.

5. And for the farther performance of all theſe things, they were bound under the Penalty of *twenty thouſand Marks*, to be in the diſpoſition of the King of the *Romans*, how it ſhould be laid out.

6. And laſtly, for the better ſecurity of the Earl's ſincere intentions, he was preſently to deliver up two of his Caſtles in the Marches of *Wales* (called *Tenbrig* and *Henly*) to ſuch Perſons as the King of the *Romans* ſhould appoint for the ſafe keeping of them, till ſuch time as it ſhould be certainly known, that the Earl was arrived in the *Mediterranean*.

Theſe (our Authors tell us) were the chief Heads of this Award drawn up in the *French* Tongue, which are very long and intricate; and which the King himſelf wiſely obſerving, that he might take away all occaſion of Diſpute, he, by the conſent of all Parties took upon him to explain and moderate the ſaid Sentence in divers particulars. This Declaration was publiſhed at *Reading* on the eighteenth of *July*, and was ſo much to the Satisfaction of the Earl of *Glouceſter*, that he willingly ſubmitted to it: and he with his Dependants again attended at the King's Parliaments and * *Treaties*, together with the other Noblemen of the Kingdom, who all rejoiced that this troubleſome Diſpute was ſo happily brought to an end. * *Tractatus.*

But to look a little back to the beginning of this Summer, when the Peace had like to have been interrupted by a fooliſh Quarrel that fell out between two Noblemen, which might have proved of dangerous Conſequence, if it had not been ſtopped in time; and it happened thus:

[2] There had been (it ſeems) a long Suit depending between *John* Earl of *Warren* and *Surrey*, and *Alan* Lord *Zouche*, concerning a certain Mannor; which coming to a Trial before the King's Juſtices in *Weſtminſter* Hall, there happened to paſs very reproachful and unſeemly Language between the Earl and the ſaid Baron, which at laſt came to blows, inſomuch, that the Earl and his Followers being privately armed, ſet upon the Lord *Zouche* and his eldeſt Son [2] *Id. ib.* A Relation of the Quarrel between the E. of *Surrey*, and the Ld *Zouche*. The E. wounds the Ld *Zouche* and his Son.

Anuo Dom. MCCLXX. Son in open Court, and wounded them both, but the Father mortally, as it was then fear'd.

[3] *Id. ib.* [3] But as ſoon as the Earl had done this raſh and wicked Action, he with his Attendants being too ſtrong to be apprehended, preſently took Boats, and paſſing over the Water, fled to his Caſtle of *Rygate* in *Surrey*, where he fortified himſelf, and ſtood upon his Guard. The King, and Prince *Edward* his Son, being highly provoked at this Inſolence, and reſolving not to let it paſs unpuniſhed, ſent to the Earl and ſummon'd him to appear at Court, and abide the Law of the Kingdom: but the Earl fearing the Impriſonment of himſelf and his Adherents, raſhly refus'd to ſubmit; whereupon Prince *Edward*, with ſome Forces, was ſent down to bring him to Obedience; but as ſoon as the Prince arrived before the Caſtle, the Earl conſidered better of the bad Conſequences of this matter, and being perſuaded by the Earl of *Glouceſter*, and the Lord *Henry*, Son to the King of the *Romans*, yeilded himſelf Priſoner, and was by the Prince brought up to the Court the laſt of *June*, where he underwent the Judgment of the Law, and was fined five thouſand Pounds to the King, and two thouſand to the Lord *Zouche* and his Son, for the Wounds and Injuries they had received.

Flies to his Caſtle of *Rygate*.

But being about to be beſieged, ſurrenders himſelf.

[4] *Id. ib.* [4] And it was alſo further enjoyn'd the ſaid Earl, that he with fifty of his Followers, who had been all concern'd in this Fray, ſhould walk from the *New Temple* to *Weſtminſter* Hall on Foot, and ſhould there take an Oath before the King's Juſtices, that they had not acted what they did out of any *Prepenſe Malice*, but only out of ſudden Heat and Paſſion; and ſo this threatning Tempeſt was happily blown over.

[5] *Id. ib.* [5] But I muſt here obſerve, that our Author farther relates (and that very truly) that the Lord *Zouche*, who was pretty well in Years, fell into a Fever by reaſon of his Wounds, and died thereof in a few days following, to the great Grief of all his Friends. [1] And Sir *William Dugdale*, in his Baronage of *England*, (from an antient Inquiſition ſtill upon Record, and found upon the Death of this Lord) hath proved, that he indeed deceaſed this Year; tho he is himſelf miſtaken, when following the Authority of *Matt. Weſtminſter*, he makes this Fray to have happened in the Year 1268, whereas it appears by *Wikes*'s Chronicle, and the Annals of *Waverly*, that it fell out this very Year, not long before Prince *Edward*'s Voyage to the *Holy-Land*, which has (I ſuppoſe) led ſome of our Modern Hiſtorians into the like Miſtake; and Mr. *Speed* places it in 1269, and falſly ſuppoſes the Lord *Zouche* to have been chief Juſtitiary of *England*. But to leave this Digreſſion; theſe things being thus concluded, Prince *Edward* was preparing himſelf for his Voyage to the *Holy-Land*, which he now reſolved to undertake with all the ſpeed he could.

[1] *Vol. I. p.* 689.

[2] *T. W.* [2] In order to which, I muſt here give you an Account of what had already paſſed this ſpring in *France*, where not long after *Eaſter* King *Lewis*, together with his two Sons, Prince *Philip* and *John*, and a great multitude of the *French* Nobility, had begun their Journey for the *Holy-Land*; but before he departed, Prince *Edward* paſſed

paſſed over into *France*, as well to take his leave of that King, as alſo to ſettle ſome Affairs that were ſtill to be concerted between them; and when he had diſpatched what he had to do, return'd immediately into *England* to ſubmit to the Award of his Uncle, the King of the *Romans*, and ſo this Affair reſted till the beginning of *July*, as you have already heard. *Anno Dom.* MCCLXX.

[3] About this time alſo Prince *Edward* reſolving to make himſelf Popular, and to take away all occaſion of Diſcontents at home, interceded with the King his Father to reſtore to the City of *London* their antient Privileges, and particularly the Power again to *elect* their own *Mayor* and *Sheriffs* in the ſame manner as they had done before the late Civil Wars; in conſideration whereof, the Farm which the City ſhould for the future pay the King, was the ſum of four hundred Pounds *per Annum*, out of the Fines and Iſſues of the City, whereas before they paid but three hundred Pounds *per Annum* for the ſame; and then the ſame Week the Citizens choſe *John Adrien* for their *Mayor*, and *Philip Taylor*, and *Walter Potter* for their *Sheriffs*, who on the eighteenth of *July* following, were preſented to the King, and ſworn before him. I mention this, becauſe that ſince their laſt Pardon they had not yet choſen thoſe Officers, but they had been ſolely nominated by the King, out of ſuch Citizens as he could beſt confide in. [3] Annal. *London.*

The King in a Parliament at *Wincheſter* delivers up the Croſs to the Prince, and gives him what remain'd of the late Tax.

And the ſame Annals further relate, that in a Parliament or Council held this Year at *Wincheſter* (not long before the Prince's departure for the *Holy-Land*) the King, with the Aſſent and in the preſence of the Biſhops and Great Men of *England*, with great ſolemnity took off the Croſs (which till then he wore) and deliver'd it to his Son Prince *Edward*, in token he was to undertake the *Cruſado* in his Father's ſtead. Which is alſo confirmed by the King's Writ or Declaration (ſtill upon * Record) wherein he ſets forth, that whereas it was not thought ſafe or expedient by the Prelates, Great Men, and * *Community* of the Kingdom, for himſelf and his Son to be both abſent from *England* at once; therefore to perform this Vow, he ſubſtitutes the Lord *Edward* his Son to undertake that Expedition, and thereby alſo beſtows upon him all that remain'd to be gather'd of the late Tax of the Twentieth part: This was dated at *Wincheſter Aug.* 4. *A. R.* 54. and it was to help to defray the charge of this Expedition. *Rot. Pat.* 54. *H.* 3. *M.* 7. Int.

But to give you ſome Account of the Prince's Actions before his Departure.

The Prince being ready to ſail, ſtops his Voyage on the death of *Boniface* ABp of *Canterbury*.

[4] It was now about the tenth of *Auguſt*, when he went from this Parliament at *Wincheſter*, down to *Portſmouth*, in order to begin his Voyage; but when the Forces he carried with him were ready to go on Board, and the Fleet only wanted his Order to ſail, he received the News that *Boniface*, Archbiſhop of *Canterbury*, was lately deceaſed in his own Country of *Savoy*, being a Perſon not fam'd for Learning, or any other extraordinary Quality, except his Charity to the Poor, and Nobility of Birth. [4] *T. W.* p. 92.

The Prince hereupon having a great deſire to make one *Robert Burnel* his Chaplain (and a great Favourite of his) Archbiſhop, immediately left the Fleet, and rode away to *Canterbury*, to ſee if he could prevail with the Monks to *elect* him; but they having newly

before

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before received from the King their *Congè d' elire*, had already *Elected* their Prior Archbiſhop, with an unanimous Conſent; whereupon the Prince finding himſelf fruſtrated in his Deſign, return'd back again to *Portſmouth*, and going on Board, paſſed over into his own Dominion of *Gaſcoigny*; for the Princeſs his Wife was gone over thither before him, in order to accompany him in this long and hazardous Expedition; having left their two Sons, *John* and *Henry*, to the care of King *Richard* their Uncle: for the King of *France* was ſo generous as to truſt to Prince *Edward*'s Honour, without taking either of his Sons as a Hoſtage, for the performance of the Conditions.

And goes to *Canterbury* to get the Monks to elect his Chaplain ABp who had choſe another before.

The Prince and Princeſs paſs through *France* to *Aigues Mortes*, but find K. *Lewis* gone from thence before.

The Prince and Princeſs being ſafely arrived, quickly left *Gaſcoigny*, and took their Journey through *France* and the Borders of *Spain*, as far as *Aigues Mortes*, where he intended to take Shipping for the *Holy-Land*; but when he came thither, he found the King of *France* had ſome three Months before ſail'd for *Tunis*, his Brother *Charles* King of *Sicily* promiſing ſpeedily to follow him, who was the chief cauſe of King *Lewis*'s making this unfortunate Voyage into *Africa*, and thereby diverting him from his principal Deſign, which was for the *Holy-Land*.

[5] *Id.* p. 93.

The K. of *France* goes over to *Tunis*, and on what Occaſion.

[5] But to give you the true ground and motive of this Expedition, it was, that the King of *Tunis* having for ſome time been Tributary to *Frederick* the late Emperor, as King of *Sicily*, therefore the preſent King *Charles* (tho of another Family) expected the ſame Tribute to be paid to him, as was before to the Emperor, which the King of *Tunis* refuſing, *Charles* was reſolved to make uſe of this lucky Opportunity of the *French* Fleet and Army to force him to it: ſo King *Lewis* and his Noblemen landing near the City of *Tunis*, they began vigorouſly to beſiege it; but when the *Mooriſh* King ſaw the danger he was in, he thought it his beſt way to offer the payment of the whole arrears of this Tribute; and this being accepted of by the two brother-Kings, they made a Truce with him for thirty Years, upon which he made them, and the great Lords their Attendants, divers rich and noble Preſents. This account of our Author, as alſo of *Vignier* in his Hiſtorical *Bibliotheque*, ſeems more probable than that of moſt of the *French* Hiſtorians, who relate, that their King with his Brother *Charles*, ſail'd to *Tunis* with this Army, as well becauſe it was of great Conſequence to their main Deſign to be maſter of thoſe Coaſts from whence the Sultan of *Egypt* received great Aſſiſtances, both in Men and Money, as alſo becauſe the King of *Tunis* had given great hopes of his turning *Chriſtian*, in caſe they would help him to force his Subjects to ſubmit to it. But certainly the *Mooriſh* King pretended this latter only to amuſe them; for I cannot ſee that the taking of this City could have been any Advantage to the Conqueſt of the *Holy-Land*, which lay ſo far remote from it; or if the King of *Tunis* had deſired their Company, why ſhould he refuſe them admittance when they came thither, as he certainly did? and therefore I rather adhere to *Vignier*, and to our Author, who agree in the Account of the reaſons of this Expedition as above related. But to return to our Hiſtory.

The King thereof proffers to pay them Tribute, which is accepted.

[1] Prince

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[1] Prince *Edward* having left the greateſt part of his Forces behind, to follow him with his Fleet, paſſed over the *Mediterranean* from *Aigues Mortes* to *Tunis*, where he arrived preſently after the concluſion of the Truce abovementioned; but being not at all pleaſed with this Undertaking, nor finding the King of *France* at that time ready, nor indeed (as he thought) deſign'd to ſail for the *Holy-Land*, he took his leave of him and repaſſed thoſe Seas, reſolving to winter at *Trepani* in *Sicily*: but the Prince had not been long gone, when the *Chriſtian* Army that lay encamped at *Tunis* were taken with malignant Fevers, and bloody Fluxes, thro the extreme heat of the Country, as alſo for want of Water and freſh Proviſions; ſo that beſides common Soldiers, a great many of the higheſt Rank died there; with both which Diſtempers King *Lewis* himſelf being alſo ſeized, deceaſed on the five and twentieth of *Auguſt* in the fifty fifth Year of his Age, and forty fourth of his Reign, with all the marks of Devotion and entire Reſignation of himſelf to God; being a Prince of that ſignal and extraordinary Piety and Charity, that he was ſome Years after canonized for a Saint. His Son *Philip* the *Third*, ſirnamed the *Hardy*, a young Prince of great Courage, and who attended his Father in this Expedition, ſucceeded him in the Throne, and preſently return'd home, carrying back his Father's Body to be buried at *St. Dennis*.

[1] *Id. ib.* P. *Edward* paſſes the *Mediterranean* to *Tunis*, where he finds the *French* K. not ready to ſail to the *Holy-Land*.

The Prince repaſſed that Sea, to winter in *Sicily*.

The Chriſtian Army before *Tunis* taken with Fevers and Fluxes, which carry off a great many, and at laſt K. *Lewis* himſelf.

His Character.

[2] But whilſt Prince *Edward* paſſed the Winter in *Sicily*, he conſulted with his Couſin the Lord *Henry*, and the other Great Men that accompanied him, how he might beſt ſecure the Peace of *Gaſcoigny* during his Abſence, who all adviſed him to ſend back *Henry* into that Province, to command and defend it for him; whereupon in compliance with the Prince's Deſires, he paſſed over into *Italy* in order to get into *Gaſcoigny*, and coming as far as the City of *Viterbo* in *Italy*, he there met the new King of *France*, and his Uncle the King of *Sicily*, in their return home; where ſtaying with them ſome time to promote the *Election* of a new Pope (which the Cardinals there Aſſembled were then very buſy about) as this Prince was one Morning betimes hearing Maſs at the Church of St. *Laurence*, his two Couſin Germans *Simon* and *Guido de Montfort* (who were then baniſh'd *England*) entring the Church with divers armed Attendants, taking this Advantage, broke in, and falling upon him murdered him before the High-Altar, in revenge (as they pretended) for the deaths of their Father and Brother, who had been ſlain at the Battel of *Eveſham*: an Action both cowardly and cruel; for neither this Prince nor his Father the King of the *Romans* were ſo much as preſent at that Battel, being then both Priſoners, nor (if they had) could they have been guilty of their deaths, unleſs they had killed them with their own Hands. [3] The Body of the murdered Prince was the next Year after brought over into *England*, and buried at the Monaſtery of *Hayles* in *Glouceſterſhire*, which his Father King *Richard* had ſome Years before founded for the Monks of the *Cyſtercian* Order.

[2] *Id.* p. 94.

The Prince ſends the Ld *Henry* his Couſin to command in *Gaſcoigny*.

Who is baſely murder'd at *Viterbo* by his Couſins *Simon* and *Guido de Montfort*.

[3] *Id.* p. 95.

P. *Henry*'s Body carried over into *England*, and buried at *Hayles*.

But to return to Prince *Edward*: he ſpent all the reſt of this Winter in *Sicily*, exerciſing his Men, and preparing his Fleet in order to ſail for the *Holy-Land* the Spring following; on which Expedition he was ſo reſolutely bent, that upon the caſting away great part

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part of the [4] Fleet belonging to the King of *France* and *Sicily* by a violent Storm, as it lay at Anchor in a Haven of that Iſle, and thoſe about the Prince endeavour'd to diſcourage him by this ill Succeſs, from undertaking his intended Voyage, he ſmote his Breaſt, and ſwore, *by the Blood of God, that tho they all deſerted him, yet himſelf would go to* Acon, *if he were not attended with any more than* Fowen *his Groom.*

[4] *W. R.* Great part of the *French* Fleet caſt away; P. *Edward's* generous Reply thereupon.

But before I conclude this Year, I ſhall give you an Account of ſome Affairs of leſs moment, which ſince they could not be inſerted in due order of Time, becauſe it was not expreſs'd in my Author, are therefore reſerved for this Place: the moſt remarkable of which is, [5] that a War was now like to break out between *England* and *Flanders*, by reaſon that the Counteſs of that Province had ſeized the Goods of all the *Engliſh* Merchants, as alſo of all others the King's Subjects of *Ireland*, *Wales*, and *Gaſcoigny*, trading in that Country, to the value of forty thouſand Marks, in ſatisfaction of certain annual Penſions and Payments, which ſhe alledged were due to her from the King of *England*, and he in requital did the ſame by her Merchants, who were alſo all ſeized, and put in Priſon, and all Commerce and Trade of *Wools* and other Commodities, were forbidden with thoſe of *Flanders*; and becauſe the Merchants of other Nations, that had ſtill Liberty to carry out *Wool*, were found to ſell it in *Flanders*, therefore all Exportation of *Wool* was forbid by the King's Writ, or Proclamation, not only into *Flanders*, but any other Parts beyond the Sea, until the Feaſt of St. *John Baptiſt* next enſuing. I mention this, to ſhew that our Kings could antiently, by their bare Proclamation, hinder the Exportation of what Commodities they thought fit.

[5] *Annal. Lond.* A War like to break out between *England* and *Flanders*, and on what Occaſion.

Anno Dom. MCCLXXI.

This Year the King kept his *Chriſtmaſs* with his Queen, and many of the Nobility at *Weſtminſter*, but in the end of *February* following [1] he was ſeized with ſo great a fit of Sickneſs, that deſpairing of his Recovery, he cauſed himſelf to be prayed for in moſt Churches; and the Monks of *Weſtminſter* went barefooted in a Grand Proceſſion from their own Church, to that of the *Knight's-Templars* in *Fleetſtreet*, and there ſung a ſolemn Maſs for his Recovery, which ſoon after followed; but whither for that reaſon I will not determine.

[1] *M. W.* The King falls deſperately ſick, but recovers.

But I ſhall here give you the Contents of two Records in the *Tower*, ſince they ſerve to let us know ſome things relating to the Hiſtory of this Time, which are not to be found elſewhere. The * firſt is a *Latin* Letter of the King's to Prince *Edward*, written preſently after his Recovery, commanding his Son's return into *England* with all convenient ſpeed, for divers Reaſons therein mention'd; it is dated the ſixth day of *February*, this Year. The other is *French*, in nature of † a Deed or Obligation; wherein it is firſt recited, that the King having in his late Sickneſs vowed, that if he recovered he would go in Perſon to the *Holy-Land*, had now taken up a great ſum of Money, of his Brother K. *Richard*; and therefore for the ſecurity of the ſaid Money, he hereby engaged all the Revenues of his Kingdom (except ſome few particulars there expreſſed) till the ſaid Money be paid, but how much it was is not ſaid; nor do I believe it was ever received at all, K. *Henry* dying this Year, as you will find anon.

* *Cl.* 55. *H.* 3. *M.* 8.

† *Pat.* 55. *H.* 3. *M.* 16. intus.

*

anon. *Note*, This laſt Record bears date the ſixth of *April*, after the former, and are both printed in *Pryn*'s * ſecond Volume of *Papal Uſurpations*. But it is time to ſay ſomewhat of Prince *Edward*, whom we left in *Sicily*. *Anno Dom.* MCCLXXI. * *Page* 1056, 1057.

[2] This Year early in the Spring, that Prince putting his ſmall Army on board, ſet ſail from *Trepani* for the *Holy-Land*, and taking *Cyprus* in his way, was kindly received by the King and great Men of that Iſland; and having there refreſhed himſelf a while, he again ſet ſail for the City of *Acon*, where he came very ſeaſonably, it being then like to be taken by the *Sultan* of *Babylon*, had not this Prince's arrival with freſh Forces prevented him: but when he had ſtayed there about a Month to refreſh himſelf, as well as his wearied Souldiers, he then marching out at the head of ſeven thouſand *Chriſtians*, took the City of *Nazareth*; but when in their return to *Acon* the Enemies perſued them, watching for ſome Advantage, they ſuddenly turned, and making head, vigorouſly repulſed them, killing many of the *Saracens*. Then about *Midſummer*, Prince *Edward* having heard that they had got together in great numbers at a place called *Cakcow*, being about fifteen Miles diſtant from *Acon*, he marching out one morning early before break of day, ſurprized the *Saracens*, and killing about a thouſand of them, put the reſt to flight, taking great ſtore of rich Booty from them; and then going as far as the Caſtle of *Pilgrims* near the Sea, they lodged there that Night, and return'd to *Acon* next day: the Prince alſo with the *Chriſtians* then in the Town, made not long after a third Expedition, as far as a place called St. *George*'s, where they kill'd ſome *Saracens*, and finding none able to reſiſt them, they return'd home in ſafety. [2] *W. H.* p. 590. An Account of Pr. *Edward*'s Actions after he arrived at the *Holy-Land*.

[3] Things had hitherto proceeded proſperouſly, for Prince *Edward* had now gain'd ſo great a Reputation, that the chief Commanders of the *Saracens* began to be in great fear of his Succeſs, and therefore they reſolved, if they could, to diſpatch him; for which end the Admiral or Governor of *Joppa* ſent privately to Prince *Edward*, as if he would become a *Chriſtian*, but the Meſſenger that brought the Letters (tho it was unknown to the Prince) was one of thoſe Aſſaſſins who were bred up on purpoſe that they ſhould diſpatch whatſoever *Chriſtian* Prince, or great Man, was judged to be an inveterate Enemy to their Superſtition, upon a belief that they merited Paradiſe for ſo doing; ſo this Fellow going two or three times with Letters and Meſſages from his Maſter to Prince *Edward*, his Servants began to have the leſs Suſpicion of him: however before they admitted him, they ſearched his Girdle, and other places for Weapons, as the Cuſtom then was; but it ſeems it was not done ſo throughly as it ought; for one time having delivered his Letters to the Prince, who was then bareheaded, ſitting near a Window, with only a looſe Coat about him becauſe it was very hot, he ſeemed well ſatisfied in the Account this Meſſenger gave him, that the Admiral his Maſter intended to be with him in a few days, in order to fulfil his Promiſe: but when the Prince called this Fellow again to him, to ask him ſome further queſtion, he, bowing towards the Prince, as if it had been in way of Reſpect, pulled out a poiſon'd Dagger on the ſudden from under his Girdle, and was juſt going [3] *Id.* p. 591. The *Saracen* Princes afraid of his Succeſs.

Anno Dom. MCCLXXI.

The Prince is wounded by an Aſſaſſin, whom he kills on the ſpot.

going to ſtab the Prince into the Belly; but he ſeeing the blow coming, warded it off with his Arm, and there received a dangerous Wound; yet as the Villain was about to redouble the ſtroke, the Prince had no other way to ſave himſelf, but by lifting up his Foot, and ſtriking him ſuch a blow on the Breaſt, that he beat him down backward; [4] then the Prince leaping up, ran in to him, and wreſted the Dagger out of his Hand with that Violence, that he gave himſelf a ſlight hurt in the Forehead, but however he quickly diſpatched him: whereupon his Servants (who it ſeems were not then preſent) came running in, and one of them (his Muſician) being in a great Rage and Fright, took up a Stool and ſtruck the dead Man's head with that force, that he beat out his Brains, for which the Prince ſeverely reproved him, as he had good reaſon.

[4] *W. p.* 97.

[5] *Id. ib.*

The Prince is in great danger from the Wound.

[5] So ſoon as this ſad News was diſperſed into the Palace and Town, all Places were filled with Outcries and Lamentations; but notwithſtanding all the Remedies the Chirurgeons could apply, the Wound within a few days began to gangreen, inſomuch that all People deſpair'd of his Life, except one *Engliſh* Chirurgeon who would undertake to cure him, provided he might be left entirely to his Management, and that the Princeſs his Lady (who was then in the Room) might be removed, and not permitted to come to him till he was paſt Danger; which being done (tho not without great Grief and Reluctancy on her part) the Chirurgeon preſently began to cut off the gangreen'd Fleſh to the quick, which put the Prince to great Torment, but then by the application of proper Remedies, the wound was ſo well heal'd in fifteen days time, that he was able to mount on Horſeback. Thus was this magnanimous Prince by his own Courage, aſſiſted through God's particular Providence, twice delivered when he was in the utmoſt danger of his Life.

But is recover'd by the skill of an *Engliſh* Chirurgeon.

The Story of the Princeſs *Eleanor*, her ſucking the Venom out of her Husband's Wound, a meer *Romance*.

* In *Middleſex*.

But I cannot leave this Subject without taking notice, that the vulgar Story of the Princeſs *Eleanor* her ſucking the Venom out of her Husband's Wound, and to which he owed his Recovery, is a meer Romance; this action of hers not being mention'd by any antient Author of, or near that time: the firſt in whom I can find it, being Mr. *Camden* in his * *Britannia*, from whom it is alſo tranſcribed by Mr. *Speed* in his Chronicle, and both of them cite *Rodericus Toletanus*, or *Roderick* Archbiſhop of *Toledo* for it: but tho I have diligently ſearched that Author's Hiſtory of *Spain*, yet I cannot find it any where there, nor I believe any body elſe; for at the end of his Work he tells the Reader, that he finiſh'd it *Ann. Dom.* 1243. *Æra Hiſpan.* 1281. which was above ten Years before Prince *Edward* married the Princeſs *Eleanor* of *Caſtile*, and near twenty Years before this accident of the Aſſaſſin's wounding that Prince. But to return to our Hiſtory.

[1] *Id. ib.*

The *Sultan* of *Babylon* congratulates the Prince's Recovery, and proteſts his Innocency of the late Attempt upon his Perſon.

[1] When the *Sultan* of *Babylon* heard what had happened to Prince *Edward*, he could ſcarce believe he had been alive; but ſo ſoon as he was aſſured of it, he ſent Ambaſſadors to him, to congratulate his Recovery, and they ſolemnly proteſted in their Maſter's Name, that this Wickedneſs had never been done by his procurement or privity; with which the Prince ſeeming ſatisfied, he honourably diſmiſſed them. But what he did further, our Authors do

* not

not tell us, only it is certain, that he ſtaid in *Paleſtine* till the Summer following, and that during his abode there, [2] the Princeſs *Eleanor* was brought to bed of a Daughter, who from the Place of her Birth, was named *Joan de Acres*, or *Acon* (as we call it in *Engliſh*) and was afterwards married to *Gilbert* Earl of *Glouceſter*.

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[2] *W. R.* p. 1006.

The Princeſs *Eleanor* is brought to Bed of a Daughter.

But it is now time to look back into *England*.

And here I can find nothing conſiderable happened after Prince *Edward*'s departure, [3] except the death of *John* his eldeſt Son, a Child of great Beauty, and Wit, for his Age: he died about the beginning of *Auguſt*, and was buried in the *Abbey* Church of *Weſtminſter*, where his Tomb is ſtill to be ſeen.

[3] *T. W.* p. 96.

John eldeſt Son to P. *Edward*, dies.

As for Eccleſiaſtical Affairs, I can meet with nothing remarkable to have happened this Year, but that [4] the Cardinals after many delays, not being able to agree upon any one of their own Body, whom they could think fit to make Pope, at laſt agreed to chooſe *Theobald* Arch-deacon of *Liege*, who was then with Prince *Edward* to perform his Pilgrimage in the *Holy-Land*. So ſoon as this Prelate heard of his Advancement, he took his leave of the Prince, and went ſtraight for *Italy*, to receive his Conſecration, by the name of Pope *Gregory* the *Xth*.

[4] *Id. ib.*

Theobald Arch-deacon of *Liege*, choſen Pope, tho then in the *Holy-Land*.

Anno Dom. MCCLXXII.

Where King *Henry* kept his *Chriſtmaſs* this Year is uncertain; the Continuator of *Matt. Paris* makes it to have been at *Weſtminſter*, but I believe he is as much miſtaken in this, as in the Year it ſelf, which he falſly makes to be 1273. and the Annals of *Waverley* (whoſe Authority I prefer) ſay expreſly, that the King kept his *Chriſtmaſs* in the Caſtle of *Wincheſter*, and ſtayed there till after *Twelfe-tide*, by reaſon of ſome Indiſpoſition he then laboured under; but that preſently after the Holy-days he quitted that Place, and return'd to *Weſtminſter*, becauſe the Juſtices Itinerant (to wit) Maſter *Roger de Seiton* and his Aſſociates, were to ſit at *Wincheſter*; for the King being aged and infirm, had no mind to ſtay there during ſo great a concourſe as muſt needs come to ſuch a vaſt Aſſembly.

The King leaves *Wincheſter*, and comes to *London*.

I can find nothing worth relating to have happened in *England*, during this Spring and the following Summer, except [5] the death of *Richard* King of the *Romans*, who had been ſometime before *Chriſtmaſs* ſeized with the Dead-palſy, ſo that he had neither the uſe of his Tongue, nor other Members; and having languiſhed all Winter, he departed this Life at his Caſtle of *Berkhamſted* on the ſecond of *April*: his Body was buried at the Abbey of *Hayles*, but his Heart at the Priory of *Rewly*, which he had founded in the Subburbs of *Oxford* for the *Ciſtercian* Monks. He was a Prince of ſufficient Parts and Courage (tho in neither extraordinary, yet) in both which he excell'd the King his Brother, as he did alſo in the management of his Revenues, ſo that he was accounted one of the richeſt Princes of *Europe*.

[5] *Id. p.* 97.

The death of *Richard* King of the *Romans*, with his Character.

This enabled him to be very magnificent in his Buildings and Religious Foundations, beſtowing a great deal of Money upon *Wallingford*-Caſtle and other Places, but much more upon his two Monaſteries abovemention'd.

[1] About *Michaelmaſs* after his deceaſe, *Edmund* Earl of *Cornwal*, his ſecond Son, being newly return'd from the *Holy-Land*, (after the murder

[1] *Id.* p. 98.

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murder of his elder Brother *Henry)* married *Margaret* the Sister of *Gilbert de Clare* Earl of *Glouceſter*: the Wedding was kept at *Wallingford*-Caſtle with great Pomp and Solemnity, and he ſucceeded his Father in his Title of Earl of *Cornwal*, as alſo in his great Eſtate.

It is now fit we give you ſome Account of what Pr. *Edward* (whom we left laſt Year in the *Holy-Land)* performed there ever ſince that time; for he perceiving that he was like to expect no Aſſiſtance from *France*, by reaſon of the death of King *Lewis*, and the Succeſſion of his Son King *Philip*, whoſe Affairs were as yet unſettled, nor that King *Henry* was able to ſend him any further Aid, either of Men or Money, having already rais'd all he could to equip him out; as alſo that the Forces he carried over with him (being at firſt not very many) were now reduced but to a few; therefore all theſe things conſidered, [2] he thought it neceſſary to treat with the *Sultan* of *Babylon* concerning a Truce, who (being very glad to be rid of him out of thoſe Parts) readily conſented to it, and accordingly by Meſſengers that paſſed between them a Truce was concluded on for ten Years, ten Weeks, and ten Days, and both Parties in the mean while were quietly to poſſeſs all thoſe Towns and Places which they then held.

[2] *W. H.* p. 593.

Pr. *Edward* concludes a Truce with the *Sultan* of *Babylon* for ten Years, *&c.*

[3] *Id. ib.*

[3] This Truce being finiſhed, the Prince after above a Year's ſtay at *Acon*, took Shipping about the middle of *Auguſt*, to paſs over into *Europe*; and landing at *Trepani* in *Sicily* toward the end of *September*, went from thence to *Meſſina*, and ſo paſſed through the Kingdom of *Naples* to *Rome*, and ſo to *Viterbo*, where he was honourably received by the new Pope *Gregory*, who had been lately his fellow Pilgrim, and of whom he obtain'd a ſentence of *Excommunication*, and Baniſhment from the Territories of the Church, againſt Count *Aldobrandino*, *Simon Montfort*, and all others the murderers of the Lord *Henry de Montfort*.

The Prince takes Shipping, and lands in *Sicily*, and paſſes through *Italy* as far as *Viterbo*, to the Pope.

But whilſt Prince *Edward* was in *Italy*, he received the News of the Death of the King his Father, and thereupon took upon him the Title of King of *England*: however I ſhall leave him there for the preſent, and defer ſaying any thing more of his Actions in his return home through *France* till I come to his Reign, which I reſerve (if God grant me Life) for the next Volume.

It is now time for us to look back into *England*, where I find very little worth noting to have fallen out during this Prince's Abſence, more than what hath been already related; only that ſome unquiet Spirits, who love to fiſh in troubled Waters, deſiring to enrich themſelves with the ſpoil of other Men's Eſtates, thought the only way to obtain them, was by making freſh Diſturbances.

[4] *M. W.*

A ſmall Inſurrection in *England*.

[4] Of theſe ſort of People, there were to the number of about three hundred Horſe and Foot, beſides a great deal of unarmed Rabble, got together in the *North* parts; but Earl *Edmund* the King's ſecond Son, and *Roger de Mortimer*, ſoon diſperſed them, and forced the reſt to return to their own Homes, having kill'd a great many, and taken more of them Priſoners, ſo that they durſt not attempt any thing of the like kind for the future.

[5] *R. W.*

But in the Month of *Auguſt*, there aroſe a greater Diſturbance, [5] by reaſon of a Quarrel between the Citizens and the Monks of *Norwich*,

Norwich, which grew to ſuch a height, that the Towns-men ſet fire to the Cathedral Church, and that, together with the adjoining Monaſtery and Buildings, were all conſumed to the ground. *Anno Dom.* MCCLXXII.

The Townſmen of *Norwich* burn the Cathedral Church, and adjoining Monaſtery, *&c.*

But I ſhall give you a more particular Account of theſe Barbarities from ſome Authors, that are either in Manuſcript or but lately printed, than what is ſet down by *Matt. Paris's* Continuator; and of theſe [1] *Bartholomew de Cotton*, a Monk of the Priory of *Norwich*, relates, that in the beginning of this fray, the Citizens of that Place beſieged the Monaſtery, and when they could not enter it, they ſet fire to the Gates, which not only burnt the Gate-houſe, but a Pariſh Church adjoining to it; then ſome of the Seditious at the ſame time ſhot Arrows with Fire on them, from the Tower of St. *George*, into the great Bell-Tower beyond the Choir, by which means the whole Church was burnt (except the ſmall Chappel of St. *Mary*) as alſo all the Rooms and Lodgings belonging to the Prior and Monks: in the mean while the Rabble entring the Cloſe, plundered and carried away all the ſacred Veſſels of the Altar, and other Ornaments, that the Fire had not yet deſtroyed; and not content with this, they kill'd and wounded ſeveral Deacons, and Clerks belonging to the Monaſtery within the Cloſe it ſelf, and drove away all the Monks, and continued their Malice in killing and plundering for almoſt three days together.

A larger Account of this from other Authors.

[1] *Annot. Eccleſia Norwic. in Anglia Sacra*, Vol. I. p. 399.

But when theſe things were told the King, [2] he was extremely grieved, and reſolving to ſee ſpeedy Juſtice executed on the Malefactors, he ſummon'd all the Biſhops and Great Men of *England* to meet him at St. *Edmundsbury* on the firſt of *September*, to adviſe with them, how to proceed againſt them; whereupon the King being attended by the Earl of *Glouceſter*, and other Noblemen, went down thither, and there held a kind of great Council or Parliament: after good deliberation he was adviſed to go to *Norwich* in Perſon, and revenge this wickedneſs.

[2] *Id. ib.*

The King ſummons a Grand Jury or Inqueſt, out of four adjacent Counties.

But in order to this, before he went from thence, he iſſued out his Precept or Writ to *William Gifford*, Sheriff of *Norfolk* and *Suffolk*, dated *September* the ſixth at *St. Edmundsbury*, to ſummon all the Knights and Freeholders of both thoſe Counties, that held twenty Pounds *per Annum* and above, to appear before him at *Norwich* on the fifteenth of the ſame Month, to do as they ſhould be directed by him, with the Advice of his Council. The ſame Writ was likewiſe iſſued to the Sheriff of *Cambridg* and *Huntington-ſhire*, to ſummon twenty four Knights and Freeholders, that had twenty Pounds *per Annum* and above, to be alſo at *Norwich* the ſame day, as appears upon [3] Record.

[3] *Rot. Pat.* 56. *H.* 3. *M.* 4. intus.

But of theſe Knights and Freeholders (being eight and forty in all) returned from theſe four Counties, were choſen ſeveral Grand Inqueſts, or Juries, who were to enquire upon Oath into this Offence, and who were concerned in it, either in the City of *Norwich*, or elſewhere; and by theſe a great many being found Guilty before the King's Juſtices, they were condemned to be drawn at Horſe's Tails to the Gallows, and there to be hanged, and their Bodies to be burnt, which was executed accordingly.

But

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But the Monk above cited, finds fault with the Injuſtice of theſe Proceedings.

But the abovecited Monk here finds great fault with the Injuſtice of theſe Proceedings; and that the richer ſort of Citizens, who had alſo (tho privately) engaged in, and promoted this Riot, corrupted with Bribes, not only the King's Juſtices, and his Council, but the Grand Inqueſt of Knights and Freeholders of the Counties already mention'd, who tho upon their Oaths, yet falſly found the Fire that burnt the Church to have firſt begun in the Bell-Tower belonging to it, ſo that all farther Proſecution againſt the Townſmen ceaſed; and divers things were alſo laid to the Charge of *William de Burnham* the then Prior, inſomuch that he was committed to the Biſhop's Priſon, and all the Lands belonging to the Priory were for ſome time ſeized into the King's hands, as likewiſe the Liberties that had been granted to the City of *Norwich*; ſo that the Prior not long after reſigned, and a new one was choſen in his ſtead. But the Biſhop of *Norwich* (having before, in a Synod of all the Clergy of his Dioceſs, *excommunicated* all Perſons concerned in this Sacrilege) kept the City of *Norwich* by times under an *Interdict*, for near three Years enſuing, till the Citizens could obtain their Abſolution from *Rome*, and compound for their Offence with King *Edward*, which they did for two thouſand Marks, having been condemned to pay three thouſand in his Father's Reign, had he not died before it could be levied. But of this I ſhall ſay more in the next Volume, if I have opportunity to finiſh it.

An Account of this Action from the Annals of *London*.

But ſtill it appears from what this Author has already ſaid, that the Monks themſelves were the chief Cauſe of the burning their Church and Monaſtery; for it is not at all probable, that (as he relates) the Citizens ſhould have ſo great a Purſe, and ſo conſiderable an Intereſt, as to bribe the Judges, the King's Council, and all theſe Grand Inqueſts, conſiſting of the moſt conſiderable Men of the four Counties abovenamed. Yet after all, I ſhall from the Annals of *London*, give you a truer Account of this Action, than is to be found in any of our Monkiſh Authors, who all take part with thoſe of their own Profeſſion, whereas this Writer being a Layman is more diſintereſſed, and leſs partial in his Relation of it; and informs us, that a Quarrel ariſing between the Citizens and the Monks of *Norwich*, about certain Privileges and Juriſdictions which the latter claimed, and the former would not agree to, the Monks in revenge ſent their Servants into the City to beat and outrage the Citizens, who being thereby provoked, and finding they could have no redreſs upon their Complaints, fell upon the Servants of the Priory where ever they met them in the City, and beating them ſoundly, the Prior thereupon ſent for a great many Seamen from *Yarmouth*, and made a kind of Gariſon in the Priory; and from thence with their Aſſiſtance again aſſaulted the Townſmen, who upon this joining together, repulſed the Seamen, and beſieged the Monaſtery; and in order to take it, ſet fire to the great Gates thereof, which burnt the Gate-houſe, and from thence the Church was at firſt ſuppoſed to have been ſet on Fire; but it was afterwards diſcover'd that a Prieſt belonging to it, having hired certain Smiths to forge Arrow-heads in the Bell-Tower, theſe when they ſaw the Gate-houſe on Fire, ran down to quench it, leaving their own fire of Coals burning

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ing careleſly behind them, the ſparks whereof being blown about by the Wind into ſome combuſtible matter, ſet on fire firſt the Tower, and then the adjoining Church and Monaſtery; and it was found by the Inqueſt of eleven Knights of the County of *Norfolk*, that the Church was burnt by the means of that wicked Prieſt, who had brought up thoſe Workmen into the Bell-Tower, and which agrees with *Bartholomew de Cotton*'s Relation. *Anno Dom.* MCCLXXII.

So ſoon as the [4] King had ſeen Juſtice done on theſe Offenders, and ſettled all things at *Norwich*, as well as the ſhortneſs of time would permit, he reſolved to return to *London* two days before *Michaelmaſs*; but ſtaying in his way thither, to repoſe himſelf a while at the Abbey of *St. Edmundsbury*, he was there ſeized with a languiſhing Diſtemper, which never left him ſo long as he lived. However he got from thence to *Weſtminſter* by eaſy Journies; but his Sickneſs ſtill daily increaſed, inſomuch that the Biſhops, Earls, and Barons, attended on him to pay him their laſt dutiful Reſpects. When he had performed all thoſe religious Offices that were then thought neceſſary for a dying Man, and given Orders that his Debts ſhould be firſt paid, and that whatſoever remain'd, ſhould be given to the relief of the Indigent; he departed this Life on the twentieth of *November*, after he had reigned fifty ſix Years, and twenty Days. His Body being arrayed in Royal Robes, with the Crown on his Head, was two days after carried with great mournful Pomp, to be buried in the Abbey Church of *Weſtminſter*, the chief Noblemen of the Kingdom bearing it to the Grave, where he was laid before the High Altar, near the Shrine of K. *Edward* the *Confeſſor*, and * where his Tomb with his Statue in Braſs remains to this day. [4] *R. W.* The King's Death. * *Note*, The Altar being ſince remov'd, the Tomb ſtands now behind it.

To give you a Character of this Prince's Perſon is not very difficult, ſince we find him deſcribed [5] to have been of a middle Stature, of a Body ſtrong and well ſet, having one of his Eye-lids hanging down, and almoſt hiding the pupil of his Eye: but I wiſh it were no leſs hard to make as true a Character of his Mind and Diſpoſition, which was ſo variable and uncertain, that we can't tell where to find a juſt Account of him; only that he was naturally wilful and very paſſionate, eaſily provoked to anger, and as eaſily appeaſed: he was alſo very fickle and unconſtant in his Love as well as Hatred, for he never had ſo great a Favorite whom he threw not into diſgrace at ſome time or other, nor ſo great an Enemy whom he received not again into Favour; as may appear from the Example of *Hugh de Burgh*, who was for a while his greateſt Confident, but being afterwards diſgraced, was proſecuted with the higheſt Rigour, and yet received into competent Favour again, as were alſo many other great Officers and Miniſters, who were diſgraced during his Reign. [5] *Id. ib.* K. *Henry*'s Character.

The truth is, this Prince was of himſelf good-natured and merciful, ſo that if he did any thing too rigorouſly, it is to be imputed to the chief Miniſters of State that had the Aſcendant over him; for he was ſcarce ever *Sui Juris*, being always under the Government of one or other of the great ones moſt part of his Life: and indeed it might be juſtly ſaid of him, that he was a much better Man than he was a King; for tho he oppreſs'd his Subjects with many great and unneceſſary Taxes, and often broke his Coronation-Oath, and violated the *Great Charter*,

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Charter, which himſelf had ſo ſolemnly ſworn (and that more than once) to obſerve; yet he was nevertheleſs very charitable to the Poor, and extreamly Devout, commonly hearing three Maſſes every day: and once when *Lewis* the King of *France*, and this Prince converſed together, and the former prefer'd Sermons before Maſſes, King *Henry* wittily enough defended his own practice, ſaying, *That he had rather ſee his Friend often, than hear often from him*; which was well ſaid according to his Principles. As for his Courage it was not very great, being never noted for any perſonal Valour in the Field; and indeed he had no great encouragement to it, for as his Temper was not martial, ſo it may be obſerved, that where ever he was in Perſon, his ſide commonly had the worſt on't. However it happened very well for him, when the Prince his Son overcame *Simon Montfort*; for he (tho againſt his Will) appeared chief Commander of the Army. In ſhort, his greateſt Happineſs was in his admirable Son, by whom all Civil Troubles being at length compos'd, he paſt the four laſt Years of his Reign in peace, and alſo left a Prince behind to ſucceed him, who by his Prudence and Valour raiſed the whole *Engliſh* Monarchy to great part of its antient Glory.

But his moſt ſhining Virtue, and that which made him the more eminently conſpicuous (as being at that time rare in Princes) was his Continence; for there is nothing mentioned either of any baſe Children he had, or of any Concubine he kept; which is more than can be ſaid of any of his Predeceſſors of the *Norman* Race, except King *William* the *Firſt*.

[1] *M. W.*

The Eccleſiaſtical Affairs of this Year.

I ſhall conclude this King's Reign with ſome few [1] Eccleſiaſtical matters that happened this Year. When (tho the exact time is not mentioned) *Raymond* the Pope's Clerk was by him ſent into *England*, with Authority to compel all Eccleſiaſtical Perſons to pay the whole Arrears of the Tenths of all their Temporal, as well as Spiritual Livings into his hands; ſo ſoon as he had received them, he beſtowed great part of them for the uſe of Pr. *Edward*, and E. *Edmund* his Brother, in conſideration of their Expences in the *Holy-Land*.

[2] *W. R.*

Alſo the new Pope [2] now vacated the Election of *Adam Chelindon*, the Prior of *Canterbury*, whom the Monks had choſen for their Archbiſhop, (the Prior himſelf reſigning what he ſaw he could not enjoy) and his Holineſs beſtowed the Archbiſhoprick upon *Robert Kilwardeby*, who was then Provincial of the *Friers Predicants*, and had, before he entered into that Order, taught Philoſophy in the Univerſity of *Paris*; and after his coming into it was in great reputation for his deep skill in School Divinity, as well as in the liberal Sciences: and the Pope had ſo great a Value and Reſpect for him, that he gave him leave to be conſecrated by what Biſhop he himſelf ſhould pleaſe to appoint.

The Wife and Iſſue of King Henry *the* Third.

I ſhall conclude this King's Reign with a ſhort Account of his Wife and Children; he married *Eleanor*, ſecond Daughter to *Raymond* Earl of *Provence*, who lived with him Thirty ſeven Years; was his Widow Nineteen; died a Nun at *Ambresbury*, and was buried

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ried in that Monaſtery, being then near fourſcore Years old. She was a Lady of a high Spirit, but recompenced the ſmallneſs of her Fortune by the greatneſs of her Prudence, and the many fine Children ſhe brought forth; and it is very remarkable, that tho her Father was but a mean Prince, yet all his Daughters were married to Real or Titular Kings.

By this Princeſs King *Henry* had ſix Sons, and three Daughters; the four youngeſt of his Sons died in their Infancy, and were buried three of them at *Weſtminſter*, and the fourth in the new Temple-Church near *Fleetſtreet*; and of whom nothing more is related.

His eldeſt Son [3] *Edward*, ſirnamed *Long-ſhanks*, (from his long Legs) who ſucceeded him in the Kingdom, was born at *Weſtminſter* upon the ſixteenth of *June*, 1239. [3] *M. P.* p. 488.

Edmund, his ſecond Son, [4] was born *Jan.* the ſixteenth, *Anno Dom.* 1245. in the thirteenth Year of his Father's Reign: he was Earl of *Lancaſter*, *Leiceſter*, and *Derby*; Lord of *Monmouth*, and High-Steward of *England*: he was alſo inveſted by the Pope with the Kingdom of *Sicily*. And *Speed* in his Chronicle has given us a Seal, having this Prince's Effigies with that Title round it; but being never poſſeſſed of that Kingdom, he ſoon left off the empty Title of King. [4] *Id.* p. 654.

Margaret, [5] his eldeſt Daughter, was married to *Alexander* the *Third*, King of *Scots*, being then a Child of about nine Years old; by whom, tho ſhe had ſeveral Children, yet the Sons dying before him, (and his Daughter *Margaret*, Wife to *Erik* King of *Norway*, having no more than one Daughter of her own name, who died in Childhood) that Line of the Kings of *Scotland* thereby fail'd. [5] *Rot. Pat.* 36. *H.* 3. *M.* 14.

[1] *Beatrix*, King *Henry*'s ſecond Daughter, was born at *Bourdeaux* in *Gaſcoigny* on the five and twentieth of *June*, *Anno Dom.* 1242. and was married to *John de Dreux*, Duke of *Bretaigny* in *France*, and Earl of *Richmond* in *England*. [1] *M. P.* p. 514.

Katherine [2] his third Daughter, was born at *London* on St. *Katherine*'s day, being the 25*th* of *November*, *Anno Dom.* 1253. and died at five years of Age. [2] *Id.* p. 879.

Taxes in this King's Reign.

Before I treat of the Laws, I ſhall give you an Account of the Taxes which were either given him by Parliament, or which he raiſed under colour of his Prerogative.

The Parliament called at *Northampton* [3] on the Octaves of *Holy-Trinity*, 1224, granted the King *two Shillings* of every Plough-Land: and the King then granted to the Great Men a *Scutage* of two Marks Sterling of every Knight's Fee. [3] *M. P.* p. 322. 9 *H.* 3.

The Parliament called at [4] *Weſtminſter* at *Chriſtmaſs*, 1224. granted him a Fifteenth of all Moveables, as well of the Clergy as Laiety of the whole Kingdom, for the Grant or Confirmation of *Magna Charta*; one half of this Fifteenth was collected ſoon after *Eaſter*, and the other half was to be gathered at *Michaelmaſs* following. [4] *Id.* p. 323. N° 10.

A Fortieth part of all Moveables were granted. *A. D.* 1224. Matt. Paris.

King *Henry* [5] compelled the Citizens of *London* to pay him five [5] 12 *H.* 3. *A. D.* 1227. *F.* 336. *n.* 10, 20.

five thouſand Marks, becauſe they had given ſo much to *Lewis* late King of *France* when he left *England*.

M. P. ib. At the ſame time he alſo took for an Aid from the Burgeſſes of *Northampton* twelve hundred Pounds, beſides one Fifteenth of their moveable Goods.

He likewiſe forced all Religious and beneficed Clerks, to pay a Fifteenth, as well out of their Spirituals as Temporals; and thoſe that were unwilling to pay, were compelled either by the King's Authority, or elſe by Eccleſiaſtical Cenſures.

12 *H.* 3. Ib. n. 40. Soon after the Religious and Others had notice, that unleſs they renewed their Charters, their old ones ſhould be of no Advantage to them; and for the renewing of which every one was to pay according to his Faculty, at the Juſtitiary's Diſcretion.

[1] *Id. ib. F.* 365. *n.* 10. 15 *Hen.* 3. A. D. 1230. In the [1] Year 1230. the Archbiſhops, Biſhops, Abbots, and Priors, gave a great ſum of Money for recovering the King's Rights beyond Sea. At the ſame time he put the Citizens of *London* to a grievous Fine or Ranſom, and forced the *Jews* to pay the third part of what they were worth.

Id. 16 *H.* 3. *F.* 367. *n.* 50. A. D. 1231. In the Year 1231. the King required a *Scutage* of three Marks of every Knight's Fee of all that held Baronies, as well Laicks as Prelates: but tho it was oppoſed by the Archbiſhop of *Canterbury*, and ſome other Biſhops, yet it was agreed to by all others.

A. D. 1232. 17 *H.* 3. *Id. F.* 377. *n.* 5. and *F.* 380. *n.* 30. On the 14*th* of *September*, in a Parliament held at *Lambeth*, a Fortieth part of all the Moveables, both of Eccleſiaſticks and Laicks, was granted to the King, and was collected about the latter end of *October* following.

Id. A.D. 1235. 20 *H.* 3. *Id. F.* 417. *n.* 30. [2] *Rot. Clauſ.* 21 *H.* 3. *M.* 1. and *M.* 21. *Dorſ.* *Anno Dom.* 1235. He took two Marks of every Plough-Land for the marriage of *Iſabel* his Siſter to *Frederic* Emperor of *Germany*, and gave with her Thirty thouſand Marks. And [2] at the ſame time there was a Thirtieth part of all Moveables granted by the Biſhops and Lay Great Men.

[3] *Rot. Pat.* 20 *H.* 3. *M.* 8. *n.* 12. A. D. 1236. A [3] *Scutage* of two Marks on every Knight's Fee, granted by the Archbiſhops, Biſhops, Abbots, Priors, and other Eccleſiaſtical Perſons, *&c.* and 'tis very probable, that this was the ſame *Scutage* which was given for the Mariage of his Siſter to the Emperor.

M. P. F. 435. *n.* 10. 21 *H.* 3. A.D. 1237. *A. D.* 1237. a Thirtieth part of all Moveables was granted to the King.

Id. A.D. 1242. *F.* 595. *n.* 30. and 597 *n.* 20. In the Year 1242. about *Michaelmaſs* the King required another *Scutage* of three Marks for every Knight throughout *England*; ſo *Matt. Paris*, but as others only twenty Shillings; but we do not find that this was ever raiſed, tho Dr. *Brady* puts it down as paid.

Id. Fol. 643. *n.* 20. A. D. 1244. In a Council or Parliament held at *London* three Weeks after *Candlemaſs*, Twenty Shillings of every Knight's Fee was granted to the King for the mariage of his eldeſt Daughter, one half to be paid at *Eaſter*, the other at *Michaelmaſs* following.

A. D. 1253. 37 *H.* 3. M. P. *f.* 866. *n.* 20, 30. The Clergy granted the Tenth of all their Eccleſiaſtical Revenues for three Years, and the Nobility or Knights three Marks of every Knight's Fee, for the Relief of the *Holy-Land*, upon his Confirmation of *Magna Charta*; whereby it appears, that three Year's Tenths of all Church Revenues were granted to the King by the Pope.

A. D. 1253.

* This

This Year alſo a Twentieth part was granted to the King, of all Grain, Live Stock, and other Moveables, as well by the Great Men and Knights, as other *Lay-men*, as appears by the [4] Record it ſelf at large, which you will find in the *Appendix*, *N°. ult.* And who theſe other Laymen were that are mention'd in this Record, appears from the City-Chronicle, in the Book *de Antiquis Legibus*, where, in the latter end of this King's Reign under this Year, are theſe words, *Eodem Anno omnes* Liberi homines *de Regno, tàm de villis quàm de Civitatibus & Burgis & alibi, dederunt Regi viceſimam partem omnium Bonorum ſuorum mobilium ad Expenſas faciendas in Itinere ad Terram Jeroſolimatanam.* [4] *Rot. Claus. 54 H. 3. M. 11. Dorſ.*

I have been the more particular in this Quotation, becauſe Dr. *Brady* has given us only a ſhort Note of this Tax, without mentioning by whom it was given; I ſuppoſe, becauſe it confutes his falſe Notion, that the Knights of Shires were after the 48*th* of this King, no more ſummon'd to Parliament, till the 18*th* of *Edward* I. and the Citizens and Burgeſſes not till the twenty third of the ſame King, becauſe the Doctor can find no Writs of Summons for them till thoſe Years; of the falſeneſs of which Aſſertion, I ſhall (God willing) treat farther in the Introduction to my next Volume, and therefore ſhall ſay no more of it here.

But the Reader is to obſerve, that all ſuch Tailliages and Exactions as were contrary to *Magna Charta*, and raiſed by this King, without the conſent of Parliament, or Clergy in a Synod or Convention, were unjuſt and illegal, and are ſo noted by *Matt. Paris* and other Authors, tho Dr. *Brady* has not thought fit to take any notice of it.

Of the Laws and Ordinances made in this King's Reign.

Having given you an Account of the Taxes raiſed by, or granted to this King, and which indeed (unleſs it were thoſe that were impoſed under pretence of his Prerogative) may be alſo reckoned amongſt his Laws, I ſhall now proceed to give ſome brief Heads of ſuch Statutes and Ordinances, that were made during this Reign; for I ſhall not trouble the Reader with more, ſince he may find them at large in our Statute Books.

I ſhall begin with the Great Charter, called in Latin *Magna Charta*, which is affirm'd by * *Matt. Paris* to contain (for the moſt part) thoſe Laws and Liberties that were granted by King *Edward* the *Confeſſor* to the Church, Great Men, and People of *England*; and which Charter is by ſeveral ſubſequent Acts of Parliament alſo called a Statute, as being enacted by the joint conſent of the King, *Clergy*, *Nobility*, and People, tho the Grant was drawn up in the King's name alone. * *Page 252.*

But as for the Charter it ſelf, having already given it you at large, and being almoſt the ſame in the moſt material and conſtituent Parts thereof, *mutatis mutandis*, with that at the end of the Reign of King *John*, I need not here repeat it, but ſhall only take notice, that the ſame Charters, both of *Liberties* and *Foreſts* (except ſuch Clauſes as were thought fit to be left out) were new granted and confirm'd by King *Henry* the *Third*, his Son, *Anno Dom.* 1217. in the ſecond Year of his Reign; which Charters bearing date at St. *Paul's*, the

* i.e. *Richard de Mariſco.* sixth day of *November*, were deliver'd by the hand of * *Richard* Biſhop of *Durham*, the King's Chancellor, and for which there was then given by the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and all Perſons of the Kingdom, an Aid of a Fifteenth part of all moveable Goods. Of this Charter, as alſo of that of *Foreſts*, tho the Originals are loſt, there are yet ſeveral antient Copies of them remaining in divers hands; and beſides one of them that is in the Cuſtody of the Right Honourable the Earl of *Kingſton*, I my ſelf have ſeen another fair Copy in the hands of my worthy Friend *William Petyt*, Eſq; Bencher of the *Inner-Temple*, and Keeper of the Records in the *Tower*; and I have heard from him, that there is alſo a third Copy of them in the keeping of *John Cook* Eſq; Prothonotary of the Court of *Common-Pleas*;

[5] *Rot. Clauſ. 1 H. 3. M. 10. Dorſ.* and the truth of all theſe is alſo confirmed by a [5] Record in the *Tower*, containing the King's Writ to the Sheriff of *Worceſter-ſhire*, commanding him to cauſe to be read in the County-Court, *thoſe Charters of Liberties, which the King had lately granted by the Common-Council of his Kingdom, to the Barons and all others of his Realm, and which the Lord Legate had alſo confirmed with his Seal; becauſe the King being under Age, had no Seal of his own.* This bears date the 23*d* day of *June*, in the ſecond Year of his Reign, and which is alſo printed in the *Appendix* to this Volume, *N°.* 8.

And theſe Charters were again confirm'd *Anno Dom.* 1224. in the ninth Year of this King; of both which, tho there were ſeveral Copies ſent to all the Counties, and moſt of the Cathedrals and Religious Houſes in *England*, yet they are not to be found at this day among the Records of the *Tower*: but there is a fair Original of this of the 9*th* of *H.* 3. under Seal, remaining in the hands of Sir *Nathaniel Powel*, one of his Majeſty's learned Council, which is ſuppoſed to have belonged to *Battle* Abbey, which I my ſelf have likewiſe ſeen. As for thoſe Charters of *Liberties* and *Foreſts*, which remain upon Record in the Rolls in the *Tower*, they are only the Charters of the 28*th* of *Edward* I. reciting by *Inſpeximus verbatim*, thoſe granted by King *Henry* III. (as aforeſaid) as appears both by the beginning of that Charter it ſelf, as alſo by the Concluſion, in

[1] Vid. *Rot. Pat.* 28 *E.* 1. which (by miſtake) in the Print, (but not in the [1] Roll it ſelf) *Boniface* Archbiſhop of *Canterbury* is named as the firſt witneſs to it, whereas in the Original Charter he is truly named *Stephen*, i. e. *Stephen Langton*, who was then Archbiſhop; *Boniface* not ſucceeding him till long after, toward the middle of King *Henry*'s Reign, and deceaſing at the latter end of it.

There are alſo two antient Copies of theſe Charters, the one printed in the Annals of *Burton*, under the 9*th* of *Hen.* III. and the

* *L.* 3. *c.* 6. other in * *Walter Hemingford*'s Chronicle; which differ very little from one another, only, That in the *Burton* Annals is witneſſed by *Stephen* Archbiſhop of *Canterbury*, and moſt of the Biſhops, Earls, and Barons of *England*, whereas the latter concludes more briefly with *Teſte meipſo, & aliis prænominatis*, which I ſuppoſe might proceed from the careleſneſs of the Tranſcriber, who would not take the Pains to write over ſo many Names.

[2] *Id.* p. 570. [2] Then follows in the Author laſt mention'd, another Charter of Confirmation of the *Great Charter* and that of *Foreſts*, dated in the

the 21*ſt* of this King's Reign, after he came of full Age; and this Charter is ſaid to be witneſſed by *Edmund* Archbiſhop of *Canterbury*, and all thoſe named in the *Great Charter* it ſelf: which confirms my Conjecture of the Reaſon of leaving out the Witneſſes Names in the Charter abovemention'd.

But ſince I have already told you, that this Charter of K. *Henry*'s, and that of King *John*'s were for the moſt part the ſame, and that it would be impertinent to tranſcribe it again, I ſhall therefore only here take notice of ſuch Clauſes in King *John*'s Charter, as were not thought fit or neceſſary to be inſerted into this of *Henry* III. being theſe that follow.

1. The laſt Clauſe of the ſeventh Chapter or Article, about ſhewing to the next of Kin the Conſanguinity of the Heir, before his marriage, is omitted, as are alſo,

2. The twelfth and thirteenth Chapters concerning Debts owing to the *Jews*, and againſt payment of Uſury by the Heir, whilſt he is under Age; no more being there ſaid under that Head, except the following Clauſe, *That if any one die, and owe Money to the* Jews, *his Wife ſhall have her Dower, and ſhall not pay any thing of that Debt.*

3. The third is concerning Aids payable by the City of *London*, to make the King's eldeſt Son a Knight, and to marry his eldeſt Daughter, which is alſo omitted.

4. The fourth is the laſt Clauſe of the ſixteenth Chapter, That all other Cities, Boroughs, Towns, and Barons of the *Cinque-Ports*, ſhall have the common Advice or Conſent of the Kingdom, concerning the Aſſeſſment of their Aids, otherwiſe than in the three Caſes aforeſaid, of Knighting the King's Son, *&c.*

5. But the moſt conſiderable omiſſion is, that of the ſeventeenth Chapter, which ſays thus, *And we ſhall cauſe to be ſummoned by particular Writs, the Archbiſhops, Biſhops, and Abbots, Earls, and greater Barons, for the Aſſeſſing of* Scutages.

6. As alſo the whole eighteenth Chapter, concerning the general Writs of Summons to the other Tenants *in Capite*.

7. Together with the nineteenth Chapter touching Proceedings upon Buſineſs at the day appointed, tho they did not all appear that were ſummon'd; but I ſhall ſpeak nothing concerning the reaſon of the omiſſion of theſe three laſt Articles, ſince I intend to treat of it in another Place, if ever I live to publiſh a third Volume of this Hiſtory.

The next Statute or Ordinance of this King's is ſaid to be made at *Weſtminſter*, *Feb.* 9. *Anno* 14 *H.* 3. and *Anno Dom.* 1229. which, ſince it is no more than the King's Writ or Declaration directed to *Gerald Fitz-Maurice*, or rather *Maurice* * *Fitz-Gerald*, Juſtitiary of *Ireland*, to let the Knights or Tenants *in Capite* of that Kingdom know, how Lands holden by Knight's Service, and deſcending to Coparceners within Age, ſhall be divided according to the Laws and Cuſtoms of *England*, I ſhall not ſay any more of it, becauſe it had not the Conſent or Advice, either of the Lords or Commons. Stat. de Hibernia.

* Cox Hib. Anglic. *p.* 60, 61.

Then

Stat. of *Merton.* *Then follow the Statutes or Proviſions made at* Merton, *20th H. 3. Anno Dom.* 1235. *the Title of which runs thus,*

" It is provided in the Court of our Sovereign Lord the King,
† A *Monaſtery in Surrey.* " holden at † *Merton* on Wedneſday the morrow after the Feaſt of St.
" *Vincent*, in the twentieth Year of the Reign of King *Henry*, the
" Son of King *John*, before *William* Archbiſhop of *Canterbury*, and
" other his Biſhops and Suffragans, and before the greater part of
" the Earls and Barons of *England* there, being Aſſembled for the
" Coronation of the ſaid King, and *Eleanor* the Queen, about which
" they were all called; where it was treated for the Common-
" Wealth of the Realm, upon the Articles under-written, *viz.*
" thus it was provided and granted, as well of the aforeſaid Arch-
" biſhops, Biſhops, Earls and Barons, as of the King himſelf, and
" others.

I have been the more exact in the recital of the Title to theſe Proviſions, or Statutes, becauſe they afford us ſome uſeful Obſervations; as *firſt*, That the Great Council or Parliament is here called the King's *Court*; *ſecondly*, That whereas many have too raſhly affirm'd, that all the antient Statutes go in the name of the King alone, and ſeem to be made by his abſolute Prerogative, it is here evident, that this Body of Laws (the moſt antient of any after *Magna Charta*) was made and granted not only by the King, who is named almoſt laſt of all, but alſo by the Archbiſhops, Biſhops, Earls, Barons of *England*, and *Others*. But who theſe were included under the *Others* here mentioned, having already diſcourſed of it in my *Introduction*, I ſhall not ſay any thing here farther concerning them, but will now proceed to give you a ſhort Account of theſe Proviſions themſelves, which are divided into eleven Articles or Chapters.

CHAP. I.

‖ *i. e.* refus'd to aſſign them their Dowers. The Firſt of which ordains what Damages Widows ſhall recover after the Death of their Husbands, from ſuch as have ‖ *deforced* them of their Dowers, that is to ſay, the value of the whole Dower to them belonging, from the time of the death of their Husbands, to the day of the Judgment obtain'd in the King's Court for the ſame, and the *Deforceors* withal to be amerced at the King's pleaſure.

CHAP. II.

Grants to Widows a Power to bequeath the Crop on the Grounds, as well of their Dowers, as of their other Lands and Tenements.

CHAP. III.

Appoints, how Diſſeiſors that have rediſſeis'd thoſe who have recovered Seiſin or Poſſeſſion from them by Aſſize of *Novel Diſſeiſin*, (to wit) that the Perſons thereof convicted, ſhall be forthwith taken and kept in the King's Priſon, and not be diſcharged, but by Fine or ſome other means; and the Plaintiff ſhall further have the King's Writ directed to the Sheriff, containing the plaint of Diſſeiſin

ſin done upon diſſeiſin, upon the receipt of which he ſhall take with him the Keepers of the Pleas of the Crown, and other lawful Knights, and in his proper Perſon ſhall go unto the ſaid Land, *&c.* and if by the Inquiſition of the Jurors, and other Neighbours, they find him again diſſeiſed, the Sheriff ſhall then deliver him the Seiſin or Poſſeſſion; and if it be found otherwiſe, the Plaintiff ſhall be amerced, and the other go quit: and in the ſame manner ſhall be done to them that have recovered their Seiſin by Aſſize of *Mort-d'auncestour*, and ſo ſhall it be of all Lands and Tenements recovered in the King's Court by Inqueſts, if they be afterwards diſſeiſed by the firſt *Deforceors*, againſt whom they have before recovered by Inqueſt.

CHAP. IV.

Ordains, that Lords of Mannors may make Profit of the reſidue of their Mannors, as of their waſtes, Woods and Paſtures, provided their Feoffees and Free-Tenants have ſufficient Paſture, with free egreſs and regreſs from their Land unto the Paſture, for as much as belongeth to their Tenements; and if they alledg they have not ſufficient Paſture, according to their holdings, then the Truth is to be enquired into by Aſſize, *&c.* The reſt is needleſs to be here recited.

CHAP. V.

Provides, that from thenceforth Uſury ſhall not turn againſt any one under Age, from the time of the death of his Anceſtor, (whoſe Heir he is) unto his lawful Age; this Law is either obſolete, or repeal'd.

CHAP. VI.

Appoints the Penalties for Raviſhment of a Ward from his Lord's Cuſtody, and for the diſappointment of the Lord by his Ward's marrying himſelf without his Conſent alſo.

CHAP. VII.

Provides, that the Ward ſhall pay at his full Age, to his Lord, the value of his mariage, in caſe he refuſe the Party whom his Lord requires him to marry: both which Statutes are out of doors, ſince the taking away of all Wardſhips, Liveries, *Tenants in Capite*, and Knight's Service, by the Statute of the 12*th* of *Charles* II. *C.* 24. and therefore I ſhall ſay no more of it, and only mention the Title of

CHAP. VIII.

Which contains ſeveral limitations of Preſcription, relating to the dates of divers Writs; and becauſe they are now grown obſolete, I ſhall ſay no more concerning them neither; but the next is more conſiderable, for

CHAP.

CHAP. IX.

Declares, that he is a Baſtard who is born before the Mariage of his Parents; but to the King's Writ of Baſtardy, whither one born before Matrimony may inherit in like manner as he that is born after Matrimony, all the Biſhops anſwered, that they would not, neither could anſwer to it, becauſe it was directly againſt the common Order of the Church; and all the Biſhops were urgent with the Lords, that they would conſent, that all ſuch as were born before Matrimony, ſhould be Legitimate, as well as thoſe born within Matrimony, as to the ſucceſſion of Inheritance, for ſo much as the Church accepteth ſuch for Legitimate. But all the Earls and Barons with one voice anſwered, * *That they would not conſent that the Laws of the Realm ſhould be changed*, which hitherto had been uſed and approved of.

**Nolumus Leges Angliæ mutari.*

This I have ſet down at large, becauſe it ſhews a worthy conſtancy of the Nobility of *England*, in not permitting the antient Laws thereof to be changed for the ſake of the Eccleſiaſtical, or Canon Law.

CHAP. X.

Provides and grants, that every Freeman who oweth ſuit to the County, Tything, Hundred and Wapentake, or to the Court of his Lord, may freely make his Attorney to do thoſe Suits for him; but as for the next,

CHAP. XI.

Concerning treſpaſſers in Parks and Ponds, it is not yet diſcuſſed; for the Lords demanded the proper Impriſonment of ſuch as they ſhould take in their Parks and Ponds: but it appears here that the King denyed, wherefore it was deferred.

As to the other Statute that follows in our Statute Books, *viz.* that *de Anno Biſſextili*, made at *Weſtminſter*, 21 *H.* 3. A. D. 1236.

It declares, That the day of the Leap-Year, and the day before, ſhall be holden for one day.

This certainly never was an Act of Parliament, but only the King's Writ to the Juſtices of the Bench, directing them how they ought to proceed in that matter, which was then doubtful; for it was uſual in thoſe times for the King, by the Advice and Conſent of his Great Council of Earls and Barons, *&c.* to make ſuch temporary Laws and Ordinances without the Conſent of the General Council of the Kingdom or Parliament.

So likewiſe the Statute intituled *Aſſiſa Panis & Cerviſiæ*, made *Anno* 51 H. 3. *Anno Dom.* 1266.

Setting forth, that the prices of Bread and Ale ſhall be according to the prices of Corn. This was no other than the King's Writ or Proclamation, inforcing certain Ordinances concerning the Meaſure, or Aſſize of Bread and Ale.

But as for the latter part of this Ordinance, or Declaration, becauſe it ſets forth, what was the Law of *England* concerning Meaſures, and the value of Money in thoſe times (and is worthy the knowing) I ſhall therefore put it down at large.

* By

By the conſent of the whole Realm of *England*, the Meaſure of our Lord the King was made, that is to ſay, that an *Engliſh* Penny called a *Sterling*, round, and without any clipping, ſhall weigh XXXII. Wheat Corns taken out of the midſt of the Ear, and that XX*d.* do make an Ounce, and XII. ounces one Pound, and eight Pounds do make a Gallon of Wine, and eight Gallons of Wine a *London* Buſhel, which is the eighth part of a Quarter: and foraſmuch as in our Parliament holden at *Weſtminſter* in the firſt Year of our Reign, we have granted that all good Statutes and Ordinances, made in the times of our Progenitors aforeſaid, and not revoked, ſhall be ſtill obſerved, we have cauſed (at the requeſt of the Bakers of our Town of *Coventry*) that the Ordinances aforeſaid, by tenor of theſe Preſents, ſhall be exemplified: in witneſs whereof, *&c.* Witneſs the King at *Weſtminſter* the 22*d* day of *March*.

Where you may obſerve, "That theſe Laws concerning Meaſures, and the value of Money, are here declared to have been "ſettled by the *common Conſent of the whole Realm*, whereas it is not ſo mentioned concerning the prices of Bread and Ale.

I ſhall likewiſe barely mention two other Ordinances made the ſame Year, and which follow in the ſame place: the firſt

Concerning general days in *Bank* in real Actions, and the ſecond concerning general Days in a Writ of *Dower*: becauſe they are only matters of form relating to Pleadings, and were no Acts of Parliament, I do but juſt mention them.

And the Year-Book of the 15 *E.* 4. *fo.* 13. *a.* ſays, That theſe two were not Statutes, but written in our Books to the intent that what was before doubtful, ſhould now be put in certain.

But as for the Statute *de Diſtrictione Scaccarii*, of the ſame Year, ſhewing what Diſtreſſes ſhall be taken for the King's Debts, and how they ſhall be uſed; tho it be not expreſly mentioned when and where it was made, yet ſeeing I take it to have been by Authority of Parliament, I ſhall here ſet down the ſubſtance of it.

That foraſmuch as the * *Commonalty* of the Realm hath ſuſtained great damage by wrongful taking of Diſtreſſes, which have been made by Sheriffs, and other the King's Bayliffs, for the King's Debt, or for any other cauſe: It is therefore provided and ordained, (to this effect) that when a Sheriff, or any other Man, doth take the Beaſts belonging to others, they to whom ſuch Cattle do belong, may give them Meat whilſt they are ſo impounded, without diſturbance, and that neither the Beaſts nor any other Diſtreſs taken for the King's Debt, nor for any other Cauſe, ſhall be ſold or diſpoſed of within fifteen days after the taking thereof, with power alſo, upon giving Pledges or Security, to replevy them; and that no Diſtreſs ſhould be taken of Ploughs, Sheep, or Beaſts which till the Land; as alſo that ſuch Diſtreſſes be reaſonable, according to the value of the Debt or Demand, and that the Receipt by the Sheriff or Bayliff ſhall acquit the Debtor of all further Diſturbance. * *Communitas*

So likewiſe the Statute made the ſame Year, intitled *de Scactario, i. e.* concerning the *Exchequer*; wherein it is ſet forth when the King's Farmers, Sheriffs, and Bayliffs, ſhall make their Accompts and Payments, and who ſhall be Eſcheators in ſeveral Shires. This, ſince it relates only to the Officers and Perſons mentioned in the Sta-

tute, and is not of any general uſe, and moſt of it grown obſolete, I ſhall content my ſelf with barely mentioning it.

Thoſe Directions concerning the *Pillory* and *Tumbrel*, and of the Aſſize of Bread and Ale, made the ſame Year, ſeem to be no more than a Proclamation of the King's, reinforcing, and repeating the former Law concerning the prices of Bread and Ale; and that Bakers and Brewers offending againſt it, ſhall be puniſhed by the *Pillory* and *Tumbrel*, that is, the former by the one, and the latter by the other.

Then follow the Statutes made at *Marlebridge* (now *Marleborough*) November 18. *An.* 52*d. H.* 3. the Title of which I ſhall give you at large.

" In the year of Grace, 1267. and the two and Fiftieth Year of
* i. e. *The Octaves, or eight days after the Feaſt.* " the Reign of King *Henry*, Son of King *John*, in the * *Utas* of
" St. *Martin*, for the better Eſtate of this Realm of *England*, and
" for the more ſpeedy Miniſtration of Juſtice, as belonged to the
" Office of a King, the more *Diſcreet* Men of the Realm being
" called together, as well of the *Higher* as of the *Lower Eſtate*; it
" was provided, agreed, and ordain'd, That whereas the Realm of
" *England* had of late been diſquieted with many-fold Troubles and
" Diſſenſions, for reformation whereof, Statutes and Laws be right
" neceſſary, whereby the Peace and Tranquillity of the People may
" be obſerved, wherein the King intending to deviſe convenient
" Remedy, hath made theſe Acts, Ordinances and Statutes under
" written, which he willeth to be obſerved for ever firmly and
" inviolably of all his Subjects, as well high as low.

This Title I have put down at length, for the Reader hence to obſerve, that theſe Laws were provided and ordained by the Advice and Conſent, not only of the King and the Great Men, but by others of lower Eſtate or Condition; who theſe were, I have already diſcuſſed in my *Introduction* againſt Dr. *Brady*'s cavils in his Anſwer to Mr. *Petyt*'s Treatiſe of the *Rights of the Commons*, &c. and therefore I ſhall now only give you a brief Account of this Body of Laws, which are divided into nine and twenty Chapters, and refer the Reader to the Statutes at large, for his further Satisfaction.

CHAP. I.

Appoints, That all Perſons that ſhall diſtrain other Men's Goods and Chattles of their own Authority, without the Award of the King's Court, and be convict thereof, ſhall be puniſhed by Fine according to the Treſpaſs, tho they have had no Damage or Injury done them.

CHAP. II.

Ordains, that no Man ſhall be diſtrained to come to the Lord's Court, which is not of his Fee or Place, where he hath no Juriſdiction, by reaſon of Hundred, or Bailywick; nor ſhall take Diſtreſſes out of the Fee or Place, where he hath no Bailywick nor Juriſdiction.

CHAP.

CHAP. III.

Ordains, That ſuch as will not ſuffer ſuch diſtreſſes to be delivered by the King's Officers, after the Law and Cuſtom of the Realm, or will not ſuffer Summons, Attachments, or executions of Judgment given in the King's Court to be done, he ſhall be puniſhed in manner aforeſaid, as one that will not obey the Law; and that according to the Quantity and Offence: but excepts all Lords diſtraining their Tenants for Services, and Cuſtoms, or any other thing, being due to them, whereby the Lord of the Fee had cauſe to diſtrain; tho it be afterwards found that the ſame Services are not due, yet the Lord ſhall not therefore be puniſhed by Fine, but ſhall be amerced as hitherto had been uſed.

CHAP. IV.

Ordains, That henceforth no Diſtreſs ſhall be driven out of the County, where it was firſt taken; and that ſuch Diſtreſſes ſhall be reaſonable, and not too great; and he that ſhall do otherwiſe, to be grievouſly amerced for ſuch exceſſes.

CHAP. V.

Contains a confirmation of the *Great Charter*, and that of *Foreſts*, and that for the future they ſhall be obſerved in all points, and the Offenders when convict, to be grievouſly puniſhed.

CHAP. VI.

Ordains, That fraudulent Conveyances made to defeat Lords of their Wardſhips, ſhall be void, otherwiſe not.

CHAP. VII.

Ordains what ſort of proceſs ſhall iſſue out againſt *Deforceors* upon Wards, and who refuſe to anſwer proceſs in *Communi Cuſtodia*, needleſs to be further mentioned.

CHAP. VIII.

Reinforces the puniſhment of ſuch as commit Rediſſeiſin to the ſame effect as in the Statute of *Merton*, with this Addition, That if it be found that the Sheriff had ſet any Man free, contrary to this Ordinance, he ſhall be therefore grievouſly amerced.

CHAP. IX.

Ordains in what manner Suits to Courts of Great Lords or others ſhall be obſerved; that none who is infeoffed by Deed, ſhall from henceforth be diſtrained to do ſuch Suit in the Court of his Lord, without he be eſpecially bound thereto by the form of his Deed; thoſe only excepted, whoſe Anceſtors, or they themſelves, have uſed to do ſuch Suit, before the firſt Voyage of the ſaid King *Henry* into *Bretaigny* (which was thirty nine Years before the making

of this Act) and if the Lords of the Fee do diſtrain their Tenants for ſuch Suits contrary to this Act, then at the complaint of the Tenants, ſuch Lords ſhall be attached to appear in the King's Court to make anſwer thereunto, at a ſhort day, and ſhall have but one Eſſoin therein, if within the Realm; and immediately the Beaſts, or other Diſtreſſes ſhall be delivered to the Plaintiff, and ſo to remain till the Plea between them be determined; and if ſuch Lords ſhall not appear at the day given them by their Eſſoin, the Plaintiff ſhall be diſmiſſed without any day aſſigned: ſo likewiſe Tenants that after this Act ſhall withdraw from their Lord their due Suits, ſhall be proceeded againſt after the ſame manner as the Lords are ordained to be.

CHAP. X.

Provides, That Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, or any religious Men or Women, ſhall not need to come to the Sheriff's Tourns, unleſs eſpecially required for ſome other cauſe; but the Tourn ſhall be kept as it hath been uſed in the times of the King's Progenitors: and they that have Hundreds of their own to keep, ſhall not be bound to appear at any ſuch Tourns, but in the Bailywicks where they dwell.

CHAP. XI.

Ordains, That no Fines be taken for *Beaupleader*, or fair Pleading.

CHAP. XII.

Appoints what days ſhall be given in Pleas of *Dower*, in Aſſizes of *D'arraign preſentment*, and in a Plea of *Quare Impedit*, of Churches vacant; which ſince they relate only to forms of Proceſs, need not be further inſiſted on.

CHAP. XIII.

Ordains, That when a Man hath put himſelf upon any Inqueſt (*i. e.*) after iſſue joined, the Plaintiff ſhall have but one * Eſſoin or one Default; ſo that if he come not at the day given him by the Eſſoin, or make default the ſecond Day, then the Inqueſt ſhall be taken by his Default, and according to the ſame Inqueſt, they ſhall proceed to Judgment. The reſt being not very material, I omit.

* *i. e.* Excuſe for Non-appearance.

CHAP. XIV.

Appoints in what caſes ſuch as have Charters of Exemption from Purchaſers being impannel'd in Aſſizes, Juries, and Inqueſts, ſhall be ſworn (that is) in ſuch caſes where their Oaths are ſo requiſite, that without them Juſtice cannot be adminiſtred, as in great *Aſſizes*, *Perambulations*, and in Deeds of Covenants (where they be named for Witneſſes) or in Attaints, and in other like caſes they ſhall be compelled to ſwear.

* CHAP.

CHAP. XV.

Declares, That it ſhall from henceforth be lawful for Perſons, for any manner of Cauſe, to take Diſtreſſes out of his Fee, not in the King's High-way, nor in the common Street, but only to the King or his Officers, having ſpecial Authority to do the ſame.

CHAP. XVI.

Appoints what remedy the Heir in Ward ſhall have, when he comes of full Age, againſt his Lord, if he refuſe to ſurrender his Land without Plea; all which proceſs being now taken away by the abovementioned Statute of *Charles* II. I only mention it.

CHAP. XVII.

Provides, That Guardians in *Soccage* ſhall, whilſt the Heir is within Age, make no waſte, nor Sale, nor any deſtruction of the ſame Inheritance, but ſhall ſafely keep it to the uſe of the ſaid Heir, ſo that when he cometh to his lawful Age, they ſhall anſwer to him for the Iſſues of the ſaid Inheritance by a lawful Accompt, ſaving to the ſame Guardians their reaſonable Coſts. And that ſuch Guardians ſhall make no Profit by the marriage of ſuch Heirs, but for the ſaid Heir's Advantage.

CHAP. XVIII.

Appoints, That Juſtices eſpecially aſſigned to take Aſſizes, or to hear and determine Matters, ſhall from henceforth have no power to amerce for default of common Summons, but only the chief Juſticers, or Juſticers in *Eyre* in their Circuits.

CHAP. XIX.

Appoints, That in Counties, Hundreds, Court-Barons, or in other Courts, none ſhall need ſwear to warrant his Eſſoine.

CHAP. XX.

None from henceforth (except our Lord the King) ſhall hold in his Court any Plea of falſe Judgment, given in the Court of his Tenants; for ſuch Plea eſpecially belongeth to the Crown and Dignity of our Lord the King.

CHAP. XXI.

Appoints, That the Sheriff after complaint to him, ſhall grant Replevins upon all Diſtreſſes taken within the County, unleſs they were taken within any Liberties; and if the Bayliffs thereof will not deliver them, then upon their Default the Sheriff may do it.

CHAP.

CHAP. XXII.

None from henceforth may diſtrain his Freeholders to anſwer for their Freeholds, without the King's Writ, nor ſhall cauſe his Freeholders to ſwear againſt their Wills; for no Man may do that without the King's Commandment.

CHAP. XXIII.

Provides, That if Bayliffs, who ought to make Accounts to their Lords, do withdraw themſelves, and have no Lands nor Tenements whereby they may be diſtrain'd, then they ſhall be attached by their Bodies, ſo that the Sheriff in whoſe Bailywick they be found, ſhall cauſe them to appear to make their Accompts.

Alſo Farmers during their Terms, ſhall not make waſte, ſale, nor * exile of the Houſes, Woods, *&c.* nor of any thing belonging to the Tenements that they have to farm, without ſpecial Licence had by Writing of Covenant, making mention that they may do it; which if they do, and thereof be convict, they ſhall yield full Damage, and be grievouſly puniſhed by Amercement.

* *i.e.* Deſtruction, or Spoil.

CHAP. XXIV.

Ordains, That the Juſtices in *Eyre* from henceforth ſhall not amerce Townſhips in their Circuits, becauſe all Perſons of twelve Years old came not before the Sheriffs and Coroners, to make inquiry of Robberies, burnings of Houſes, or other things pertaining to the Crown, ſo that there come ſufficient out of thoſe Towns, by whom ſuch Inqueſts may be made full, except Inqueſts for the Death of a Man, *&c.* and other Caſes there mention'd.

CHAP. XXV.

Ordains, That Manſlaughter where it is found by Misfortune, ſhall not be judged before the Juſtices.

CHAP. XXVI.

Provides, That none being vouched to Warranty before the Juſtices in *Eyre* in Pleas of Land, or Tenement, ſhall be amerced from henceforth, becauſe he was not preſent when he was vouched to Warranty; but that upon Summons by the Sheriff he ſhall have three or four days time to come in, and make his Appearance, and if he dwelt out of the Shire, then to have Fifteen days at leaſt for that purpoſe.

CHAP. XXVII.

Ordains, That where a Clerk (*i. e.* one in *Holy Orders*) is arreſted for any Crime or Offence touching the Crown, and is thereupon by the King's Command let to Bail, his Sureties (or Bail) ſhall not be amerced, if they bring him before the Juſtices, tho he will not

* nor

nor cannot anſwer, by reaſon of his Clerical Privilege. But this is now taken away by the Statutes of 28 *H.* 8. cap. 1. *and* 32 *Hen.* 8. cap. 3.

CHAP. XXVIII.

Provides, That all Biſhops and Prelates of the Church, may have Actions to demand the Goods of the Church, againſt ſuch as have treſpaſſed upon, and taken them away from their Predeceſſors, whither they had ſued their Right for ſuch wrongs, or whither they did not perſue their Right during their Lives: the like Remedy alſo againſt ſuch as have intruded into the Lands and Poſſeſſions of any Biſhoprick or Abbey during its vacancy, in which caſe the Succeſſors ſhall have a Writ to recover their Seiſin; and Damages ſhall be awarded them, as in Aſſize of *Novel diſſeiſin.*

CHAP. XXIX.

Ordains, That a new Original Writ of Entry, called *ſur-diſſeiſin in the Poſt*, be provided by the Council of our Lord the King, in caſe of ſuch Alienations that may happen to be made in ſuch and ſuch Degrees there mention'd, when by reaſon thereof a common Writ of Entry cannot be made in the Form before times uſed; and as for the Form of the Writ, the Reader may conſult the Regiſter, *Fol.* 228. Fitzh. *N. B.* F. 291. if he pleaſes.

I cannot here omit taking notice that the greateſt part of theſe Statutes had been ſeveral Years before paſs'd into a Law, by a certain Statute made in the 47*th* Year of this King, being *A. D.* 1263. and were indeed part of the Laws and Proviſions that had been made at *Oxford*; and tho the greater part of thoſe Conſtitutions were then declared Null, yet theſe being looked upon as not at all derogatory to the King's Prerogative, were confirm'd, as they were alſo again by this Statute; but for what reaſon, whither they thought the Times were then Troubleſome when they were made, and therefore were not paſs'd in due form, is hard to determine at this diſtance of time.

But ſince the Edict or Statute, intituled, *Dictum de Kenelworth*, is only an Award, or Sentence given and confirmed at that Place, by the King, his Noblemen and Commons, in the 51*th* year of *Henry* the *Third*, and ſince the ſubſtance of it is already repeated in the foregoing Hiſtory, I need ſpeak no further concerning it.

There are likewiſe ſome other Temporary Edicts or Laws of this King, which tho they are not in any of our Records, or Law-Books, but only mention'd by ſome of our Hiſtorians, yet they ought not to be omitted; ſuch is that Edict of his that we find in *Matt. Paris*, and which is already taken notice of in this Hiſtory, under the Year 1228. when the King in his return from *York* to *London*, perceiving the meaſures of Grain, Wine, and Ale, to be extreme falſe and ſcanty, he commanded them to be all broken or burnt, and others of a larger ſize to be made in their Rooms; and alſo that the weight of Bread ſhould be increaſed, and ordered the Offenders

Offenders againſt this Edict to be ſeverely fined; which I take notice of, becauſe they were made ſeveral Years before the Statute or Aſſize of Bread and Beer, * which you will find by the date, was not made till the 15*th* of this King. Beſides this, I find in the ſame Author's † *Additaments*, that in a Parliament held at *London*, *A. D.* 1246. there were ſome Laws made with ſeverer Penalties againſt thoſe that robbed Parks and Warrens, to this effect.

* Vid. *Pulton's* Statutes.

† *P.* 156.

If the Malefactor fled, or was killed, there was neither Law nor Appeal allowed for his Death; if an Earl, Baron, or Knight, complained to the King that his Deer were ſtolen, Inquiſition was to be made thereupon by the King's Writ; and if he that was indicted, was thereupon convicted, he was to lie in the King's Priſon a Year and a Day, and to pay three Years value of his Eſtate, having ſufficient allowed him out of it, to maintain him, of which Fine the King was to have two parts, and he that received the Injury, one; and then he was to find twelve Sureties, that he ſhould never offend in the like kind in any Parks, Warrens, or Foreſts, nor do any thing againſt the King's Peace; and theſe were to anſwer for his Body, and for his Tranſgreſſions: and if any one were taken in a Park or Warren, he was to be impriſoned and fined, and alſo to give Sureties as before.

There are likewiſe, beſides theſe temporary Statutes, certain other Edicts or Precepts of this King's, which not being found in any of our Statute-Books, are only extant among the Records of the *Tower*: ſuch are theſe that follow, *viz.* that of *Rot. Pat.* 3. of *Henry* III. *m.* 3. which contains the King's Writ to the Biſhop of *Bathe* and *Wells*, and to his fellow Juſtices Itinerant, for the Counties of *Dorſet*, *Somerſet* and *Oxon*, with divers other Shires therein mention'd, ſtraitly enjoining them, that in all Trials for the future, they omit thoſe of *Ordeal*, by Fire and Water, as being forbid by a Decree of the Pope and Council. And tho *Ordeal* was never taken away by any Act of Parliament, yet being forbid by the Pope, and look'd upon alſo as a ſuperſtitious and very uncertain way of Trial, it was therefore at the King's command laid aſide by the Judges, and ſoon after grew quite out of uſe.

The ſecond is, *Rot. Clauſ.* 19. *H.* 3. *M.* 22. *Int.* containing the King's Writ to the Sheriffs of *London*, ſtraitly commanding them to put down all publick Schools of Laws, or the teaching them within the City for the future: But I cannot here omit that Sir *Edward Coke* in his Proem to his ſecond Inſtitutes, makes this Prohibition to mean certain publick Readings upon *Magna Charta*, and that *de Foreſta*, but (as Mr. *Selden* hath very well proved in his Diſſertation upon *Fleta*) it was the Canon and not the Common, or Statute-Laws, that were hereby forbid to be taught; and King *Stephen* had long before iſſued out the like Prohibition againſt one *Vacarius*, whom Pope *Eugenius* the *Second* had ſent over hither to read at *Oxford*, upon *Gratian*'s *Decretals*.

Neither can I here likewiſe omit taking notice of a great miſtake in Sir *Richard Baker*'s Chronicle, which among the Laws ſaid to be made in *Henry* the *Third*'s Reign, ſets down this for one, *That by a Statute of this King's, the Wardſhip and Marriage of the King's Barons* (he ſhould alſo have ſaid his other Tenants *in Capite*) *was granted*

to

to the Crown; which Story, tho this Author has borrowed it either from *Polydore Virgil*, or *Henry de Knyghton*, yet to prove it falſe, I need but refer the Reader to *Magna Charta* in *Engliſh*, at the end of King *John*'s Reign, or to the *Latin* Original in the *Appendix*, cap. 3, 4, and 6. as alſo to the Statute of *Merton* made the 20*th* of *Henry* the *Third*, by which it appears, that the Wardſhip and Mariage of the Heir were not granted by any Statute, but were always incident to Knight's Service.

This I thought good to note, that ſo ordinary Readers, not verſed in the Law, may not be miſled in reading our leſs Authentick Hiſtorians.

Matters relating to Ireland *during the Reign of King* Henry *the* Third.

SINCE Dr. *Brady* has given us at the end of his Hiſtory, a pretty exact Account of ſuch Writs and Letters as relate to the Affairs of *Ireland*, during this King's Reign, being ſuch as are to be found either upon Record in the *Tower*, or elſe in *Matt. Paris*, I thought fit to add them here for the Reader's Satisfaction; ſeeing that That part of *Ireland* which was then under the *Engliſh* Dominion, was a Juriſdiction quite different from that Sovereignty which the King claimed over the reſt of the *Iriſh* Princes of that Iſland.

King *Henry* by his Councellors in the firſt Year of his Reign (he being then but nine Years old) or by *William Mareſchal* his Governor, to gratify the *Iriſh* for their Loyalty to his Father and himſelf, granted out of his ſpecial Grace, that they and their Heirs for ever, ſhould enjoy the Liberties granted by his Father to the Kingdom of *England*, which were written and ſent ſealed thither, under the Seals of the Pope's Legate, and *William* Earl Mareſchal, the King then not having * a Seal of his own, and his Father's Seal being loſt with his other *Regalia*, in the Paſſage over the *Waſhes*.

Append 227. the Engliſh Hiſt.

King *John*'s Charter of Liberties granted to the *Iriſh*.

* *Rot. Cl.* 7. *H.* 3. *M.* 5. *Dorſ.*

In the ſeventh Year of his Reign, upon Complaint made by the Citizens of *Dublin* againſt their Archbiſhop (who was then the King's Chief Juſtice) for proceeding contrary to the Laws and Cuſtoms of the Nation uſed in all places of *England*, and for his Uſurpation upon the Rights of the Crown, againſt his Truſt and Duty, as Chief Juſtice, in drawing ſeveral Cauſes belonging to the King's Temporal, to his Eccleſiaſtical Courts, to enlarge his Juriſdiction, to the Grievance and Diſhonour of the King; there was a Writ ſent to him to forbear ſuch things for the future, or elſe that he ſhould be ſeverely dealt with for ſuch practices.

The King prohibits the ABp of *Dublin* to meddle with ſecular Cauſes in Spiritual Courts.

† *Rot. Cl.* 11. *H.* 3. part 1. *M.* 21.

In the eleventh Year of his Reign, † there was a Writ ſent to *Geoffrey de Mariſco*, Juſtice of *Ireland*, for obſerving the ſame Cuſtoms and Law there, for taking Perſons continuing *Excommunicate* by the ſpace of forty days, upon the Archbiſhop and Biſhop's Certificate by a *Capias Excommunicatum*, as was uſed in *England*.

The ſame Law being in *Ireland* as *England*, concerning *Excommunicate* Perſons.

In the twelfth Year of his Reign, he wrote to * *Richard de Burgh*, his Juſtitiary, to call together the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Knights, and Free-Tenents, and his Officers in every County, and to cauſe the Charter of King *John* to be read before them, and to enjoin them to the ſtrict obſervation of the Laws contained in it.

* *Rot. Cla.* 12. *H.* 3. *M.* 8.

In the nineteenth Year of his Reign, the King iſſued a * Writ to *Maurice Fitz-Gerald* his Juſtitiary, for free Commerce and Trade between his Subjects of both Nations, without reſtraint.

* *Rot. Cla.* 19. *H.* 3. *M.* 20. *Dorſ.*

Free Commerce and Trade between *England* and *Scotland.*

The next Year † he wrote to the Archbiſhop of *Dublin*, and to his Juſtitiary, for the obſervation of the Statutes of *Merton*, eſpecially concerning *Baſtardy*, and in a caſe then depending before them.

† *Rot. Cla.* 20. *H.* 3. *M.* 13. *Dorſ.*

The Statutes of *Merton* concerning *Baſtardy* to be obſerved in *Ireland.*

In the twenty fourth Year of his ‖ Reign, the King ſent inſtructions under his Great Seal, how Lands holden in *Knight's-Service*, that deſcended to Siſters, being Co-heirs, ſhould be divided; and how, and by whom, Homage ſhould be done; and in what manner, and of whom the younger Siſter ſhould hold according to the Statute of *Ireland*, made the fourteenth Year of his Reign.

‖ *Matt. Paris* F. 526. n. 40.

How Coheirs Females were to hold in Knight's Service.

In the thirtieth of his Reign, he directed a * Writ to the Archbiſhops, and others in *Ireland*, that the Laws of *England* ſhould be ſtrictly obſerved in *Ireland*, as King *John* his Father had formerly commanded.

* *Append.* n. 228.

The Laws of *England* to be ſtrictly obſerved in *Ireland.*

Note, This was done without any Authority of Parliament, either in *England* or *Ireland.*

Yet notwithſtanding this Command, this Privilege of uſing the *Engliſh* Laws in *Ireland*, † was never deſigned by King *John*, or King *Henry*, that it ſhould extend to all the Native *Iriſh*, but only to the *Engliſh* Inhabitants that were tranſplanted thither, or were there born; and to ſuch native *Iriſh* as faithfully adhered to theſe Kings and the *Engliſh* in *Ireland*, againſt the *Iriſh* that complyed not with them; and thoſe were not to receive any benefit by them.

† *Appen.* n. 229

The Laws not intended for the benefit of the Native *Iriſh.*

The King in the Thirty eighth Year was in *Gaſcoigny*, and wanting Forces, ‖ ſent his Writ to *John Fitz-Geoffrey*, his Juſtice of *Ireland*, to come to him in Perſon with a good number of Men, if there were no danger of an Inſurrection in *Ireland*; otherwiſe to ſend *Maurice Fitz-Gerald* with the ſame Force, and to borrow Money from the Pope's Collector in *Ireland* for that Affair, to be repaid him at a certain day.

‖ *Rot. Clau.* 38. *H.* 3. *M.* 9. *Dorſ.*

The K. ſends into *Ireland* for Forces to be brought to him from thence into *Gaſcoigny.*

Prince *Edward* had the Kingdom of *Ireland* committed to him for his ſupport, with Power to make, and put in and out what Juſtices and other Officers he pleaſed, when the Barons were at *Oxford*, and had made their Proviſions, in the forty ſecond Year of this King's Reign.

It alſo appears upon * Record, that the King wrote to the Archbiſhops, Biſhops, Abbots, Priors, Barons, Knights, *&c.* of that Kingdom, that he heard his Son *Edward* intended to make a new Juſtitiary there without his Conſent, and put his Caſtles into ſuch Hands, as might be of great Damage to them, and not without danger of their Diſinheriting; and therefore commands them not to be obedient to any ſuch Juſtitiary, Conſtables, or Keepers of Caſtles,

* *Rot. Pat.* 42. *H.* 3. *M.* 5.

tles, made or appointed without his Letters Patents, by the Aſſent and Advice of his Council.

After the ſame manner he wrote alſo to all Mayors and † Communities of Cities, and Towns in *Ireland*, and to the Conſtables of Caſtles, and commanded *Alan de la Zouche* his Juſtitiary, not to obey, or give up his Authority to any new Juſtitiary, or Conſtable, that ſhould come without his ſaid Letters Patents.

† *i. e.* Corporations.

The King wrote likewiſe * to the Archbiſhop of *Dublin*, the Biſhop of *Meath* his Treaſurer, *Walter de Burgh*, and *Maurice Fitz-Gerald*, that he heard there was like to be much Diſſenſion between the Great Men of *Ireland*, and therefore ordered them to ſecure the Peace of that Nation; and ſent them further private Inſtructions by *Roger Waſpail*, who carried theſe Letters, to whom he commanded them to give entire Credit.

* *Rot. Claus.* 40. *H.* 3. *M.* 7. *Dorſ.*

The K's Writs to ſeveral Great Men, to ſecure the Peace of *Ireland.*

This is all I find worth noting concerning *Ireland* in this King's Reign, who for the moſt part appointed courageous Juſtitiaries and other Officers, by whoſe Induſtry, and by putting the *Engliſh* Laws in due Execution, that Nation was kept in Peace and Quiet during his Reign.

FINIS.

An Advertiſement to the Reader.

WHEREAS in the end of King *Richard*'s Reign, *p.* 574. I have there ſaid, that I had never ſeen any Charters of King *John*, wherein he was in direct terms ſtiled Lord of *Ireland*, I think it not too late to retract that miſtake; for ſince the printing off of that Reign, I have received Authentick Copies of two ſeveral Charters from *Ireland*, the one of Earl *John*, with the expreſs Title of Lord of *Ireland*, being a Grant to the Men of *Briſtol*, of the City of *Dublin*, to inhabit in: The Charter follows.

JOHANNES *filius Domini Regis* Angliæ *&* *Dominus* Hiberniæ. *Archiepiſcopis, Epiſcopis, Abbatibus, Comitibus, Baronibus, Juſticiis, Conſtabulariis, Miniſtris, & omnibus Ballivis & Fidelibus ſuis* Francis *&* Anglis *&* Hibernienſibus, *ſalutem. Sciatis me conceſſiſſe & præſenti Carta mea confirmaſſe hominibus meis de* Briſtowe *Donationem quam Dominus Rex* Angliæ *Pater meus eis dedit, ſcilicet,* Civitatem meam de Divilinâ ad inhabitandam. *Quare volo & firmiter præcipio quod ipſi eam inhabitent & teneant illam de me & hæredibus meis bene & in pace, libere & quiete, integre & plenarie & honorifice, cum omnibus Libertatibus & liberis Conſuetudinibus ſuis, quas homines de* Briſtowe *habent apud* Briſtowe, *& per totam Terram Domini Regis* Angliæ *patris mei, ſicut Carta ipſius teſtatur. T.* Hugone de Laci *Conſtabulario,* Bertino de Verdun *ſervo meo,* Gilberto Pypard, Willielmo de Wennes *Dapifero,* Albardo *Camerario meo,* Adamo de Heford, Philippo de Wireceſter, Roberto de Mortemer. *Dat. apud* Kildare.

Copia Vera Examinatur per Tho. Twigg, *Cleric. Theol.* CCD.

The Seal is in great part broke, but there is ſtill to be ſeen the Head of the Horſe upon it.

There is alſo another Charter precedent to this, from his Father King *Henry* the *Second*, in the ſame words, of which this above ſeems to be only a Confirmation, and therefore I would not trouble the Reader with it. But I muſt obſerve, that King *Henry* has not ſtiled himſelf in that Lord of *Ireland*, tho it was dated at *Dublin*, and he at that time there in Perſon. The Seal of this is pretty perfect, repreſenting him on the *Foreſide* as ſitting on a Throne, and on the *Reverſe* as riding on *Horſeback*, according to the manner of Seals in thoſe Times.

THE APPENDIX.

I SHALL begin it with the ſeveral Charters of Liberties, granted by our *Engliſh* Kings of the *Norman* Race, beginning with that of King *William*, and ending with the great Charters of *Henry* the *Third*, called *Magna Charta*, and *Charta de Foreſta*.

* Charta Regis *Willielmi* conquiſitoris de quibuſdam Statutis.

* *Printed in Mr.* Lambards Archaionom. *and in Sir* Roger Twiſden's *Edition of the ſame Work, from the antient Manuſcript Copy in the* Red Book *in the* Exchequer.

WILLIELMUS Rex *Anglorum*, Dux *Normannorum*, omnibus hominibus ſuis *Francis* & *Anglis*, Salutem.

I.

De Religione & Pace publica.

STATUIMUS imprimis ſuper omnia, unum Deum per totum Regnum noſtrum venerari, unam fidem Chriſti ſemper inviolatam cuſtodiri, Pacem, & Securitatem & Concordiam, Judicium & Juſtitiam inter *Anglos* & *Normannos*, *Francos* & *Britones Wallia* & *Cornubie*, *Pictos*, & *Scotos Albania*, ſimiliter inter *Francos* & *Inſulanos*, Provincias & Patrias, quæ pertinent ad Coronam & dignitatem, defenſionem & obſervationem & honorem Regni noſtri, & inter omnes nobis ſubjectos per Univerſam Monarchiam Regni *Britannie* firmiter & inviolabiliter obſervari. Ita quod nullus alii foriſfaciat in ullo ſuper foriſfacturam noſtram plenam.

II.

De fide & obſequio erga Regem.

STATUIMUS etiam ut omnes Liberi homines fœdere & Sacramento affirment, quod intra & extra univerſum Regnum *Anglie* (quod olim vocabatur Regnum *Britannie*) *Willielmo* Regni Domino ſuo fideles eſſe volunt, Terras & Honores illius omni fidelitate ubique ſervare cum Eo, & contra Inimicos & Alienigenas defendere.

III.

De Normanni *ſeu* Francigenæ *cæde.*

VOLUMUS autem & firmiter præcipimus, ut omnes homines, quos nobiſcum adduximus, aut poſt nos venerint, ſint ſub Protectione &

& in Pace noſtra per univerſum Regnum prædictum; & ſi quis de illis occiſus fuerit, Dominus ejus habeat intra V. dies homicidam ejus ſi poterit; ſin autem, incipiat perſolvere nobis XLVI Marcas argenti, quamdiu ſubſtantia Domini illius perduraverit: Ubi vero ſubſtantia Domini defecerit, totus Hundredus in quo occiſio facta eſt, communiter ſolvat quod remanet.

IV.

De Jure Normannorum *qui ante adventum Regis* Gulielmi *Cives fuerant* Anglicani.

ET omnis *Francigena*, qui tempore *Edwardi* Propinqui noſtri fuit in *Anglia* particeps conſuetudinum *Anglorum*, quod ipſi dicunt * *Anhlote* & *Anſcote*, perſolvat ſecundum legem *Anglorum*.

* i.e. *Payment of* Scot *and* Lot.

V.

De clientelari ſeu Feudorum *Jure*, & Ingenuorum *immunitate.*

VOLUMUS etiam ac firmiter præcipimus & concedimus, ut omnes Liberi Homines totius *Monarchiæ* Regni noſtri prædicti, habeant & teneant Terras ſuas & poſſeſſiones ſuas bene & in Pace, liberè ab omni Exactione injuſta, & ab omni Tallagio, ita quod nichil ab eis exigatur vel capiatur, niſi ſervicium ſuum liberum, quod de Jure nobis facere debent & facere tenentur; & prout ſtatutum eſt eis & illis a Nobis datum & conceſſum *Jure hæreditario* imperpetuum, *per Commune Concilium totius Regni noſtri prædicti.*

VI.

De nocturnis cuſtodiis.

STATUIMUS etiam & firmiter præcipimus, ut omnes *Civitates* & *Burgi* & *Caſtella* & *Hundredi* & *Wapentachia* totius Regni noſtri prædicti, ſingulis noctibus vigilentur & cuſtodiantur in Gyrum, pro Maleficis & Inimicis, prout Vicecomes & Aldermanni, & Præpoſiti & cæteri Ballivi & Miniſtri noſtri melius, per *Commune Conſilium* ad Utilitatem Regni, providebunt.

VII.

De menſuris & ponderibus.

ET quod habeant per Univerſum Regnum menſuras fideliſſimas & ſignatas, & pondera fideliſſima & ſignata, ſicut boni Prædeceſſores ſtatuerunt.

VIII.

De Clientum *ſeu* Vaſſallorum *præſtationibus.*

STATUIMUS etiam & firmiter præcipimus, ut omnes Comites & Barones, Milites, & *Servientes*, & *Univerſi Liberi* homines totius *Regni* noſtri prædicti, habeant & teneant ſe ſemper bene in Armis & in Equis, ut decet & oportet, & quod ſint ſemper prompti & bene parati ad Servicium ſuum integrum nobis explendum & peragendum,

 cum

cum ſemper opus adfuerit, ſecundum quod nobis debent de Feodis & Tenementis ſuis, de Jure facere, & ſicut illis ſtatuimus, *per Commune Concilium* totius Regni noſtri prædicti, & illis dedimus & conceſſimus in Feodo *Jure hæreditario*, hoc præceptum non ſit violatum ullo modo, ſuper forisfacturam noſtram plenam.

IX.

Ut Jura Regia illæſa ſervare pro viribus conentur ſubditi.

STATUIMUS etiam & firmiter præcipimus, ut omnes Liberi homines totius Regni noſtri prædicti ſint fratres conjurati ad Monarchiam noſtram & ad Regnum noſtrum pro viribus ſuis & facultatibus, contra Inimicos pro poſſe ſuo defendendum & viriliter ſervandum, & Pacem & Dignitatem Coronæ noſtræ integram obſervandam, & ad Judicium Rectum, & Juſtitiam conſtanter omnibus modis pro poſſe ſuo ſine dolo & ſine dilatione faciendam. [*Hoc Decretum ſancitum eſt in Civitate London.*]

X.

Ne venditio & emptio fiat niſi coram teſtibus & in Civitatibus.

INTERDICIMUS etiam, ut nulla viva * pecunia vendatur aut ematur niſi intra Civitates, & hoc ante tres fideles teſtes, nec aliquam Rem vetitam, ſine Fidejuſſore & Warranto: quod ſi aliter fecerit, ſolvat & perſolvat & poſtea forisfacturam.

* *i. e.* Pecus.

XI.

De Emporiis & Jure urbium, pagorumque notæ melioris.

ITEM nullum Mercatum vel Forum ſit, nec fieri permittantur, niſi in Civitatibus Regni noſtri, in Burgis & Muro vallatis, & in Caſtellis & in locis tutiſſimis, ubi conſuetudines Regni noſtri & Jus noſtrum Commune & Dignitatis Coronæ noſtræ, quæ conſtituta ſunt a bonis Prædeceſſoribus noſtris deperiri non poſſunt, nec defraudari, nec violari, ſed omnia rite & in aperto & per Judicium & Juſtitiam fieri debent. Et ideo Caſtella, & Burgi & Civitates ſitæ ſunt & fundatæ,& ædificatæ, ſcilicet, ad tuitionem Gentium & Populorum Regni, & ad defenſionem Regni, & idcirco obſervari debent cum omni libertate & integritate & ratione.

XII.

De purgatione forenſi in Judiciis publicis.

DECRETUM eſt etiam † ibi, ut ſi *Francigena* appellaverit *Anglum* de perjurio aut murdro, furto, homicidio, (*Ran* quod dicunt) apertam rapinam quæ negari non poteſt, *Anglus* ſe defendat per quod melius voluerit, aut Judicio Ferri, aut Duello: Si autem *Anglus* infirmus fuerit, inveniat alium, qui pro eo faciat: Si quis eorum victus fuerit, emendet Regi XL. ſolid. Si autem *Anglus Francigenam* appellaverit, & probare voluerit Judicio aut Duello, volo tunc *Francigenam* purgare ſe ſacramento, non ferro.

† *i.e.* Londini.

XIII.

XIII.

Firmantur Leges Edwardi *Regis.*

HOC quoque præcipimus ut omnes habeant & teneant Leges *Edwardi* Regis in omnibus Rebus, adauctis hiis, quas conſtituimus ad utilitatem *Anglorum.*

XIV.

De Juſtitiæ Publicæ fidejuſſoribus.

OMNIS homo qui voluerit ſe teneri pro libero, ſit in plegio, ut Plegius eum habeat ad Juſtitiam, ſi quid offenderit, & quiſquam evaſerit, talium videant Plegii, ut ſolvant, quod calumniatum eſt, & purgent ſe quodam evaſo nullam fraudem noverint. Requiratur Hundredus & Comitatus (ſicut Anteceſſores ſtatuerunt) & qui juſte venire debent & noluerint, ſummoneantur ſemel; & ſi ſecundo non venerint, accipiatur unus Bos; & ſi tertio, alius Bos; & ſi quarto, reddatur de rebus hujus hominis quod calumpniatum eſt, quod dicitur * *Ceapgel*, & inſuper Regis forisfactura.

XV.

De ſervis & eorum manumiſſione.

ET prohibimus ut nullus vendat hominem extra patriam; ſi qui vero velit ſervum ſuum liberum facere, tradat eum Vicecomiti per manum dextram in pleno Comitatu, quietum illum clamare debet a jugo ſervitutis ſuæ per manumiſſionem, & oſtendat ei liberas vias & portas, & tradat illi libera arma, ſcil. Lanceam & Gladium, deinde *Liber Homo* efficitur.

XVI.

De Servis.

ITEM ſi Servi permanſerint ſine Calumnia per annum & diem in Civitatibus noſtris, vel in Burgis Muro vallatis, vel in Caſtris noſtris, a die illa Liberi efficiuntur, & Liberi a Jugo ſervitutis ſuæ ſint imperpetuum.

XVII.

De ſupplicorum modo.

INTERDICIMUS etiam, nè quis occidatur vel ſuſpendatur pro aliqua culpa, ſed enervantur oculi & abſcidantur pedes, vel teſticuli vel manus, ita quod truncus remaneat vivus in ſignum proditionis & nequitiæ ſuæ; ſecundum enim quantitatem delicti debet pœna maleficis infligi: Iſta præcepta non ſint violata ſuper forisfacturam noſtram plenam. Teſtibus, *&c.*

* *This word, as it is here, has no meaning: I therefore ſuppoſe it ſhould have been written* Ceap-Zeld, *which ſignifies the Price or Value of a thing when taken and ſold: that is, if the Perſon ſumm'on'd fail'd the fourth Time, he was to pay for his Mulct the price of all his Oxen, which were to be ſold, beſides a Forfeiture to the King. This Emendation I owe to the Learned Dr.* Hicks's *Skill in the* Engliſh Saxon *Tongue.*

*

Alia

Alia Charta continens Inſtitutiones ſive Leges Regis Willielmi; *qua videntur additiones Prioribus.*

(*a*) *WILLIELMUS* Dei Gratia, Rex *Anglorum*, omnibus ad quos ſcriptum hoc perveniat, ſalutem & amicitiam, quod mando & præcipio per totam *Angliæ* nationem cuſtodiri.

XVIII.

De examine Forenſi.

SI *Anglicus* homo compellet aliquem *Francigenam* per † Bellum de furto vel Homicidio vel aliqua Re, pro qua Bellum fieri debeat, vel Judicium inter duos homines, habeat plenam licentiam faciendi. Et ſi *Anglicus* Bellum nolit, *Francigena* Compellatus adlegiet ſe in jurejurando contra eum per Suos teſtes ſecundum Legem *Normanniæ*.

† i. e. *Battel* or *Duel*.

XIX.

De eodem.

ITEM ſi *Francigena* compellat *Anglicum* per Bellum de eiſdem rebus, *Anglicus* plena licentia defendat ſe per Bellum vel per Judicium, ſi magis ei placeat. Et ſi *untrum* ſit, (id eſt invalidus) & nolit Bellum vel non poſſet, quærat ſibi Legalem Defenſorem.

XX.

De eodem.

SI *Francigena* victus fuerit, perſolvat Regi LX Solid. Et ſi *Anglicus* nolit ſe defendere per Bellum vel per Teſtimonium, (*b*) adlegiet ſemper ‖ Dei Judicium.

‖ *i. e.* Ordeal.

XXI.

De examine forenſi.

DE omnibus *Utlagariæ* rebus, Rex inſtituit, ut *Anglicus* ſe purget ad Judicium; & ſi *Anglicus* Appellet *Francigenam*, de *Utlegaria* & hoc ſuper eum inveritare velit, defendat ſe *Francigena* per Bellum. Et ſi *Anglicus* non audeat eum probare per Bellum, defendat ſe *Francigena* pleno Juramento, non in verborum obſervantiis.

* Charta Libertatum Regis *Henrici* primi.

* Mat. Paris. *p.* 55.

HENRICUS Dei Gratia Rex *Angliæ*, &c. *Hugoni* de *Boclande* Vicecomiti & omnibus fidelibus ſuis tam *Francis* quam *Anglicis* in *Hereforďſyre* ſalutem, ſciatis me Dei miſericordia & *Communi Conſilio Baronum, Regni Angliæ Regem eſſe Coronatum.*

(*a*) *Theſe are not in the* Red Book *of the* Exchequer, *but to be found in* Bromton's *Chronicle*, Col. 982. *and are alſo in the Manuſcript belonging to the Dean and Chapter of* Rocheſter, *call'd* Textus Roſſenſis, *p.* 47. *as Dr.* Hicks *obſerved to me, who will print them in his new* Saxon *Grammer.*

(*b*) *The* Saxon *is*, he laðiġe hinc miþ ıþene, *he ſhall purge himſelf with Iron*; that is, with the *Ordeal hot Iron.*

I. ET quia Regnum oppreſſum erat injuſtis exactionibus, ego reſpectu Dei & amore, quem erga vos omnes habeo, ſanctam Dei eccleſiam liberam facio, ita quod nec eam vendam nec ad firmam ponam, nec mortuo Archiepiſcopo vel Epiſcopo, vel Abbate, aliquid accipiam de Dominio Eccleſiæ, vel de hominibus, donec Succeſſor in eam ingrediatur.

II. ET omnes malas Conſuetudines, quibus Regnum Angliæ injuſte opprimebatur, inde Aufero, quas malas conſuetudines in parte hic pono.

III. SIQUIS Baronum meorum, Comitum, vel aliorum, qui de me tenent, mortuus fuerit, hæres ſuus non Redimet terram ſuam, ſicut facere conſueverat tempore Patris mei, ſed juſta & Legitima Relevatione relevabit eam: Similiter & * homines Baronum meorum legitima & juſta relevatione relevabunt terras ſuas de Dominis ſuis.

* *i. e.* Tenentes.

IV. ET ſiquis Baronum vel aliorum hominum meorum, filiam ſuam tradere voluerit, ſive ſororem, ſive nepotem, ſive cognatam, mecum inde loquatur, ſed neque ego aliquid de ſuo pro hac licentia accipiam, neque defendam ei, quin eam det, excepto ſi eam dare voluerit Inimico meo.

V. ET ſi mortuo Barone vel alio homine meo, filia hæres remanſerit, dabo illam cum conſilio Baronum meorum cum terra ſua.

VI. ET ſi mortuo marito, uxor ejus remanſerit, & ſine liberis fuerit, dotem ſuam, & maritagium habebit, & eam non dabo marito, niſi ſecundum velle ſuum. Si verò uxor cum liberis remanſerit, dotem ſuum & maritagium habebit, dum corpus ſuum legitimè ſervabit; & eam non dabo niſi ſecundum velle ſuum, & terræ Liberorum cuſtos erit ſive uxor, ſive alius propinquior, qui juſtus eſſe debet: & præcipio, ut homines mei ſimiliter ſe contineant erga filios & filias & uxores, hominum ſuorum.

VII. MONETAGIUM Commune, quod capiebatur per Civitates vel Comitatus, quod non fuit tempore *Edwardi* Regis, hoc ne amodo fiat omnino defendo.

VIII. SI quis captus fuerit ſive monetarius ſive alius cum falſa moneta, Juſtitia recta inde fiat.

IX. OMNIA placita & omnia debita, quæ Regi fratri meo debebantur, condono, exceptis firmis meis, & exceptis illis, quæ pacta erant pro aliorum hæritatibus, vel pro illis rebus, quæ juſtius alios contingebant. Et ſi quis aliquid pro hæreditate ſua pepigerat, illud condono & omnes Releviationes, quæ pro rectis hæreditatibus pactæ erant.

X. ET ſi quis Baronum vel hominum meorum infirmabitur, ſicut ipſe dabit vel dare diſpoſuerit, pecuniam ſuam: ita datam eſſe concedo.

XI. QUOD ſi ipſe præventus, vel armis, vel Infirmitate, pecuniam ſuam nec dederit, nec dare diſpoſuerit, uxor ſui, ſive Liberi aut parentes, & legitimi homines ſui, pro anima ejus eam dividant: ſicut eis melius viſum fuerit.

XII. SI quis Baronum vel hominum meorum forisfecerit, non dabit vadium in miſeria pecuniæ ſuæ, ſicut faciebat tempore Patris, vel fratris mei, ſed ſecundum forisfacturæ modum: nec ita emendabit ſicut emendaſſet retro tempore Patris mei vel fratris.

XIII. QUOD ſi perfidiæ vel ſceleris convictus fuerit, ſicut culpa, ſic emendet.

*

XIV. MUR-

XIV. MURDRA etiam retro ab illa die, qua in Regem Coronatus ſum, omnia condono, & ea quæ amodo facta fuerint, juſtè emendentur ſecundum Lagam Regis *Edwardi*.

XV. FORESTAS *Communi Conſilio* Baronum meorum in manu mea, ita retinui, ſicut Pater meus eas habuit.

XVI. MILITIBUS, qui per Loricas terras ſuas defendunt, terras dominicarum carucarum ſuarum quietas ab omnibus Geldis & omni proprio, Dono meo concedo; ut ſicut tam magno Gravamine alleviati ſunt, ita equis & armis bene ſe inſtruant, ut apti & parati ſint ad ſervitium meum, & ad defenſionem Regni mei.

XVII. PACEM firmam pono in toto Regno meo, & teneri amodo præcipio *Lagam* Regis *Edwardi* vobis reddo, cum illis emendationibus, quibus pater meus eam emendavit, Conſilio Baronum ſuorum.

XVIII. SI quis aliquid de modo, vel de rebus alicujus poſt obitum Regis *Willielmi* fratris mei cepit, totum cito Reddatur abſque emendatione; & ſi quis inde aliquid retinuerit, ille ſuper quem inventum fuerit, graviter mihi emendabit.

HIS teſtibus, *Mauricio Londonienſi* Epiſcopo, *Willielmo Wintonienſi* Electo, *Girardo Herefordenſi* Epiſcopo, *Henrico* Comite, *Simone* Comite, *Waltero Giffard*, Comite *Roberto de Monte forti*, *Rogero Bigod*, & aliis multis.

* Will. Malms. de geſt. Reg. p. 179. N. 3.

* Charta Regis *Stephani*.

I. EGO *Stephanus* Dei Gratia, Aſſenſu Cleri & Populi in Regem Angliæ electus, & a Domino *Willielmo* Archiepiſcopo *Cantuarie* & Sanctæ Eccleſiæ *Romanæ* Legato conſecratus, & ab *Innocentio* Sanctæ Sedis *Romanæ* Pontifice poſtmodum confirmatus, reſpectu & Amore Dei ſanctam Eccleſiam liberam eſſe concedo, & debitam reverentiam illi confirmo.

II. NIHIL me in Eccleſia, vel in rebus Eccleſiaſticis ſymoniace acturum, vel permiſſurum eſſe promitto.

III. ECCLESIASTICARUM Perſonarum & omnium Clericorum, & rerum eorum Juſtitiam & poteſtatem & diſtributionem bonorum Eccleſiaſticorum manu Epiſcoporum eſſe, perhibeo & confirmo.

IV. DIGNITATES Eccleſiarum, privilegiis earum confirmatas, & conſuetudines earum antiquo tenore habitas, inviolate manere concedo & ſtatuo.

V. OMNES Eccleſiarum poſſeſſiones, & tenuras, quas die illa habuerant, qua *Willielmus* Rex Avus meus fuit vivus & mortuus, ſine omnium calumniantium reclamatione eis liberas & abſolutas eſſe concedo.

VI. SI quid vero de habitis aut poſſeſſis ante mortem Regis, quibus modo careat, Eccleſia, deinceps repetierit, indulgentiæ & diſpenſationi meæ vel diſcutiendum, vel reſtituendum reſervo.

VII. QUÆCUNQUE vero poſt mortem Regis, liberalitate Regum, largitione Principum, oblatione, vel comparatione, vel qualibet tranſmutatione Fidelium collata ſunt confirmo.

VIII. PA-

VIII. PACEM meam & Juſtitiam in omnibus facturum & pro poſſe meo conſervaturum promitto.

IX. FORESTAS quas *Willielmus* Rex avus meus, & *Willielmus* Avunculus meus inſtituerunt & tenuerunt, mihi reſervo. Cæteras omnes, quas *Henricus* Rex ſuperaddidit, Eccleſiis & Regno quietas reddo & concedo.

X. SI quis autem Epiſcopus vel Abbas, vel alia Eccleſiaſtica Perſona ante mortem ſuam rationabiliter ſua diſtribuerit, vel diſtribuenda ſtatuerit, firmum manere concedo.

XI. SI vero morte præoccupatus fuerit, pro ſalute animæ ejus, Eccleſiæ conſilio eadem fiat diſtributio.

XII. DUM vero Sedes propriis fuerint Paſtoribus vacuæ & ipſæ & omnes, earum poſſeſſiones, in manu & cuſtodia Clericorum vel proborum hominum, ejuſdem Eccleſiæ committantur, donec Paſtor canonice ſubſtituatur.

XIII. OMNES Exactiones & *Meſchenings*, & Injuſtitias, ſive per Vice-Comites, vel per alios quoſlibet male inductas, funditus extirpo. Bonas leges & antiquas & juſtas conſuetudines in murdris, & Placitis & aliis cauſis obſervabo, & obſervari præcipio, & conſtituo: apud *Oxenford* anno incarnationis Domini 1136. Regni mei primo.

Charta libertatum Angliæ *Henrici* II.

N. 4. Ex Vol. II. Concil. Britan. D. *Hen. Spelman.* p. 51.

HENRICUS Dei Gratia Rex *Anglorum*, Dux *Normanniæ* & *Acquitaniæ*, Comes *Andegaviæ*, Baronibus & Fidelibus ſuis *Francis* & *Anglicis*, Salutem.

I. SCIATIS me ad honorem Dei & ſanctæ Eccleſiæ & pro communi emendatione totius *Regni* mei, Conceſſiſſe & reddiſſe & præſenti Charta mea Confirmaſſe, Deo & Sanctæ Eccleſiæ & omnibus Comitibus & Baronibus & omnibus hominibus meis, omnes Conſuetudines quas Rex *Henricus* Avus meus eis dedit & conceſſit; Similiter etiam omnes malas conſuetudines, quas ipſe delevit & remiſit, Ego remitto & deleri concedo pro me & Hæredibus meis.

II. QUARE volo & firmiter præcipio, ut ſancta Eccleſia, & omnes Comites & Barones, & omnes mei homines, omnes illas Conſuetudines & donationes & Libertates, & liberas Conſuetudines habeant & teneant libere & quiete, bene & in pace, integre, de me & Hæredibus meis, ſibi & Hæredibus ſuis, adeo libere & quiete & plenarie in omnibus, ſicut Rex *Henricus* Avus meus eis dedit & conceſſit, & Charta ſua confirmavit. Teſt. *Richardo de Lucy.*

Charta libertatum Regis Johannis,

Sicut invenitur in *Mat. Paris*, p. 255. Collata cum duabus Chartis *Original.* una in Bibliotheca *Cotton.* altera in Archivis Eccleſiæ *Sarisburienſis*, penes Decanum & Capitulum.

JOHANNES Dei Gratia Rex *Angliæ*, Dux *Normanniæ* & *Acquitaniæ*, Comes *Andegaviæ*, Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Comitibus, Baronibus, * *Juſtitiariis, & Foreſtariis*, Vicecomitibus, Præpoſitis, Miniſtris & omnibus Ballivis, & fidelibus ſuis, † *præſentem Chartam inſpecturis*, ſalutem. Sciatis nos intuitu Dei & pro ſalute animæ noſtræ & Anteceſſorum omnium & Hæredum meorum, & ad honorem Dei, & exaltationem S. Eccleſiæ, & emendationem Regni noſtri, per Conſilium venerabilium patrum noſtorum, *Stephani Cantuarienſis* Archiepiſcopi, totius Angliæ Primatis, & Sanctæ Romanæ Eccleſiæ Cardinalis, *Henrici Dublinenſis* Archiepiſcopi, *Willielmi Londinenſis* Epiſcopi, *Petri Wintonienſis*, *Jocelini Bathonienſis* & *Glaſton*, *Hugonis Lincolnienſis*, *Walteri Wigornenſis*, *Willielmi Coventrenſis*, *Benedicti Roffenſis* Epiſcoporum, & magiſtri *Pandulphi* Domini Papæ Subdiaconi & familiaris, & fratris *Eymerici* magiſtri Militiæ Templi in *Anglia*, & Nobilium virorum *Willielmi* Mareſchalli Comitis *Pembroc.* *W.* Comitis *Saresberienſis*, *Willielmi* Comitis *Warrenna*, *Willielmi* Comitis *Arundel*, *Alani de Galerveia* Conſtabularii *Scotiæ*, *Warini filii Geraldi*, *Petri filii Hereberti*, & *Huberti de Burgo*, *Seneſchalli Pictaviæ*, *Hugonis* de *Nevilla*, *Matthæi filii Hereberti*, *Thomæ Baſſet*, *Alani Baſſet*, *Philippi de Albeniaco*, *Roberti de Roppele*, *Johannis Mareſchalli*, & *Johannis filii Hugonis*, & Aliorum Fidelium noſtrorum. Imprimis conceſſiſſe Deo, & hæc præſenti Charta noſtra confirmaſſe pro nobis & Hæredibus noſtris in perpetuum.

* Ita in S. & C. deſunt in M. Paris.

† Deſunt in S. Nota quod C. denotat Chartam Cotton. S. Sarisburienſ. M.P. Mat. Par.

I. QUOD Anglicana Eccleſia libera ſit, & habeat Jura ſua integra, & libertates ſuas illæſas, ‖ *& ita volumus obſervari, quod apparet ex eo, quod libertatem Electionum, quæ maximæ & magis neceſſaria reputatur Eccleſiæ Anglicanæ, mera & ſpontanea voluntate, ante diſcordiam, inter nos & Barones noſtros manifeſte motam, conceſſimus, & charta noſtra confirmavimus, & eam obtinuimus a Domino Papa* Innocentio *tertio confirmari; quam & nos obſervabimus, & ab hæredibus noſtris in perpetuum bona fide volumus obſervari.*

‖ Deſunt hæc in Chartâ R. Henrici 3.

II. CONCESSIMUS etiam omnibus liberis hominibus Regni *noſtri*, pro nobis & hæredibus noſtris in perpetuum, omnes libertates ſubſcriptas; habendas & tenendas eis & hæredibus ſuis de nobis & hæredibus noſtris.

III. SI quis Comitum vel Baronum noſtrorum, ſive aliorum Tenentium de nobis in Capite per Servitutum militare mortuus fuerit, & cum deceſſerit hæres ſuus plenæ ætatis fuerit & relevium debeat; habeat hæreditatem ſuam per antiquum relevium, ſcilicet hæres vel hæredes Comitis de Baronia Comitis Integra, per centum libras; hæres vel hæredes Baronis de Baronia integra centum * *marcas*; hæres vel hæredes militis de feodo militis integro per centum Solidos ad plus; & qui minus debuerit, minus det, ſecundum antiquam conſuetudinem feudorum.

* S. Libras.

IV. SI autem hæres alicujus talium fuerit infra ætatem, & fuerit in Cuſtodia, * *Dominus ejus non habeat Cuſtodiam ejus, nec terræ ſuæ, antequam homagium ejus ceperit, & poſtquam talis hæres fuerit in Cuſtodia,* † *& ad* ætatem pervenerit, ſcilicet viginti & unius Anni, habeat hæreditatem ſuam ſine Relevio, & ſine Fine, ita tamen quod ſi ipſe, dum infra ætatem fuerit, fiat miles, nihilominus terra remaneat in Cuſtodia Dominorum ſuorum uſque ad terminum prædictum.

* Deſunt in M. P.

† In Cotton. & Sarisb. *cum autem.*

V. CUSTOS terræ hujuſmodi hæredis, qui infra ætatem fuerit, non capiat de Terra hæredis, niſi rationabiles Exitus, & rationabiles conſuetudines, & rationabilia ſervitia: & hoc ſine deſtructione & vaſto Hominum vel Rerum. Et ſi Nos Commiſerimus cuſtodiam alicujus talis terræ Vicecomiti vel alicui alii, qui de exitibus † *terræ illius* nobis debeat reſpondere, & ille deſtructionem de cuſtodia fecerit vel vaſtum; nos ab illo capiemus Emendam, & terra committatur duobus legalibus & diſcretis hominibus de Feudo illo, qui ſimiliter de Exitibus nobis reſpondeant, vel ei cui eos aſſignabimus, ‖ *ſicut prædictum eſt.*

† Deſunt in S. & C.

‖ Deſunt in S. & C.

VI. CUSTOS autem quam diu cuſtodiam terræ habuerit ſuſtentet, domos parcos, vivaria, ſtagna, molendina, & cætera ad illam terram pertinentia, de exitibus terræ ejuſdem, & Reddat hæredi, cum ad plenam ætatem pervenerit, terram ſuam totam, inſtauratam de carucis & Waynagiis, † *ſecundum quod Tempus Waynagii exiget, & exitus Terræ rationabiliter poterit ſuſtinere.* * *Et omnibus aliis rebus, ad minus ſecundum quod illa recepit: Hæc omnia obſerventur de cuſtodiis Archiepiſcopatuum, Epiſcopatuum, Abbatiarum, Prioratuum, Eccleſiarum & Dignitatum vacantium, quæ ad nos pertinent; excepto quod cuſtodiæ Hujuſmodi vendi non debent.*

† Deſunt in M. P.

* Deſunt in C.

VII. HÆREDES maritentur ſine diſparagatione: * *ita tamen quod antequam contrahatur matrimonium, oſtendatur Propinquis de conſanguinitate ipſius hæredis.*

† Deſunt in Charta R. Henrici tertii.

VIII. VIDUA poſt mortem mariti ſui, ſtatim & ſine difficultate * *aliqua* habeat, Maritagium * *ſuum* & Hæreditatem ſuam; nec aliquid det pro Dote ſua, vel pro Maritagio ſuo, vel Hæreditate ſua, quam Hæreditatem etiam maritus ſuus & ipſa tenuerunt, die obitus ipſius mariti: Et maneat in Domo capitali meſſuagio mariti ſui per quadraginta dies, poſt obitum ipſius mariti, infra quos aſſignetur ei Dos ſua, † [*niſi ei prius fuerit aſſignata:*] ‖ *vel niſi domus illa fuerit Caſtrum, & ſi de Caſtro receſſerit, ſtatim provideatur ei domus competens, in qua poſſit honeſte morari, quousque ei Dos ſua aſſignetur, ſecundum quod prædictum eſt & habeat rationabile, Eſtoverium ſuum interim de* Communi: *Aſſignetur autem ei pro Dote ſua tertia pars totius terræ mariti ſui, quæ ſua fuit in vita, niſi de minore dotata fuerit ad oſtium Eccleſiæ.*

* Deſunt in S. & C.

† Deſunt in C.

‖ Deſunt in S. & C.

IX. NULLA vidua deſtringatur ad ſe maritandum, dum voluerit vivere ſine marito; ita tamen quod ſecuritatem faciat, quod ſe non maritabit ſine Aſſenſu noſtro, ſi de Nobis tenuerit; vel ſine Aſſenſu Domini ſui de quo tenuerit, ſi de alio tenuerit.

X. NEC Nos vel nec Ballivi noſtri ‖ *non* ſeiſiemus terram aliquam, nec redditum pro debito aliquo, quamdiu catalla Debitoris * *præſentia* ſufficiunt ad debitum reddendum; † *& ipſe Debitor paratus ſit inde ſatisfacere,* nec Plegii ipſius Debitoris deſtringantur, quamdiu ipſe Capitalis Debitor ſufficiat ad ſolutionem Debiti.

* Deeſt in S. & C.

† Deſunt in S. & C.

XI. ET ſi capitalis Debitor defecerit in ſolutione Debiti, non habens unde ‖ *reddat, aut reddere nolit, cum poſſit* Plegii reſpondeant de

‖ In S. & C. ſolvat.

Debito:

Debito : & ſi voluerint, habeant terras & redditus debitoris, * *quouſque* ſit eis ſatisfactum de Debito quod ante pro eo ſolverint ; niſi capitalis Debitor monſtraverit ſe inde eſſe quietum verſus eoſdem Plegios.

* C. & S. Donec.

XII. *SI quis mutuo Acceperit aliquid à* Judæis *plus vel minus, & moriatur antequam debitum illud* † perſolverit ; *debitum illud non uſuret, quam diu hæres fuerit infra ætatem, de quocunque teneat : & ſi debitum illud incidat in manus noſtras, nos non capiemus niſi catallum contentum in Charta.*

Deſunt hæc duo Capitula de Debitis Judæorum, in Chartis *H.* 3. † In C. & S. *ſolvatur.*

XIII. *ET ſi quis moriatur & debitum debeat* Judæis, *uxor ejus habeat Dotem ſuam, & nil reddat de Debito illo. Et ſi liberi ipſius Defuncti, qui fuerint infra ætatem, remanſerint, provideantur eis neceſſaria ſecundum tenementum quod fuerit Defuncti, & de reſiduo ſolvatur Debitum ; ſalvo* ‖ tamen *ſervitio Dominorum, ſimili modo fiat de Debitis, quæ debentur aliis quam* Judæis.

‖ Deeſt in S. & C.

XIV. * NULLUM Scutagium vel Auxilium † ponam in Regno noſtro, niſi per *Commune Concilium Regni noſtri,* niſi ad Corpus noſtrum redimendum, & ad primogenitum Filium noſtrum militem faciendum, & ad primogenitam Filiam noſtram ſemel maritandam ; Et ad hæc non fiat niſi rationabile Auxilium.

* Deeſt totum in Chart. H. 3. † In S. & C. *ponatur.*

XV. ‖ *SIMILI modo fiat de Auxiliis de Civitate Londinenſi* ; & Civitas London. habeat omnes antiquas Libertates & liberas Conſuetudines ſuas, tam per terras quam per aquas.

‖ Deſunt in Charta Hen. 3.

XVI. PRÆTEREA Volumus & concedimus quod omnes aliæ Civitates & Burgi, & Villæ, * *& Barones de quinque Portubus,* & omnes Portus, habeant omnes Libertates & omnes liberas conſuetudines ſuas, † *Et ad habendum commune concilium Regni de* ‖ *Auxiliis aſſidendis,* aliter *quam in tribus caſibus prædictis.*

* Deſunt in S. & C. † Deſunt in Charta Hen. 3. hæc quinque Capitula ſequentia. ‖ In C. & S. Auxilio aſſidendo.

XVII. * *ET de Scutagiis aſſidendis, ſubmoneri faciemus Archiepiſcopos, Epiſcopos, Abbates, Comites, & Majores Barones* Regni *ſigillatim per literas noſtras.*

* In C. & S. vel de Scutagio Aſſidendo.

XVIII. *ET præterea faciemus, ſubmoneri in generali, per Vicecomites & Ballivos noſtros, omnes illos alios, qui in* Capite *tenent de nobis, ad certum diem, ſcilicet ad terminum quadraginta dierum ad minus, ad certum locum, & in omnibus literis ſummonitionis illius, cauſam ſummonitionis illius exprimemus.*

XIX. *ET ſic facta ſummonitione, negotium procedat ad diem aſſignatum ſecundum conſilium illorum qui præſentes fuerint, quamvis non omnes ſummoniti venerint.*

XX. *NOS non concedemus de cætero alicui, quod capiat Auxilium de liberis hominibus ſuis, niſi ad corpus ſuum redimendum ; & ad faciendum primogenitum filium ſuum militem, & primogenitam filiam ſuam ſemel maritandam ; & ad hæc non fiat niſi rationabile Auxilium.*

XXI. NULLUS diſtringatur ad faciendum majus ſervitium de feudo militis, nec de alio libero Tenemento quam inde debetur.

XXII. COMMUNIA placita non ſequantur curiam noſtram, ſed teneantur in aliquo certo Loco.

XXIII. RECOGNITIONES de nova Diſſeiſina, de morte Anteceſſoris, & de ultima Præſentatione non capiantur niſi in Comitatibus ſuis & hoc modo : Nos (vel ſi extra regnum fuerimus) capitalis Juſtitiarius noſter, *mittet* Juſtitiarios noſtros per unumquemque Comitatum per vices in anno, qui cum militibus Comitatuum, capiant

in

* Ita in C. & S. deeſt in M. P.

in Comitatibus Aſſiſas * *prædictas*. Et ea quæ in illo Adventu ſuo in Comitatibus per Juſticiarios prædictos, ad prædictas Aſſiſas capiendas miſſos, terminari non poſſunt per eoſdem propter difficultatem Articulorum terminari non poſſunt, referantur ad Juſticiarios noſtros de Banco. Aliter ſe habet in C. & S. hic Articulus, *viz.*

XXIV. *ET ſi mittemus duos Juſticiarios per unumquemque Comitatum per quatuor vices in anno, qui cum militibus Comitatuum cujuſlibet Comitatus electis per Comitatum, capiant in Comitatu, & in die & loco Comitatus, Aſſiſas prædictas; & ſi in die Comitatus Aſſiſæ prædictæ capi non poſſint, tot milites & Liberè Tenentes remaneant de illis qui interfuerunt Comitatui die illo, per quos poſſint ſufficienter Judicia fieri ſecundum quod negotium fuerit majus vel minus.*

† Deſunt in S. & C.

XXV. † *ASSISÆ de ultima Præſentatione Eccleſiarum ſemper capiantur eorum Juſtitiariis de Banco, & ibi terminentur.*

XXVI. LIBER homo non amercietur pro parvo delicto, niſi ſecundum modum ipſius delicti; ſalvo Contenemento ſuo. Et Mercator eodem modo, ſalva marcandiſa ſua. Et Villanus ‖ *alterius quam noſter*, eodem modo amercietur; ſalvo Waynagio ſuo, ſi inciderit in miſericordiam noſtram. Et nulla prædictarum Miſericordiarum ponatur, niſi per Sacramentum proborum & * *legalium* hominum de Vicineto Comitatus.

‖ Deſunt in C. & S.

* Deeſt in C. & S.

XXVII. COMITES & Barones non amercientur, niſi per Pares ſuos; & non niſi ſecundum modum Delicti.

† Ita in C. & S. in M. P. *nulla Eccleſiaſtica Perſona amercietur*, &c.

XXVIII. † *NULLUS Clericus* amercietur de laico Tenemento ſuo, niſi ſecundum modum aliorum prædictorum, & non ſecundum quantitatem Beneficii ſui Eccleſiaſtici. In M. P. ſequitur, *ſed ſecundum laicum Tenementum ſuum, & ſecundum Quantitatem delicti.*

XXIX. NEC villa nec homo deſtringatur facere pontes ad Riparias, niſi qui ab Antiquo & Jure facere debent.

‖ Deeſt totum in S. & C.

XXX. ‖ *NULLA Riparia de cetero defendetur, niſi illa quæ fuerat in defenſo tempore* Henrici *Regis Avi noſtri.*

XXXI. NULLUS Vicecomes, Conſtabularius, Coronatores, vel alii Ballivi noſtri, teneant Placita Coronæ noſtræ.

XXXII. OMNES Comitatus & Hundredi Wapentagia & Trethingi, ſint ad antiquas firmas, abſque ullo incremento, exceptis Dominicis maneriis noſtris.

XXXIII. SI Aliquis tenens de Nobis laicum feudum moriatur, & Vicecomes vel Ballivus noſter litteras * *noſtras* oſtendat patentes, de ſummonitione noſtra non de debito, quod defunctus nobis debuit: liceat Vicecomiti vel Ballivo noſtro attachaiare & imbreviare catalla Defuncti inventa in laico Feodo ad Valentiam illius debiti, per viſum legalium hominum; ita tamen quod nichil inde amoveatur, donec perſolvatur debitum Nobis quod clarum fuerit, & reſiduum relinquatur Executoribus ad faciendum teſtamentum Defuncti. Et ſi nichil nobis debeatur ab ipſo, omnia catalla cedant Defuncto; ſalvis uxori ipſius & pueris rationabilibus partibus ſuis.

* Deeſt in S.

† Deſunt in M. P.

XXXIV. † *SI Aliquis liber homo inteſtatus deceſſerit, catalla ſua per manus Propinquorum, Parentum & amicorum ſuorum per viſum Eccleſiæ diſtribuantur; ſalvis unicuique debitis quæ defunctus ei debebat.*

‖ Deſunt in S. & C.

* Deſunt in C. & S.

XXXV. NULLUS Conſtabularius, vel alius Ballivus noſter capiat blada vel alia catalla alicujus, ‖ *qui non de Villa ubi Caſtrum ſitum ſit*, niſi ſtatim inde reddat denarios, aut reſpectum inde habere poſſit de voluntate venditoris; * *ſi autem de Villa ipſa fuerit, infra quadraginta dies pretium reddat.*

XXXVI.

XXXVI. NULLUS Conſtabularius deſtringat militem aliquem ad dandum denarios pro cuſtodia Caſtri, ſi ipſe eam facere voluerit in propria perſona ſua, vel per alium probum hominem; ſi ipſe eam facere non poſſit * *propter* rationabilem cauſam. * In M. P. per.

XXXVII. ET ſi nos duxerimus, vel miſerimus eum in Exercitum, erit quietus de Cuſtodia, ſecundum quantitatem temporis, quo per nos fuerit in Exercitu, † *de feodo, pro quo fecit ſervitium in Exercitu.* † Deſunt in C. & S.

XXXVIII. NULLUS Vicecomes vel Ballivus noſter vel aliquis alius, capiat equos vel Carectas alicujus ‖ *Liberi hominis* pro cariagio faciendo, * *niſi reddat liberationem antiquitus ſtatutam; ſcilicet pro Carecta ad duos equos, decem denarios per diem, & pro carecta ad tres equos, quatuordecim denarios per diem.* ‖ Deſunt in M. P. * Deſunt in C. & S. ubi eſt, niſi de voluntate ipſius Liberi Hominis.

XXXIX. † *NULLA carecta Dominica alicujus Eccleſiaſtica Perſonæ vel Militis, vel alicujus Dominæ, capiatur per Ballivos prædictos:* nec Nos, nec Ballivi noſtri capiemus boſcum alienum ad Caſtra vel agenda noſtra, niſi per voluntatem illius cujus Boſcus ille fuerit. † Deſunt in S. & C.

XL. NOS autem non tenebimus terras eorum, qui convicti fuerint de Felonia, niſi per unum annum & unum diem; & tunc reddantur terræ Dominis feudorum.

XLI. OMNES Kidelli de cætero deponantur penitùs de *Tamiſia* & de *Medewaia*, & per totam Angliam; niſi per Coſtam maris.

XLII. *BREVE* quod vocatur *Præcipe*, de cætero non fiat Alicui de aliquo tenemento, unde liber homo ‖ *perdat cauſam ſuam.* ‖ In C. & S. poſſet amittere Curiam ſuam.

XLIII. UNA menſura vini ſit per totum regnum noſtrum, & una cerviſiæ; & una menſura bladi, ſcilicet Quarterium *Londinenſe*. Et una latitudo pannorum tinctorum & ruſſettorum & *Albergertorum*, ſcilicet duæ ulnæ infra liſtas: De ponderibus autem ſicut de menſuris.

XLIV. NICHIL detur vel capiatur de cætero pro *Brevi Inquiſitionis*, * *ab eo qui Inquiſitionem petit de vita, vel membris; ſed gratis concedatur & non negetur.* * Deſunt in C. & S.

XLV. SI aliquis teneat de nobis per feodi Firmam vel per Socagium vel per Burgagium, & de alio teneat terram per ſervitium militare, nos non habebimus cuſtodiam hæredis, nec terræ ſuæ, quæ eſt de feodo alterius, occaſione illius feodi, firmæ, vel Soccagii, vel Burgagii; nec habebimus cuſtodiam illius feodi Firmæ vel Soccagii, vel Burgagii, niſi ipſa feodi firma debeat Servitium militare.

XLVI. NOS non † *tenebimus* cuſtodiam hæredis vel terræ alicujus, quam tenet de alio per ſervitium militare, occaſione alicujus parvæ Sergentiæ, quam tenet de nobis per ſervitium reddendi Nobis cultellos, vel ſagittas vel hujuſmodi. † In C. & S. habebimus.

XLVII. NULLUS Ballivus ponat aliquem de cætero ad legem, ‖ *nec ad Juramentum* ſimplici loquela ſua; ſine teſtibus fidelibus ad hoc inductis. ‖ Deſunt in M. P.

XLVIII. NULLUS liber homo capiatur, vel impriſonetur aut diſſeiſietur * *de aliquo libero tenemento ſuo, vel Libertatibus vel liberis Conſuetudinibus ſuis*; aut utlagetur aut exuletur, aut aliquo alio modo deſtruatur; nec ſuper eum *ibimus*, nec † *eum in carcere* mittemus, niſi per Legale judicium Parium ſuorum, vel per Legem Terræ. * Deſunt in C. & S. † Deſunt in S. & C. ubi [*nec ſuper eum.*]

XLIX. NULLI vendemus, nulli negabimus, aut differemus Rectum, vel Juſtitiam.

* Deſunt in C. & S.

L. OMNES mercatores [* *niſi publice prohibiti fuerint*] habeant ſalvum & ſecurum exire de Anglia & venire in Angliam, & morare & ire per Angliam tam per terram, quam per aquam, ad emendum vel vendendum ſine omnibus Toltis malis, per antiquas & rectas Conſuetudines, præterquam in tempore Gwerræ, & ſi ſint de terra contra Nos Gwerrina.

LI. ET ſi Tales inveniantur in terra noſtra in principio Gwerræ, attrachientur ſine damno corporum vel rerum; donec ſciatur a Nobis, vel a capitali Juſtitiario noſtro, quomodo Mercatores terræ noſtræ tractentur † in terra contra nos Gwerrina; & ſi noſtri ſalvi ſint ibi, alii ſalvi ſint in Terra noſtra.

† In C. & S. qui tunc invenientur.

|| Deeſt totum in Charta H. 3.

LII. || *LICEAT unicuique de cætero exire de regno noſtro, & redire ſalvo & ſecure per terram & per aquam, ſalva fide noſtra; niſi in tempore Gwerræ per aliquod breve tempus propter Communem utilitatem Regni; exceptis impriſonatis & utlagatis, (ſecundum legem Regni) & Gente de Terra contra nos Gwerrina & Mercatoribus, de quibus fiat ſicut prædictum eſt.*

LIII. SI quis tenuerit de aliqua *Eſchaeta*, ſicut de honore *Walingfordiæ, Notingham, Bononiæ, Lancaſtriæ*, vel de aliis Eſchaetis, quæ ſunt in manu noſtra, & ſint Baroniæ, & obierit; hæres ejus non det aliud relevium, nec faciat nobis aliud ſervitium, quàm faceret Baroni, ſi illa Baronia eſſet in manu Baronis: & nos eodem modo eam tenebimus quo Baro eam tenuit, † [*nec nos occaſione talis Baroniæ, vel Eſchaetæ habebimus aliquam Eſchaetam vel cuſtodiam aliquorum Hominum noſtrorum, niſi alibi tenuerit de nobis in Capite ille qui tenuit Baroniam vel Eſchaetam.*]

† Deſunt in C. & S.

Deeſt in C. & S.

LIV. HOMINES qui manent extra Foreſtam, non veniant de cætero coram Juſtitiariis noſtris de Foreſta per Communes ſummonitiones; niſi ſint in Placito, vel plegii alicujus vel aliquorum, qui attachiati ſint pro Foreſta.

Deeſt in C. & S.

LV. OMNES autem Boſci qui fuerint afforeſtati per Regem *Richardum* fratrem noſtrum, ſtatim deafforeſtentur, niſi fuerint dominici boſci noſtri.

Deeſt in S. & C.

LVI. NULLUS Liber homo de cætero det amplius alicui, vel vendat de terra ſua, quam ut de reſiduo terræ ſuæ poſſit ſufficienter fieri Domino feudi ſervitium ei debitum, quod pertinet ad feudum illud.

LVII. OMNES Patroni Abbatiarum, qui habent Chartas regum Angliæ de advocatione, vel per aliquam antiquam tenuram vel poſſeſſionem, habeant earum cuſtodiam cum vacaverint; ſicut habere debent, & ſicut ſupra declaratum eſt.

Hoc invenitur in C. & S. ſed alio loco.

LVIII. NULLUS capiatur vel impriſonetur, propter Appellationem fœminæ, de morte alterius quam viri ſui.

Deeſt in C. &. S.

LIX. NULLUS Comitatus teneatur de cætero, niſi de menſe in menſem; & ubi major terminus eſſe ſolebat, major ſit.

LX. NEC Vicecomes aliquis, vel Ballivus ſuus faciat terminum ſuum per Hundredum, niſi bis in anno, & non niſi in loco debito & conſueto; videlicet ſemel poſt paſcha, & iterum poſt feſtum Sancti Michaelis. Et viſus ſimiliter de Franco plegio, tunc fiat ad illum terminum Sancti Michaelis ſine occaſione, ita ſcilicet quod quilibet habeat ſuas libertates, quas habuit & habere conſuevit tempore Henrici Regis avi noſtri, vel quas poſtea adquiſivit.

LXI. FIAT

LXI. FIAT autem viſus de Franco plegio ſic, ut pax noſtra teneatur, & quod tethinga integra ſit ſicut eſſe conſuevit. Deeſt in C. & S.

LXII. ET quod Vicecomes non quærat occaſiones; & quod contentus ſit de eo quod Vicecomes habere conſuevit de viſu ſuo faciendo, tempore *Henrici* Regis avi noſtri. Deeſt in C. & S.

LXIII. NON liceat de cætero, alicui dare terram ſuam domui religionis; ita quod illam reſumat tenendam de eadem domo. Deeſt in C. & S.

LXIV. NEC liceat alicui domui religionis terram ſic accipere, quod tradat eam illi à quo illam recepit tenendam. Si quis autem de cætero terram ſuam ſic dederit domui religioſæ, & ſuper hoc convincatur; donum ſuum penitus caſſetur, & terra illa domino ſuo illius feudi incurratur. Deeſt in C. & S.

LXV. SCUTAGIUM de cætero capiatur, ſicut capi tempore Regis *Henrici* avi noſtri conſuevit; & quod Vicecomes non quærat occaſiones, & quod contentus ſit de eo quod Vicecomes habere conſuevit. Deeſt in C. & S.

LXVI. OMNES autem conſuetudines prædictas & libertates quas conceſſimus in regno noſtro tenendas, quantum ad nos pertinet erga omnes homines noſtros de regno noſtro, tam Clerici quam Laici noſtri obſervent, quantum ad ſe pertinet erga homines ſuos. Deeſt in C. & S.

LXVII. SALVIS Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Templariis, Hoſpitalariis, Comitibus, Baronibus, Militibus, & omnibus aliis tam Eccleſiaſticis Perſonis quam ſæcularibus, libertatibus & liberis conſuetudinibus, quas prius habuerunt. His teſtibus, *&c.* Deeſt in C. & S.

[BESIDES the above written Articles contain'd in the Charter of King *John*, as it is in *Mat. Paris*, and the Manuſcript Copy of *Bennet* College, there follow in the Manuſcript Originals abovementioned, as alſo in the Copy in *Lambeth* Library, theſe following additional Chapters which are not found in thoſe Copies; beginning after the 55*th* Chapter, and ſo proceeding to the end of the ſaid Charter, thoſe that are in the Print being all omitted except the 58*th*.]

LXVIII. OMNES autem Foreſtæ, quæ afforeſtatæ fuerint tempore noſtro, deafforeſtantur; & ita fiat de Ripariis, quæ per nos tempore noſtro poſitæ ſunt in defenſo.

LXIX. NOS non faciemus Juſtitiarios, vel Conſtabularios, Vicecomites, vel Ballivos, niſi de talibus qui ſciant *Legem Regni*, & eam bene velint obſervare.

LXX. OMNES malæ conſuetudines de Foreſtis & Warrennis, & de Foreſtariis & Warrennariis, Vicecomitibus & eorum miniſtris, Ripariis & earum Cuſtodibus, ſtatim inquirantur in quolibet Comitatu per duodecim milites juratos de eodem Comitatu, qui debent eligi per probos homines ejuſdem Comitatus; & infra quadraginta dies poſt Inquiſitionem factam, penitus (ita quod nunquam revocentur) deleantur per eoſdem; ita quod nos hoc ſciamus prius vel Juſtitiarius noſter, ſi nos in Anglia non fuerimus.

LXXI. OMNES Obſides & Cartæ ſtatim reddentur, quæ liberatæ fuerint nobis ab *Anglicis* in ſecuritatem Pacis velut fideles Servientes.

LXXII. NOS amovebimus penitus de Baliis, Parentes *Girardi* de *Acris*, quod de cætero nullam habeant Balliam in *Anglia*, ſcil. *Engelardum*

dum de *Cigonum*, *Andream*, *Petrum* & *Simonem* de *Chancellie*, *Simonem* de *Cigonum*, *Galfridum* de *Martem*, & Fratres ejus, & *Galfridum* nepotem ejus, & totam ſequelam eorundem.

LXXIII. ET ſtatim poſt Pacis Reformationem amovebimus de Regno, omnes Alienigenas milites, Baliſtarios ſervientes & ſtipendarios, qui venerunt cum equis & armis ad nocumentum *Regni*.

LXXIV. SI quis fuerit diſſeiſitus vel elongatus per nos ſine legali Judicio Parium ſuorum, de Terris, Caſtellis, Libertatibus, vel Jure ſuo, ſtatim ei reſtituentur; & ſi contentio ſuper hoc orta fuerit, tunc inde fiet per Judicium Viginti quinque Baronum, de quibus fit mentio inferius in ſecuritate Pacis.

LXXV. DE omnibus autem aliis, de quibus aliquis diſſeiſitus fuerit, vel elongatus, ſine legali Judicio Parium ſuorum, per *Henricum* Regem Patrem noſtrum, vel per *Richardum* Regem Fratrem noſtrum, quæ in manu noſtra habemus, vel quæ alii tenent, quæ nos oportet Warrantizare, reſpectum habebimus uſque ad Communem Terminum * *Cruce ſignatorum*, exceptis illis de quibus placitum motum fuerit, vel Inquiſitio facta per Præceptum noſtrum ante ſuſceptionem Crucis noſtræ.

* i.e. *Thoſe who had undertaken the* Cruſado.

LXXVI. CUM autem redierimus de † Peregrinatione noſtra, vel ſi forte remanſerimus a Peregrinatione noſtra, ſtatim inde Plenam Juſtitiam exhibemus.

† Scil. ad *Terram Sanctam*.

LXXVII. EUNDEM autem reſpectum habebimus & eodem modo de Juſtitia exhibenda de Foreſtis deafforeſtandis, vel remanſuris Foreſtis, quas *Henricus* Pater noſter & *Richardus* Frater noſter afforeſtaverunt.

LXXVIII. ET de Cuſtodiis Terrarum, quæ fuerunt de alieno Feodo, cujuſmodi cuſtodias hucuſq; habuimus occaſione feodi, quod aliquis de nobis tenuit per ſervitium militare, & de Abbatiis quæ fundatæ fuerunt in Feodo alterius quam noſtro, in quibus Dominus Feodi dicit ſe Jus habere, cum redierimus; vel ſi remanſerimus a Peregrinatione noſtra, ſuper hiis Conquerentibus plenam Juſtitiam ſtatim exhibebimus.

LXXIX. OMNES Fines, qui injuſte & contra Legem Terræ facti ſunt nobiſcum, & omnia Amerciamenta facta injuſte, & contra Legem Terræ, omnino condonentur; vel fiat inde per judicium Viginti quinque Baronum, de quibus fit mentio inferius in ſecuritate Pacis, vel per Judicium majoris Partis eorundem, una cum prædicto *Stephano* Cantuar. Archiepiſcopo, ſi intereſſe poterit, & aliis quos ſecum ad hoc vocare voluerit; & ſi intereſſe non poterit, nihilominus procedat negotium ſine Eo: ita quod ſi aliquis vel aliqui de prædictis viginti quinque Baronibus fuerint in Simili Querela, amoveantur quantum ad hoc Judicium, & alii loco Illorum per reſiduos de Viginti quinque eiſdem tantum ad hoc faciendum Electi & Jurati ſubſtituentur.

LXXX. SI nos diſſeiſivimus vel elongavimus Wallenſes de Terris vel Libertatibus vel rebus aliis, ſine Legali Judicio Parium ſuorum in *Anglia* vel in *Wallia*, eis ſtatim reddantur; & ſi contentio ſuper hoc orta fuerit, tunc inde fiat in *Marchia per Judicium Parium ſuorum* de Tenementis *Angliæ* ſecundum Legem *Angliæ*, de Tenementis *Walliæ* ſecundum Legem *Walliæ*, de Tenementis *Marchiæ* ſecundum Legem *Marchiæ*: idem facient *Wallenſes* nobis & noſtris.

LXXXI. DE omnibus illis autem de quibus aliquis Wallenſium diſſeiſitus fuerit, * *vel Elongatus* ſine Legali Judicio Parium ſuorum,

* Deeſt in C. & S.

rum, per *Henricum* Regem Patrem noſtrum, vel per *Richardum* Regem Fratrem noſtrum, quæ nos in manu noſtra habemus, vel quæ alii tenent, quæ nos oportet Warrantizare, reſpectum habebimus uſq; ad Communem Terminum Cruce Signatorum, exceptis illis de quibus Placitum motum fuerit, vel Inquiſitio facta per Præceptum noſtrum ante ſuſceptionem Crucis noſtræ, cum autem redierimus; vel ſi forte remanſerimus a Peregrinatione noſtra, ſtatim eis inde plenam Juſtitiam exhibebimus ſecundum * *Leges Wallenſium*, & Partes Prædictas.

* In S. Legem Walliæ.

LXXXII. NOS reddemus filium *Lewelini* ſtatim, & omnes obſides de *Wallia*, & Cartas, quæ nobis liberatæ fuerunt in ſecuritatem Pacis.

LXXXIII. NOS faciemus *Alexandro* Regi *Scotorum* de ſororibus ſuis, & de obſidibus reddendis, & libertatibus ſuis, & de Jure ſuo, ſecundum formam in quo faciemus aliis Baronibus noſtris *Angliæ*, niſi aliter eſſe debeat per Cartas, quas habemus de *Willielmo* Patre Ipſius, quondam Rege *Scotorum*; & hoc erit per Judicium Parium in Curia noſtra.

LXXXIV. OMNES autem iſtas Conſuetudines Prædictas & Libertates quas Nos conceſſimus in Regno noſtro, tenendas quantum ad Nos pertinet, erga noſtros omnes de Regno noſtro, tam Clericos quam Laicos, quantum ad ſe pertinet obſervent *erga ſuos*.

LXXXV. CUM autem pro Deo & ad Emendationem Regni noſtri, & ad melius ſopiendam Diſcordiam inter Nos & Barones noſtros ortam, hæc omnia prædicta conceſſerimus, ea volentes firma & integra ſtabilitate, in perpetuum gaudere facimus, & concedimus eis Securitatem ſubſcriptam, *viz.* quod Barones eligant viginti quinque Barones de Regno, quos voluerint, qui debeant pro totis viribus ſuis obſervare, tenere, & facere obſervari Pacem & Libertates quas ei conceſſimus, & hâc præſenti Carta noſtra confirmavimus; ita ſcilicet, quod ſi Nos vel Juſtitiarius vel Ballivi noſtri, vel aliquis de Miniſtris noſtris in aliquo erga aliquem deliquerimus, vel aliquem Articulorum Pacis, aut ſecuritatis tranſgreſſi fuerimus, & delictum fuerit oſtenſum, quatuor Baronibus de prædictis viginti quinque Baronibus; illi quatuor Barones accedant ad Nos vel ad Juſtitiarium noſtrum, proponentes Nobis exceſſum, & petent ut exceſſum illum ſine dilatione faciamus emendari; & ſi Nos exceſſum non emendaverimus, vel ſi fuerimus extra Regnum, Juſtitiarius noſter non emendaverit infra tempus quadraginta dierum, computandorum a Tempore quo monſtratum fuerit Nobis vel Juſtitiario noſtro, ſi extra Regnum fuerimus, prædicti quatuor Barones referent cauſam illam ad Reſiduos de illis Viginti quinque Baronibus, & illi viginti quinque Barones cum *Communia* totius Terræ diſtringent & gravabunt Nos modis omnibus quibus poterant, ſcilicet per Captionem Caſtrorum, Terrarum, poſſeſſionum & aliis modis quibus poterunt, donec fuerit emendatum, ſecundum Arbitrium eorum, *ſalva Perſona noſtra & Regina noſtra & Liberorum noſtrorum*; & cum fuerit emendatum, intendant Nobis ſicut prius fecerunt.

Note, this Clauſe is in Mat. Paris, *p.* 251. *immediately after the* Charter *of* Foreſts.

LXXXVI. ET quicunque voluerit de Terra, Juret quod ad *Placita* omnia prædicta exequenda, parebit mandatis prædictorum Viginti quinque Baronum; & quod gravabit Nos pro poſſe ſuo cum ipſis, & Nos publice & libere damus Licentiam jurandi cuilibet qui jurare voluerit, & nulli unquam jurare prohibemus.

And this.

LXXXVII. OMNES autem illos de Terra, qui per ſe & ſponte ſua voluerint Jurare prædictis Viginti quinque Baronibus de diſtringendo

And this.

gendo & gravando Nos, cum eis faciemus Jurare eoſdem de mandato noſtro, ſicut prædictum eſt.

But not this is wanting. LXXXVIII. ET ſi Aliquis de prædictis Viginti quinque Baronibus deceſſerit, vel a Terra receſſerit, vel aliquo alio modo impeditus fuerit, quo minus iſta prædicta poſſet exequi, qui reſidui fuerint de prædictis viginti quinque Baronibus, eligant alium loco ipſius pro arbitrio ſuo, qui ſimili modo erit Juratus, quo & cæteri.

This follows the laſt but one in M. P. LXXXIX. IN omnibus autem, quæ iſtis Viginti quinque Baronibus committantur exequenda, ſi forte ipſi Viginti quinque * *Barones* Præſentes fuerint, & inter ſe ſuper re aliqua diſcordiaverint, vel aliqui ex eis ſummoniti, nolint vel nequeant intereſſe, ratum habeatur & firmum, quod major pars eorum qui præſentes fuerint, providerint vel præceperint; ac ſi omnes Viginti quinque Barones in hæc conſenſiſſent, & prædicti Viginti quinque jurent, quod omnia antedicta fideliter obſervabunt, & pro toto poſſe ſuo faciant obſervari.

* Deeſt in S.

As alſo this. XC. ET Nos nichil impetrabimus ab Aliquo per Nos nec per alium, per quod aliqua iſtarum Conceſſionum & Libertatum revocetur vel minuatur, vel ſi aliquid tale imperatum fuerit, irritum ſit, & inane, & nunquam eo utemur, per Nos nec per alium, & omnes malas Voluntates, Indignationes, & Rancores ortos inter Nos & homines noſtros Clericos vel Laicos tempore Diſcordiæ plene omnibus remiſimus & condonavimus.

XCI. PRÆTEREA omnes Tranſgreſſiones factas occaſione ejuſdem Diſcordiæ a Paſcha anno Regni noſtri ſexto decimo uſque ad Pacem reformatam, plene remiſimus omnibus Clericis & Laicis, &, quantum ad nos pertinet, plene condonavimus: & inſuper fecimus eis fieri Literas Teſtimoniales patentes Domini *Stephani Cantuar.* Archiepiſcopi, *Henrici Dublin.* Archiepiſ. & Epiſcoporum prædictorum, & Magiſtri *Pandulfi*, ſuper ſecuritate iſta & Conceſſionibus præfatis.

XCII. QUARE volumus & firmiter præcipimus quod *Anglicana* Eccleſia libera ſit, & quod homines in Regno noſtro habeant & teneant omnes præfatas Libertates, Jura & Conceſſiones omnes bene & in Pace, libere & quiete, plene & integre, ſibi & hæredibus ſuis, de Nobis & hæredibus noſtris in omnibus rebus & locis in perpetuum, ſicut prædictum eſt.

XCIII. JURATUM eſt autem, tam ex parte Noſtra, quam ex parte Baronum, quod hæc omnia ſupradicta bona fide & ſine malo Ingenio obſervabuntur.

TESTIBUS ſupradictis, & multis aliis datum per manum Noſtram in Prato quod vocatur ‖ *Ronimede* inter Windefore & Stane, 15° die Junii, Anno Regni noſtri ſeptimo Decimo.

‖ In S. Runningmede.

AD finem harum Cartarum apparent foramina ubi Labella quibus Sigilla affigebantur fuerant appoſita, ſed quæ modo avulſa ſunt.

IN Carta Cotton. *ad finem ſcriptum reperitur, eadem manu qua Carta ipſa exarata eſt: in hæc verba deleantur per eoſdem.* [Ita quod Nos hoc ſciamus prius vel Juſtitia. noſter, ſi Nos in Anglia non fuerimus, eundem reſpectum habebimus, & eodem modo de Juſtitia exhibenda de Foreſtis deforeſtandis, vel remanſuris Foreſtis.]

EXAMINATUR per nos Thom. Jenkinſon.
George Holmes.

THIS Original of King John *having lain hid for this laſt Age, in the* Cottonian *Library, was accidentally diſcover'd by the abovemention'd Mr.* George Holmes, *Deputy to* William Petyt, *Eſq; Keeper of the Records in the* Tower *of* London, *and is extant in that Library,* ſub Effig. AUGUSTI. *A.* 2. *f. penult.*

King

King John's *Charter of Foreſts, as it is to be found in* Matt. Paris, *Fol.* 259. N. 40. *divided into Articles or Chapters.*

JOHANNES Dei Gratia, Rex *Angliæ*, &c. Sciatis quod intuitu Dei & pro ſalute animæ noſtræ & animarum anteceſſorum & ſucceſſorum, ad exaltationem Sanctæ Eccleſiæ, & emendationem Regni noſtri; ſpontanea & bona voluntate noſtra dedimus, & conceſſimus pro Nobis & hæredibus noſtris, has libertates ſubſcriptas, habendas & tenendas in regno noſtro Angliæ in perpetuum.

I. IN primis omnes Foreſtæ quas Rex *Henricus* avus noſter afforeſtavit, videantur per probos & legales homines; & ſi Boſcum aliquem alium quam ſuum Dominicum, afforeſtaverit ad damnum illius cujus boſcus fuerit, ſtatim deafforeſtetur. Et ſi boſcum ſuum proprium afforeſtaverit, remaneat Foreſta, ſalva *Communia* de herbagio & rebus aliis in eadem Foreſta, illis qui eam prius habere conſueverunt.

II. HOMINES qui manent extra Foreſtam, non veniant de cætero coram Juſticiariis noſtris de Foreſta, per communes ſubmonitiones; niſi ſint in Placito, vel Plegii alicujus vel aliquorum qui attachiati ſunt propter Foreſtam: Omnes autem boſci qui fuerunt afforeſtati per Regem *Richardum* fratrem noſtrum, ſtatim deafforeſtentur; niſi fuerint Dominici boſci noſtri.

III. ARCHIEPISCOPI, Epiſcopi, Abbates, Priores, Comites, Barones, Milites, & Libere Tenentes, qui boſcos habent in Foreſta, habeant boſcos ſuos ſicut eos habuerunt tempore primæ Coronationis prædicti Regis *Henrici* avi noſtri; ita quod quieti ſint in perpetuum de omnibus Purpreſturis, Vaſtis & Aſſartis factis in illis boſcis poſt illud tempus, uſque ad principium ſecundi anni coronationis noſtræ. Et qui de cætero Vaſtum, Purpreſturam, vel Eſſartum facient ſine licentia noſtra in illis boſcis, de Vaſtis, Purpreſturis, & Aſſartis reſpondeant.

IV. REGARDATORES noſtri eant per Foreſtas, ad faciendum regardum, ſicut fieri conſuevit tempore primæ Coronationis prædicti Regis *Henrici* avi noſtri, & non aliter.

V. INQUISITIO vel viſus de expeditatione canum exiſtentium in Foreſta de cætero fiat, quando fieri debet Regardum; ſcilicet de tertio anno in tertium annum; & tunc fiat per viſum & teſtimonium legalium hominum, & non aliter. Et ille cujus canis inventus fuerit tunc non expeditatus, pro miſericordia det tres ſolidos; & de cætero nullus bos capiatur pro expeditatione. Talis autem expeditatio ſit per Aſſiſam communiter, quod tres ortelli abſcindantur de pede anteriori ſine poleta. Non expeditentur canes de cætero, niſi in locis ubi expeditari ſolent tempore primæ Coronationis prædicti *Henrici* Regis avi noſtri.

VI. NULLUS Foreſtarius vel Bedellus, faciat de cætero * *Scotallum*, vel colligat garbas, vel avenam, vel bladum aliud, vel agnos, vel porcellos, nec aliquam collectam faciat; & per viſum & ſacramentum duodecim

* i. e. *taking Ale to excuſe the Offender.*

duodecim Regardatorum, quando facient regardum, tot Foreſtarii ponantur ad Foreſtas cuſtodiendas, quot ad illas Cuſtodienas, rationabiliter viderint ſufficere.

VII. NULLUM Suanimotum de cætero teneatur in regno noſtro, niſi ter in anno; videlicet in principio quindecim dierum ante feſtum *Sancti Michaelis*, quando Agiſtatores veniunt ad Agiſtandum Dominicos boſcos, & circa feſtum *Sancti Martini* quando Agiſtatores noſtri debent accipere panagium ſuum. Et ad iſta duo Suanimota, convenient Foreſtarii, Viridarii, & Agiſtatores; & nullus alius per diſtrictionem. Et tertium Suanimotum teneatur in initio XV dierum ante feſtum Sancti *Johannis Baptiſtæ* pro *fœnatione* beſtiarum noſtrarum; & ad iſtum Suanimotum convenient Foreſtarii, Viridarii, & non alii per diſtrictionem.

VIII. ET præterea ſingulis quadraginta diebus, per totum annum convenient Viridarii & Foreſtarii ad videndum Attachiamenta de Foreſta tam *de Viridi* quam de *Venatione*, per præſentationem ipſorum Foreſtariorum, & coram ipſis attachientur: Prædicta autem Suanimota non teneantur, niſi in Comitatibus in quibus teneri conſueverunt.

IX. UNUSQUISQUE liber homo agiſtet boſcum ſuum in Foreſta pro voluntate ſua, & habeat pannagium ſuum.

X. CONCEDIMUS etiam quod unuſquiſque liber Homo poſſit ducere porcos ſuos per Dominicum boſcum noſtrum, libere & ſine impedimento; & ad Agiſtandum eos in boſcis ſuis propriis, vel alibi ubi voluerit. Et ſi porci alicujus liberi hominis una nocte pernoctaverint in Foreſta noſtra, non inde occaſionetur, ita quod aliquid de ſuo perdat.

XI. NULLUS de cætero amittat vitam vel membra pro Venatione noſtra; ſed ſi aliquis captus fuerit & convictus de captione Venationis, graviter redimatur, ſi habeat unde redimi poſſit; & ſi non unde redimi poſſit, jaceat in priſona noſtra per annum unum & unum diem. Et ſi poſt annum unum & unum diem Plegios invenire poſſit, exeat à priſona; ſin autem, abjuret regnum noſtrum *Angliæ*.

XII. QUICUNQUE Archiepiſcopus, Epiſcopus, Comes vel Baro veniens ad Nos per mandatum noſtrum, tranſierit per Foreſtam noſtram, licet illi capere unam vel duas beſtias per viſum *Foreſtarii* ſi præſens fuerit; ſin autem, faciat cornari, nè videatur hoc furtive facere: Item licet in redeundo idem eis facere, ſicut prædictum eſt.

XIII. UNUSQUISQUE liber homo de cætero ſine occaſione, faciat in boſco ſuo vel in terra ſua, quam habeat in Foreſta molendinum, vivarium ſtagnum, marleram, foſſatum vel terram arabilem, extra coopertum in terra arabili, ita quod non ſit ad nocumentum alicujus Vicini.

XIV. UNUSQUISQUE liber homo habeat in boſcis ſuis Ærias Accipitrum, Spervariorum, Falconum, Aquilarum & Heironum; & habeant ſimiliter mel quod inventum fuerit in boſcis ſuis.

XV. NULLUS Foreſtarius de cætero, qui non ſit Foreſtarius de feudo, reddens firmam Nobis pro balliva ſua, capiat Cheminagium, ſcilicet pro careta per dimidium annum, duos denarios; & per alium dimidium annum, duos denarios; & pro Equo, qui portat ſummagium, per dimidium annum, unum obolum; & per alium dimidium annum, unum obolum; & non niſi de illis, qui extra ballivam ſuam tanquam mercatores veniunt, per licentiam

ſuam

ſuam in Ballivam ſuam, ad buſcam, meiremium, corticem, vel carbonem emendum, & alias ducendum ad vendendum ubi voluerint. Et de nulla careta alia, vel ſummagio, aliquod Cheminagium capiatur; non capiatur cheminagium, niſi in locis illis, ubi antiquitus capi ſolebat & debuit: Illi autem qui portant ſuper dorſum ſuum, buſcam, corticem vel carbonem ad vendendum, quamvis inde vivant, nullum de cætero dent Cheminagium de boſcis aliorum; nullum detur Cheminagium Foreſtariis noſtris præterquam de Dominicis boſcis noſtris.

XVI. OMNES Utlagati pro Foreſta a tempore Regis *Henrici* Avi noſtri, uſque ad primam Coronationem noſtram, veniant ad pacem ſine impedimento & Salvos plegios inveniant, quod de cætero non forisfacient nobis de Foreſta noſtra.

XVII. NULLUS Caſtellanus vel alius teneat Placitum de Foreſta ſive de Viridi ſive de Venatione; ſed quilibet Foreſtarius de feudo attachiat Placita de foreſta, tam de Viridi quam de Venatione, & ea præſentet Viridariis Provinciarum; & cum rotulata fuerint, & ſub ſigillis Viridariorum incluſa, præſententur capitali Foreſtario, cum in partes illas venerit ad tenendum placita foreſtæ, & Corona, eo terminentur.

XVIII. OMNES autem Conſuetudines prædictas & Libertates, quas Nos conceſſimus in Regno tenendas, quantum ad Nos pertinet erga noſtros, omnes de Regno noſtro, tam Laici quam Clerici obſervent, quantum ad ſe pertinet erga ſuos.

NULLA invenitur Charta originalis Charta de Foreſta Reg. Johan. *nec aliud exemplar antiquius anno primo Regis* Henrici III.

Rot. Cart. 5°. Johannis M. 5. N°. 33. *N. 7.*

Carta Dominæ Reginæ de Dote ſua.

JOHANNES Dei Gratia, *&c.* Sciatis Nos dediſſe, conceſſiſſe, & præſenti Carta noſtra confirmaſſe Dilectæ Uxori noſtræ *Iſabellæ*, eadem gratia Reginæ *Angliæ*, &c. Quæ in *Anglia de Communi Aſſenſu & Concordi voluntate* Archiepiſcorum, Epiſcoporum, Comitum, Baronum, Cleri & Populi totius Regni in Regina *Angliæ* eſt Coronata, Dominia ſubſcripta in Dotem. ſcilicet in *Devoniâ* Civitatem *Exon.* cum feria ejuſdem Civitatis; Leſtag. & Stallag. & *Liſtoniam* quam *Willielmus de Gateſden* & *Agatha* uxor ſua tenebunt tota vita ſua, reſpondendo de Servitio illius terræ dictæ Reginæ, poſt quorum mortem revertetur terra illa in Dominicum ejuſdem Reginæ: Et præterea *Kentonam* & *Aibritheſton* & *Wike* in *Sumerſet*, *Iveleſtre* in *Wilteſir. Wilton. Maumesbir. Beteſdun.* quam *Henricus de Bernavall* tenet, qui reſpondebit eidem Reginæ de Servitio ejuſdem terræ; & *Wilterſlawe*, in *Suſſex*, Civitatem *Cyceſter.* Salva tenura Simon *Ciceſtr.* Electi, de tota illa Civitate cum pertin. per antiquam firmam, ſicut in Carta noſtra quam modo habet continetur. In *London. Hetham* Reginæ. In *Eſſex* Villam de *Waltham*, quam Abbas & Canonici de *Waltham* tenent ad firmam. In *Hertfordſhire* Honorem *de Berkehameſtud*, cum

omnibus pertinentiis ſuis, tam in dominicis quam feodis. Et præterea Comitatum de *Roteland*, & villam de *Rokingham*. Et in *Norman. Faleis* & *Danfront*, cum pertin. Bonamvillam ſuper *Tokam*: & præterea omnia alia quæ dilectæ Matri noſtræ * *A.* Reginæ *Angl.* in dotem fuerunt aſſignata, tam citra mare quam ultra: & ſiquid inde fuerit ſubtractum vel ablatum per Werram vel aliter, volumus quod ei competens & ſufficiens inde fiat eſcambium in *Angl.* ſine contradictione, vel aliqua diminutione. Quare volumus & firmiter præcipimus quod prædicta *J.* Regina Uxor noſtra in Regno *Angl.* tam ſolempniter, ut prædictum eſt, in Reginam *Angl.* coronata, habeat & teneat totâ vita ſua omnia prædicta, cum omnibus pertinentiis ſuis, Libertatibus, & liberis Conſuetudinibus, adeo bene & in pace, libere & quiete, integre & plenarie, ſicut aliquis prædeceſſorum noſtrorum Regum *Angliæ* vel Nos unquam melius, plenius, & liberius habuimus, ea in manu noſtra. Prohibemus etiam ne quis Juſticiarius, Vicecomes, vel Foreſtarius, vel aliquis alius Ballivus, exceptis Ballivis ipſius Reginæ in prædictam manum mittant, vel de aliquo ſe inde intromittat, niſi de voluntate & Aſſenſu ipſius Reginæ. Si vero magis in augmentum dotis dictæ Reginæ uxoris noſtræ, de Concilio fidelium noſtrorum aſſignaverimus, volumus, & firmiter præcipimus quod illud integrè habeat, & plenariè teneat tota vita ſua per eaſdem Libertates & Immunitates per quas alia præſcripta ei conceſſimus. Teſtibus Dominis *P. Dunolm.* & *H. Sar.* Epiſcopis, Fratre *Aymerico* Magiſtro Milit. Templi in *Anglia*, *G.* filio *Petri* Com. *Eſſex* titulo Juſtic. *Angl.* Com. *Reg. le Bigot*, *W.* Com. *Arundel.* *A. de Veer* Com. *Oxon.* *Henrico de Bohun*, Com. *Heref.* *W. de Braos*, *Rob.* fil. *Rogeri*, *Will. Briwer*, *Hug. de Nevill*, *Roberto de Traſgoz*, *Roberto de Veteriponte*, *Stephani de Thurnham.* Dat. per manum *S. Ceſtr.* Electi apud *Porceſtr.* v° die Maii, Anno Regni noſtri v°. Ad majorem autem Securitatem, & majus hujus facti teſtimonium, Subſcripti tam *Ordinati* in verbo veritatis, quam *Laici* Juramento corporali præſtito, omnia prædicta fideliter & firmiter obſervanda pro poſſe ſuo conceſſerunt, & Sigillorum ſuorum appoſitione roboraverunt; ſcil. Dominus ——— & Domini *Dunolm.* & *Sar.* Epiſcopi prænominati, *G.* fil. *Petri* Com. *Eſſex*, Com. *R. le Bigot*, *W.* Com. *Arundell*, *A. de Veer* Com. *Oxon.* *H. de Bohun* Com. de *Heref.* *Will. de Braos*, *Rob.* Fil. *Reg. W. Briwer*, *Hug. de Nevill*, *G. Winton.* Epiſ. *S. Bathon.* Epiſcopus, *Rob. de Traſgoz*, *Rob. de Veteriponti*, *Steph. de Turnham.*

* *i. e.* Alconora.

Rot. Clauſ. 1. H. 3. m. 10. dorſo.

N. 8. REX Vicecom. *Wigorn.* Salutem; præcipimus tibi quod die & loco Comitatui tuo legi facias, Cartas Libertatum quas Baronibus & omnibus aliis de Regno noſtro, per *Commune Conſilium* Regni noſtri conceſſimus, & quam Dominus Legatus Sigillo ſuo confirmavit, & Libertates in Cartâ ipſâ contentas, omnibus fidelibus noſtris, firmiter facias obſervari in Balliva tua. Quia vero nondum ſigillum habuimus, eaſdem in proceſſu Temporis de majori Concilio proprio ſigillo ſignaturi, Teſte * *Comite* apud *Certeſy* xxiii die Junii.

* *i. e.* Guil. *Comes* Pembroc.

His

N. 9. An. Chr. 1217. ex Chartul. S. Egidii, apud Pontem Audomaria eruit D. d' Herouval.

Hic eſt finis & concordia facta inter Henricum *Regem* Angliæ, *& Dominum* Lodovicum *Primogenitum filium* Philippi *Regis* Franciæ; *ſub hac forma.*

XXIV. NOTUM ſit tam præſentibus, quam futuris, quod hæc eſt forma pacis facta inter Dominum Regem *Angliæ* illuſtrem & Dominum *Lodovicum*, Domini Regis *Franciæ* Primogenitum: In primis quod omnes Homines & * Impriſii domini *Lodovici*, & Coadjutores ſui *Angliæ*, & alii qui terram tenuerunt in principio Guerræ in Regno *Angliæ*, habeant terras ſuas & ſaiſinas ſuas, quas habuerunt in initio guerræ, & rectas conſuetudines & Libertates Regni *Angliæ*; & ſi emendationes inde factæ fuerint, communes ſint tam illis quam aliis.

* i. e. *Partakers.*

ITEM dominus *H.* Rex *Angliæ* & omnes homines & Impriſii ſui, qui terram tenuerunt in initio guerræ in Regno *Angliæ*.

ITEM Civitas *Londonienſis*, & omnes aliæ Civitates & Burgenſes habeant ſuas rectas conſuetudines & libertates.

ITEM omnes Priſones qui capti fuerunt ex utraque parte, poſtquam dominus *Lodovicus* applicavit in *Angliæ*, deliberentur; De aliis vero qui capti fuerunt ante primum eius adventum in *Angliæ*, ſic erit, quod Conſilium Domini Regis *Angliæ* eligat tres de Conſilio Domini *Lodovici*, per quorum ſacramentum fiat inquiſitio, qui fuerint Homines vel Impriſii domini *Lodovici* die quo capti fuerint, & per ſacramentum prædictorum deliberentur.

ITEM de omnibus Priſonibus ſic erit, quod omne quod ſolutum eſt de redemptionibus illorum ſolutum ſit; & id quod ſolutum non eſt, unde termini tranſierunt, ſolvatur; & redemptionum reſiduum quietum ſit: & ſi contentio fiat, & dicatur quod termini de redemptionibus Priſonum præteriti ſint, Conſilium domini *Lodovici* eligat tres de Conſilio domini Regis *Angliæ*, per quorum ſacramentum declarentur; ſi termini de redemptionibus tranſierunt necne. Et ſi à die Martis proxima ante feſtum Exaltationis ſanctæ Crucis, aliqua deſtructio fieret priſonibus, de ſolutione redemptionum facienda, inde quieti ſint omnes Priſones & alii de Regno *Angliæ*, qui contra dominum Regem *Johannem* quondam Regem *Angliæ* fuerint, faciant per homagium ſecuritatem Domino *H.* Regi *Angliæ* ſecundum Legem ad conſuetudinem Regni *Angliæ*, & per ſacramenta & Cartas ſuas.

ITEM, dominus *Lodovicus* reddet omnes obſides illis, a quibus eos habuit, qui traditi fuerint pro pecunia, unde termini tranſierunt, ſolutâ pecuniâ liberabit.

ITEM, reddentur domino *H.* Regi *Angliæ* & ſuis, omnes civitates, Burgos, & caſtra & terras quæ occupatæ ſunt per Guerram iſtam in quocunque loco Regni *Angliæ* ſint.

ITEM, de Inſulis ſic fiet, Dominus *Lodovicus* mittet litteras ſuas patentes fratribus *Euſtachii* Monachi, præcipiens quod illas reddant domino *H.* Regi *Angliæ*; & niſi illas reddiderint, diſtringent illos dominus *L.* pro legale poſſe ſuo per feoda, & per terras eorum, quæ de

de feodo ſuo movent ad illas reddendas, & ſi hæc facere noluerint, ſint extra pacem iſtam. De Rege *Scotorum* ſic fiat, Dominus *L.* mandet eis formam pacis factæ inter dominum Regem *Angliæ* & ipſum, & quod ſi noluerint eſſe in pace illa, reddant domino Regi *Angliæ* omnia Caſtra & Priſones, & terras quas occupavit occaſione hujus guerræ: Idem faciet dominus Rex *Angliæ* dicto Regi *Scotorum*; Eodem modo mandabit dominus prædictus, D. *Lewellino* & aliis Wallenſibus.

ITEM, dominus *L.* adquietabit omnes Barones & homines de Regno *Angliæ* ab omnibus homagiis, fidelitatibus, confederationibus & impriſiis; & de cætero nullam inibit confæderationem, unde malum vel damnum poſſit aliquo tempore evenire domino *H.* Regi *Angliæ*, vel hæredibus ſuis de Regno *Angliæ* occaſione hujus guerræ. Idem facient Barones *Angliæ* domino *Henrico* Regi *Angliæ*, quòd nullam facient prædicto Domino *L.* vel alicui alii confederationem, homagium, fidelitatem vel impriſiam contra dominum ſuum *H.* Regem *Angliæ* vel hæredes ſuos.

ITEM, dominus *L.* faciet Juramentum Corporale, & ſui cum eo & Cartas ſuas facient ſinguli, quos Conſilium Domini Regis voluerit, quod pacem præſcripram firmiter & fideliter tenebunt. Ad impetrandum ſuper hoc confirmationem Domini Papæ & Domini Legati apponet Legale poſſe ſuum per preces.

ITEM, de debitis, ſic fiat, quòd omnia debita quæ debentur domino *L.* unde termini tranſierunt, ei reddántur.

ITEM, notandum eſt quòd in primo capitulo ubi legitur, de Impriſiis domini *L.* intelligitur de Laicis tantùm; Clerici tamen *Anglici*, qui laica feoda habuerunt, habeant terras & ſaſinas ſuas, quas habuerunt in initio guerræ.

UT omnia prædicta perpetuam obtineant firmitatem, dominus *Gualterius* Tituli ſancti *Martini* Presbyter Cardinalis Apoſtolicæ ſedis Legatus; dominus *H.* Rex *Angliæ*, *Willielmus* Mareſchallus Comes *Penbroc*, *H. de Burgo* Juſtitiarius *Angliæ*, *R.* Comes de *Ceſtria*, *Willielmus* Comes *Saresberii*, *Willielmus* Comes *de Warenne*, *Willielmus* Comes *de Arondel*, *Willielmus Aubenii*, *Willielmus Briwere*, *Willielmus* Mareſchallus juvenis, *Falcaſius de Breante*, *R. de Mortuo-mari*, *L. de Erdivert*, *R. de Veteri-Ponte*, *Gaufridus de Nova-villa*, *R. de Inſula*, *Philippus de Aubinie*, * R. filius Regis, Huic ſcripto ſigilla ſua appoſuerunt.

* *i. e.* Richardus.

DATUM apud Lamech Anno ab Incarnatione Domini MCCXVII. die Septembris, Anno D. *Henrici* Regis *Angliæ* tertii primo.

A Charter of King Henry *the* Third, *in the old Engliſh of that Time, inforcing the late Proviſions of* Oxon.

Rot. Pat. 43. H. 3. m. 15. n° 40.

*HENRY thurg Godes fultome King on Engleneloande Lhoauerd on Yrloand Duk on Normand. on Acquitain and Eorl on Anjou, ſend I, greting to alle hise holde ilærde and ilewede on Huntindonn-ſchiere; thæt witen ge wel, alle thæt we willen and unnen, thæt ure rædeſmen alle other the moare del of heom, thæt beoth ichoſen thurg us and thurg thæt *Loandes Folk*, on ure Kuneriche habbeth idon, and ſchullen don in the worthnes of Gode, and ure treowthe for the freme of the Loande, thurg the beſigte of than to foren iſeide rædeſmen beo ſtedefæſt and ileſtinde in alle thinge abutan ænde, and the heaten alle ure treowe in the treowthe thet heo us ogen, thet heo ſtede-feſtliche healden and weren to healden and to ſwerien the iſetneſſes thæt beon makede and beon to makien thurg than to foren iſeide rædeſmen, other thurg the moare dæl of heom alſwo, alſe hit is beforen iſeid. And thæt æhcother helpe thæt for to done bitham ilche other agenes alle men [*paucula quædam hic deeſſe videntur, hæc ſcilicet aut ſimilia:* in alle thinge thæt) ogt for to done and to foangen. And noan ne mine of Loande ne of egetewher thurg this beſigte muge beon ilet other iwerſed on oniewiſe. And gif oni ether onie cumen her ongenes we willen and heaten, thæt alle ure treowe heom healden deadlichiſtan. And for thæt we willen thet this beo ſtedefæſt and leſtinde, we ſenden gew this Writ open iſeined with ure Seel to halden amanges gew ine Hord. Witnes us ſeluen æt Lundænthane egtetenthe day on the Monthe of Octobr, in the two and fowertigthe geare of ure crunninge. And thir wes idon ætforen ure iſworen redeſmen, Boneſac. Archebiſchop on Kanterbur. Walter of Cantelop, Biſchop of Wirecheſter, Sim. of Montfort Eorl on Leicheſtre, Rich. of Clare Eorl on Glocheſter and on Hartford; Roger Bigod Eorl on Northfolk and Mareſcal on Engleloand, Perres of Sauueye, Will. of Fort Eorl on Aubem, John de Pleſſe Eorl on Warwik, Joh. Gefferees-ſune Perres of Muntfort, Rich. of Grey, Rog. of Mortemer, Iames of Aldithel, and ætforen othre moge.*

AND all on tho ilche worden is iſend into aurichte othre Schire ouer al thare Kuneriche on Engleneloande and ek intel Irelonde.

* *You may ſee this alſo in* Somners *Saxon Dictionary, ſub verbo* unnan, *to give or grant. It is written in Saxon Characters, and ſhould have bin ſo here, but that it would have rendred it difficult to be read by moſt ordinary Readers.*

The ſame in Modern Engliſh, tranſlated by Mr. Somner.

HENRY by God's help, King of *England*, Lord of *Ireland*, Duke of *Normandy*, and of *Aquitain*, and Earl of *Anjoy*, Greeting to all his faithful Clerks and Laics of *Huntingdonſhire*: This know ye all well, that we Will and * *Grant*, that which our Counſellors all, or the moſt part of them that be choſen by us, and the † People (or *Commons*) of our Land, have done, and ſhall do, for the Honour of God, and of their Allegiance to us, for the ‖ Benefit (or Amendment) of the Land, by the Advice or Conſideration of our foreſaid Counſellors, be ſtedfaſt and perform'd in every thing for ever. And we Command all our Liege People in the Fealty that they owe us, that they ſtedfaſtly hold, and ſwear to hold [or keep] and to defend [or maintain] the Statutes [or Proviſions] which be made, and ſhall be made, by thoſe aforeſaid Counſellors, or by the more part of them, alſo as it is beforeſaid; and that they each other aſſiſt the ſame to perform, according to that ſame Oath, againſt all Men, both for to do, and cauſe to be done: And none neither of my Land, neither from elſewhere may for this be hindered, or damnified in any wiſe: and if any Man or Woman oppoſe them againſt, we Will and Command that all our Liege People them hold for deadly Enemies; and becauſe we will, that this be ſtedfaſt and laſting, we ſend you this Writ open, ſigned with your Seal to be kept amongſt you in * Store; witneſs our ſelf at *London* the 18*th* day of the Month of *October*, in the two and fortieth Year of our Coronation; and this was done before our ſworn Counſellors, *Boniface* Archbiſhop of *Canterbury*, *Walter* of *Cantelow* Biſhop of *Worceſter*, *Simon Montfort* Earl of *Leiceſter*, *Richard* of *Clare* Earl of *Gloceſter* and of *Hartford*, *Roger Bigot* Earl of *Norfolk* and Mareſchal of *England*, *Peter* of *Savoy*, *William* of *Fort* Earl of *Aubemarle*, *John* of *Pleſſeiz* Earl of *Warwick*, *John Gefferiſſon*, *Peter* of *Montfort*, *Richard* of *Grey*, *Roger* of *Mortimer*, *James* of *Aldithly*, and before others moe.

AND all in theſe ſame words is ſent into every other Shire over the Kingdom of *England*, and alſo into *Ireland*.

* *Unnen.*

† Loandeſfolke *ſignifies the Common People, called by us* Folk *at this day.* Vid. Dr. Brady's Com. Hiſt. *p.* 68.

‖ Freme.

* Hord.

* *Traite*

Traite entre le Roy ſaint Louis *&* Henry *Royd'* Angleterre *pour les terres, qu'il tenoit & pretendoit en* France, *data* Londres, *en* Octobre 1259.

N. 11. Ex Bibliotheca Guelfbytthana, edit. per virum Clar. G. Leibnitium in Cod. Diplomatico, *p.* 22.

HENRY par la grace de Dieu Royd' *Angleterre*, ſire *d' Irelande*, Ducd' *Acquitanie*, Nous faiſons á ſcavoir á tous ceux qui ſont, & qui a venir ſont, que Nous par la volunté de Dieu avec noſtre tres cher Couſin le Noble Roy *Louis* de *France*, avons paix faicte et affermée en cette maniere, c'eſt aſſavoir, qu'l donné a Nous, nos Heirs et nos Succeſſeurs toute la Droicture, qu'il avoit & tenoit en ces trois Evechez & ces Citez ce'ſt aſſavoir de *Limoges* de *Cahors* & de *Perigort* en fiefs, & en domaines, ſaouf l'hommage de ſes freres, ſe ils aucune choſe y tiennent, dont ils ſoient ſi hommes, et ſauves les choſes qu'il ne peut mettre hors de ſa main par lettres de luy, ou deſes Anceſſeurs, les quelles choſes il doibt pourchaſſer en bonne foy vers ceux, qui ces choſes tiennent, que nous les ayons dedans la *Touſſaincts* en un an, ou faire nous eſchange convenable a l'egard de preud' hommes, qui ſoient nommez d'une part et d'autre, le plus convenable au prouffict des deux Parties.

2. §. ET encores lydevant dit Roy de *France* nous donnera la vallue de la Terre des *Agenois* en deniers chacun an, ſelon ce qu'elle ſera preiſée a droicte value de Terre des preud' hommes, nommez d'une part & d'autre, & ſera faite la paye a *Paris* au *Temple* chacun An, á la quinzaine de Aſcention, la moctis, & a la quinzaine de la *Touſſaincts* l'autre: Et s'il advenoit, que cette terre s'echeoit de la Comteſſe *Jeanne* de *Poictiers* an Roy de *France*, ou á ſes heirs, il ſeroit tenu ou ſes heirs de rendre á nous ou a nos hoirs; & rendue la terre, s'il ſeroit quiete de la ferme & elle venoit á autre, que au Roy de *France*, ou a ſe heirs, il nous donroit le fief d' *Agenois*, avec la ferme devant dicte & ſi elle venoit en Domaine a Nous, Le Roy de *France* ne ſeroit pas tenu de rendre celle, et s'il eſt vit eſgarde par la cour du Roy de *France*, que pour la terre d'*Agenois* avoir, deuſſions mettre ou rendre aucuns deniers par raiſon degaigerie ly Roy de *France* rendroit ſes deniers, ou nous tendrions & aurions la ferme, tant que nous euſſions eu ce que nous aurions mis pour celle Gaigerie.

3. §. DE rechef il ſera enquis en bonne foy & de plain á noſtre requeſte per preud'hommes d'une partie & d'autre a ce eſleus, ſi la terre, que le Cuent de *Poictiers* tient en *Caorſin* de part ſa femme, fut du Roy d'Angeterre donnée ou baillée avec la Terre d'*Agenois* par marriage, ou par Gaigerie, ou toute, ou en partie, a ſa Sœur, qui fut Mere le Comte *Raymond de Thoulouze*, dernierement mort, & s'il eſtoit trouve qu'il euſt ainſyeſte, á celle terre luy eſchozit ou a ſes heirs, du deceds dela Conteſſe de *Poicteirs*, illa donneroit a Nous, ou á nos hoirs, & ſe il elle eſcheoit a autre, & il eſt trouvé par telle Inqueſte toutes voyes quelle euſt eſté ainſy donnee ou baillee ainſy, comme, il eſt dict deſſus apres le deceds, de la Comteſſe de *Poictiers*, il

il doneroit le Fief a nous & a nos hoirs, ſaouf l'Hommage, de ſes Freres, s'ils, aucune choſe y tenoient tant comme ils vivroient.

4. §. DE rechef apres le deceds de la Comteſſe *de Poictiers* ly Roy de *France* donnera á nous & á nos heirs la Terre, que le Cuens de *Poictiers* tient ores en *Xantonge* outre Riviere de la *Charante* en Fief & en Domaine, ſi elle echoit au Roy de *France*, ou a ſes heirs, & ſi elle ne luy echoit, il pourchaſſeroit en bonne maniere par Eſchange ou autrement, que nous ou nos heirs l'ayons ou il nous feroit avenable Eſchange a' l'eſgard des Preud 'hommes qui ſeront nommez d'une part & d'autre, et de ce, qu'il donra á nous & á nos heirs en Fief & en Domaine, Nous et nos heirs ly feront hommage lige, & a ſes heirs Roys de *France*, & auſſis de *Bourdaeux*, de *Bayonne* & de *Gaſcongne*, de toute la Terre, quæ nous tenons de la la Mer d' Angleterre en Fiefs & en Domaine, & des Iſles, ſy aucunes y en á, qui nous tenions, qui ſoient du Royaume de *France* & tiendrons de ly Comme Pair de *France* & Ducd' *Aquitainie*, & de toutes les choſes devant dictes ly ferons nos Services avenables, juſques a tant, qu'il fut trouve quels ſervices les choſes deuroient, & lors nous ſerons tenus de faire les tielx, comme il ſeroit trouve; de *l'Hommage* de la Compté de *Bigorre* & *D'armignac* & de *Franſac*, ſoit ce que droit en ſera, & ly Roys de *France* Nous clame quitte, ſe nous ou noſtre Anceſſeur luy fiſmes oncques tort de tenir ſon fief, ſans lay faire Hommage & ſans luy rendre ſon ſervice & tous arrerages.

5. §. DE rechef le Roy de *France* nous donnera ce, que cinque cens Chevaliers deburoient couſter raiſonablement á tenir deux ans a'l'eſgard des Preud' hommes, qui ſeront nommez d'une part & d'autre, & ces deniers ſera tenu de payer á *Paris* au Temple á ſix payes par deux ans, c'eſt á ſçavoir á la Quinzaine de la *Chandeleur*, qui vient prochainement, lapremire paye, c'eſt á dire laſixieſme partie, & á la quinzaine de l'*Aſcenſion* en ſuivant, l'autre paye, & á la quinzaine de la *Tous-ſaincts*, l'autre, & auſſy des autres payes en l'an enſuivant & de ce donnera ly Roy *de France* ſes lettres pendant en Temple ou l'Hoſpital ou Ambedeux enſemble en Pleige, & nous ne debuons ces deniers deſpendre, ſi non que au ſervice de Dieu & de l'Egliſe, ou au proffict du Royaume *d'Angleterre*, & ce par l'adveu des Preud' hommes de la terre eſleus par le Roy *d' Angleterre* & les hauts hommes de la terre.

ET par cette Paix faiſans, avons quiete & quicterons de tout en tout & noſtre dict Fils, au Roy de *France* & á ſes Anceſſeurs, & á ſes hoirs, & á ſes freres, & á leurs hoirs, & á leurs ſucceſſeurs pour nous ou pour nos hoirs & pour nos ſucceſſeurs, ou noſtre Anceſſeurs, aucune droiture que avons ou meſme euſſions, oncques en choſe, que le Roy de *France* tienne ou teinſt oncques, ou ces Anceſſeurs ou ſes Freres, c'eſt aſſavoir en la Duché, et en toute la Terre de *Normandie*, en la Comté & toute la Terre d'*Anjou*, de *Tourraine* & de *Maine*, & en la Comte'et toute la Terre de *Poictiers*, ou ailleurs en aucune partie du Royaume de *France*, ou ez Iſles, ſe aucunes en tient le Roys de *France* ou ſis Freres, ou autres de par eux & tous arrerages.

6. §. ET auſſy avons quicté & quictons nous & noſtre dict Fils a tous ceux qui de par le Roy de *France*, ou de ſes Anceſſeurs, ou de ſes Freres tiennent aucune choſe par Don, par Eſchange, ou par Vente, ou par Achapt, ou par Aſenſement, ou par autre ſemblable maniere

maniere en la Duche, & en toute la terre de *Normandie*, en la Comté, & en toute la terre d' *Anjou*, de *Tourraine*, & *du Mayne*, & en la Comté & en toute la Terre de *Poictiers* ou ailleurs en aucune partie du Royaume de *France*, ou ez Iſlis deſſus dictes, ſauf a nous, & a nous hoirs noſtre droicture ez terres, dont nous debuons faire homage lige au Roy de *France* par cette pais; comme il eſt deſſus diviſé, ſaouf, ce que nous peuſſions demander noſtre droicture, ſy nous la cuidions avoir en *Agenois* & avoir la, ſi la Cour le Roy de *France* le Juge & auſſy de *Caorſin*.

7. §. ET donrons au Roy de *France* les lettres, qu'on dict, qu'il a da Roy *Richard* noſtre Frere, de quittance de totes ces choſes par eſchange, qui en ot; & ſe pouvons ne les trouver ou avoir, donrons nos lettres pendans au Roy de *France*, & des Barons & des Prulates & des Prodes hommes qui y furent de teſmoignage de la quittance, que li Roy *Richard* en feit et avoit encor; a noſtre ſerment & es nos lettres pendans, que puis cette quittance nulle droicture, ne nous donnera en nulle de ces choſes en cette meſme quittance au Roy de *France* & aux autres devant dits. Ferons fair a noſtre Sueur la Comteſſe de Leyceſtre, por ſoy por ſes hoirs & des enfans de ceux, qui l'en requerra, & li Roy de *France* nous clamera auſſi quitte, ſi il ou ſi Anceſſeur li firent onques tort, de tenir ſon Fié ſans li faire homage & ſans li rendre Son ſervice & tous arrerages. Et avons pardonné & quit l'un a l'autre, pardonnons & quictons tous maltalens de cogtans & de Guerre & tous arrerages, & toutes Iſſues, qui ont eſte eues, où qui purroient eſtre eues en toutes les choſes devant dites & toutes les dommages & toutes miſes, qui ont eſté faicts ou faites deça & dela en Guerre & en autre maniere.

8. §. ET pource, que cette Paix fermement & auſſy eſtablement ſans nulle enfraignance ſoit tenue á tousjours, ly Roys de *France* a faict jurer en ſon Ame par ſes Procureurs eſpeciaux á ce eſtablis & ſes deux Fils ont juré a tenir ces choſes, tant comme á chacun appartiendra, & á ce tenir ont obligee eux & leurs hoirs par leurs lettres pendans; & nous de ces choſes tenir, ſommes tenus de donner ſeurete au Roy de *France* des Chevalliers des Terres devant dictes meſme, qui il donne, & des Villes, ſelon ce que il nous requerra: et la forme de la ſeureté des hommes et des Villes pour nous ſera telle: Ils jureront que Ils ne donneront ne Conſeil, force, ne ayde parquoy nous ou noſtre hoir vinſſions alencontre, et ſil advenoit (que Dieu ne veuille) que nous ou noſtre hoir vinſſions al encontre & ne voulſiſſions amender, puis que le Roy de *France*, ou ſes hoirs Roys de *France* nous en auroient faicte requerre chil qui la ſeurete avoit faicte, dedans les trois mois qu'ils en auroient fait requerre, ſeroient tenus d'eſtre aydans au Roy de *France* & á ſes hois contre nous, & nos hoirs juſques á tant que cette choſe fut amendée ſuſſiſamment á l'eſgard de la Cour du Roy de *France*, & ſera renouvellée cette ſeurette de dix ans en dix ans á la Requeſte du Roy de *France* ou de ces hoirs Roys de *France* & nous: cette paix & cette compoſition entre nous & le devant dict Roy de *France* ſera affermée & toutes les devant dictes choſes & chacunes, ſy comme elles ſont deſſus contenues, promettons en bonne foy pour nous ſucceſſeurs au devant dict Roy de *France* & a ſes hoirs & a ſes ſucceſſeurs loyalment & fermement garder, & que nous en contre ne viendrons par nous, ou par

autre en nulle maniere & que riens n'avons faict ne ferons, par quoy les devant dites choſes toutes, ou acunes, en tout, ou en partie ayent moins de fermeté.

9. §. ET pour ce que cette paix fermement, eſtablement & ſans nulle enfraignance ſoit tenue à tours jours, à ce obligeons nous & nos hoirs & avons faict jurer en noſtre ame par nos Procureurs, en noſtre preſence cette paix, ſy comme elle & deſſus deviſée et eſcripte à tenir en bonne foy tant comme a nous appartiendra, & que nous ne viendrons encontre ne par nous ne par autre. En teſmoing de toutes ces choſes nous avons faict ces lettres au Roy de *France* pendans, ſeelez de noſtre ſeel; & cette paix et toutes ces choſes, qui ſont deſſus contenues, par noſtre commandement eſpecial ont juré *Edouard* & *Edmond* noſtre Fils en noſtre preſence à garder et tenir fermement, et que ils encontre ne vendront par eux ne par autre: Ce fut donne à *Londres*, Lundy prochain devant la feſte ſainct *Luc* Evangelieſte, L'an de L'incarnation noſtre Seigneur, Mil deux cens cinquante neuf, au mois d' Octobre.

N. 11.

Ex Tomo 12. *Spicil. Luc. Dacher.* p. 588. Eruit ac deſcripſit *d'Herouval.*

† *i. e.* S. Ludovicus IX.

Compromiſſum Regis Henrici *ac Baronum* Angliæ, *in quo eligunt arbitrum omnium contentionum & diſcordiarum Regem* Franciæ † Ludovicum; *& Dictum, ſeu Sententia ejuſdem Regis ſuper Præmiſſis.*

X. LUDOVICUS Dei Gratiâ *Francorum* Rex, Univerſis præſentes litteras inſpecturis ſalutem. Notum facimus, quod cariſſimus conſanguineus noſter *Henricus* illuſtris Rex *Angliæ*, & ſubſcripti Barones *Angliæ* in nos, compromiſerunt, prout continetur in litteris eorum infraſcriptis. Tenor autem litterarum ipſius Regis talis eſt.

HENRICUS Dei Gratiâ Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, omnibus ad quos præſentes litteræ pervenerint ſalutem: Noveritis quod nos compromiſimus in Dominum *Ludovicum* Regem *Francorum* illuſtrem, ſuper Proviſionibus, Ordinationibus, Statutis & Obligationibus omnibus *Oxonienſibus*, & ſuper omnibus contentionibus & diſcordiis, quas habemus & habuimus uſque ad feſtum *Omnium Sanctorum* nuper præteritum, adverſus Barones Regni noſtri, & ipſi adverſus nos, occaſione Proviſionum, Ordinationum, Statutorum vel Obligationum *Oxonienſium* prædictarum, Promittentes, & per dilectos & fideles noſtros *Willelmum Beſet* militem & *Robertum Fulconis* Clericum de mandato noſtro ſpeciali in animam noſtram jurantes, tactis ſacroſanctis Evangeliis, quod quicquid idem Rex *Franciæ* ſuper omnibus prædictis, vel eorum aliquibus de alto & baſſo ordinaverit, vel ſtatuerit, nos obſervabimus, bona fide, ita tamen quod idem dominus Rex *Franciæ* dicat ſuper his Dictum ſuum citra *Pentecoſtem* proximo venturam.

IN

IN cujus rei teſtimonium præſentibus litteris ſigillum noſtrum fecimus apponi.

NOS autem *Edwardus* prædicti Domini Regis *Angliæ* primogenitus, *Henricus* filius *Ricardi* Regis *Alemanniæ*, *Rogerus* Comes *Norff.* & Mareſcallus *Angliæ*, *Johannes* de *Warenna*, *Willielmus* de *Valentia*, *Humfredus* de *Bohun* Comes *Hereford* & *Eſſex*, *Hugo* de *Bigod*, *Philippus Baſſet*, *Johannes* filius *Alani*, *Robertus* de *Bruis*, *Rogerius* de *Mortuomari*, *Johannes* de *Verdun*, *Willielmus* de *Beiis*, *Johannes* de *Baliol*, *Henricus* de *Pertiz*, *Reginerius* filius *Petri*, *Jacobus* de *Alditel*, *Alanus La Zuche*, *Rogerius de Clifford*, *Hamo Extraneus*, *Johannes* de *Grey*, *Philippus Marmion*, *Robertus* de *Neville*, *Johannes* de *Vallibus*, *Johannes* de *Muſegros*, *Warinus* de *Buſſingburn*, *Adam* de *Geſenuich*, *Rogerius* de *Someri*, *Richardus Foliot*, *Rogerius* de *Leyburn*, & *Willielmus* de *Latimer*; prædicto compromiſſo, per dictum Dominum noſtrum Regem *Angliæ* facto, ſicut prædictum eſt, conſentimus, & juramus, tactis ſacroſanctis Evangeliis, quod quicquid dominus Rex *Franciæ* ſuper omnibus prædictis vel eorum aliquibus de alto & baſſo ordinaverit, vel ſtatuerit, obſervabimus bona fide: ita tamen quod idem Dominus Rex *Franciæ* dicat ſuper his Dictum ſuum citra Penteceſtem proximo futuram, ſicut ſuperius eſt expreſſum.

IN cujus rei teſtimonium præſenti ſcripto ſigillo domini noſtri prædicti Regis *Angl.* ſignato, ſigilla noſtra fecimus apponi. Datum apud *Windeſor* Dominica proxima poſt feſtum ſanctæ Luciæ Virginis, anno Domini MCCLXIII. Litteræ vero Baronum tales ſunt.

UNIVERSIS præſentes litteras inſpecturis, *H. Londonenſis*, &c. *W. Wigornenſis* Epiſcopi, &. de *Monteforti* Comes *Leyceſtriæ* & Seneſcallus *Angliæ*, *Hugo le Deſpenſ.* & Juſtitiarius *Angliæ*, *Humfredus* de *Bohun* juvenis, *H.* de *Monforti* juvenis, *Adam* de *Novomercato*, *Petrus* de *Monforti*, *Radulfus Baſſet* de *Sapetot*, *Baldwinus Wake*, *Robertus* de *Boſs*, *Willielmus* de *Bland*, *Willielmus Mareſcallus*, *Walterus* de *Coleville*, *Ricardus* de *Grey*, *Willielmus Badouf*, *Ricardus* de *Tamny*, *Henricus* de *Haſting*, *Johannes* filius *Johannis*, *Robertus* de *Veteriponte*, *Johannes* de *Veſey*, *Nicolaus* de *Segrave*, *Galfridus* de *Lucy*, ſalutem in Domino: Noveritis quod nos compromiſimus in dominum *Ludovicum* Regem *Franciæ* illuſtrem, ſuper Proviſionibus, Ordinationibus, Statutis & Obligationibus omnibus *Oxoniæ*, & ſuper omnibus contentionibus & diſcordiis quas habemus & habuimus uſque ad feſtum omnium Sanctorum nuper præteritum, adverſus Dominum noſtrum Regem *Angliæ* illuſtrem, & ipſe adverſus nos, occaſione Proviſionum, Ordinationum, Statutorum, vel Obligationum Oxonienſium prædictarum; firmiter promittentes & jurantes, tactis ſacroſanctis Evangeliis, quod quicquid idem Rex *Franciæ* ſuper omnibus prædictis vel eorum aliquibus, de alto & baſſo, ordinaverit, vel ſtatuerit, nos obſervabimus bona fide, ita tamen quod idem dominus Rex *Franciæ* dicat ſuper his Dictum ſuum citra *Penteceſt.* proxima venturam.

ACTUM *London.* die ſanctæ *Luciæ* Virginis, Anno Domini milleſſimo, ducenteſſimo, ſexageſſimo tertio.

INSUPER prædictus Rex *Angl.* & ſuperius nominati, ex alia parte Barones, de omnibus contentionibus exortis inter eos poſt prædictum feſtum uſque in præteritum diem ſanctæ *Luciæ*, occaſione prædicta, in nos compromiſerunt & promiſerunt per juramenta, tactis ſacroſanctis Evangeliis, præſtita, bona fide ſe ſervaturos quicquid ſta-

tuerimus

tuerimus & ordinaverimus de his vel eorum aliquibus, ita tamen quod citra *Pentecoſtem* proximò venturam dicamus ſuper his Dictum noſtrum & ſuper omnibus, quæ ſuper Rebus in compromiſſum deductis, vel circa ipſius interim contingerit attemptari. Nos vero Partibus propter hoc convocatis *Ambiani*, dicto Rege perſonaliter & quibuſdam de Baronibus per ſe, & aliis per Procuratores comparentibus coram nobis, auditis hinc inde propoſitis, & etiam defenſionibus ac rationibus Partium pleniùs intellectis, Attendentes per Proviſiones, Statuta & Obligationes *Oxonienſes*, & per ea quæ ex eis & occaſione eorum ſubſecuta ſunt, juri & honori Regio plurimum fuiſſe detractum, Regni turbationem, Eccleſiarum depreſſionem, & deprædationem, & aliis perſonis ipſius Regni Eccleſiaſticis & ſæcularibus, Indigenis, & Alienigenis graviſſima diſpendia proveniſſe; & quod veriſimiliter timebatur ne graviora contingerent in futurum, *Communicato Baronum & Magnatum Conſilio.*

Sententia Regis *Franciæ.* IN nomine Patris, & Filii, & *Spiritus Sancti*, prædictas Proviſiones, Ordinationes, & Obligationes omnes quocunque modo cenſeantur, & quicquid ex eis vel occaſione eorum ſubſecutum eſt, per Dictum noſtrum ſeu Ordinationem noſtram caſſamus & irritamus, maxime cum appareat ſummum Pontificem eas per ſuas litteras caſſas & irritas nunciaſſe; ordinantes quod tam dictus Rex quam Barones & alii quicunque præſenti compromiſſo conſenſerunt, & de prædictis obſervandis ſe quoquomodo aſtrinxerunt, ſe de eiſdem quittent penitus & abſolvant.

ADJICIMUS etiam, quod ex vi, ſeu viribus prædictarum Proviſionum ſive Obligationum, ſeu Ordinationum, vel alicujus rei ſuper hoc conceſſæ poteſtatis à Rege, nullus nova ſtatuta faciat, nec jam facta teneat vel obſervat, nec propter non obſervantiam prædictorum debeat aliquis alterius capitalis, vel aliter Inimicus haberi, vel pœnam propter hoc aliquam ſuſtinere. Decernimus etiam, quod omnes litteræ ſuper præmiſſis Proviſionibus & earum occaſione confectæ, irritæ ſint & inanes; & ordinamus, quod ipſi Regi *Angliæ* reſtituantur a Baronibus & reddantur.

ITEM dicimus & ordinamus, quod caſtra quæcunque fuerint tradita cuſtodienda ad ſecuritatem, ſeu occaſione prædictorum & adhuc ſunt detenta, liberè à dictis Baronibus eidem Regi reddantur, tenenda ab eodem Rege, ſicut ea tenebat ante tempus prædictarum Proviſionum.

ITEM dicimus & ordinamus quòd liberè liceat prædicto Regi, Capitalem Juſtitiarium, Cancellarium, Theſaurarium Conſiliarios, Juſtitiarios minores, Vicecomites, & quoſcunque alios Officiales ac Miniſteriales Regni ſui ac domus ſuæ, præficere, inſtituere, deſtituere & amovere pro ſuo libito voluntatis, ſicut faciebat & facere poterat ante tempus Proviſionum prædictarum.

ITEM retractamus & caſſamus illud ſtatutum factum, quod Regnum *Angliæ* de cætero per Indigenas gubernetur, nec non ut exirent Alienigenæ non reverſuri, exceptis illis quorum moram Fideles Regni communiter acceptarent. Ordinantes per Dictum noſtrum, quod liceat Alienigenis morari in dicto Regno ſecurè ad concilium ſuum, quos viderit utiles & fideles, ſicut facere poterat ante tempus prædictum.

ITEM dicimus & ordinamus, quod dictus Rex plenam poteſtatem & liberum regimen habeat in Regno ſuo & ejus pertinentiis, & ſit

sit in eo statu, & in ea plenaria potestate in omnibus & per omnia, sicut erat ante tempus prædictum.

NOLUMUS autem nec intendimus per præsentem Ordinationem, derogare in aliquo Regiis Privilegiis, Chartis, Libertatibus, Statutis, & Laudabilibus Consuetudinibus Regni *Angliæ*, quæ erant ante tempus Provisionum ipsarum: Ordinamus etiam quod Idem Rex prædictis Baronibus indulgeat, & remittat omnem rancorem, quem habet adversus eos occasione præmissorum; similiter Barones eidem. Et quod unus alterum occasione præmissorum, de quibus in nos extitit compromissum per se vel per alium de cætero non gravet in aliquo vel offendat.

HANC autem Ordinationem nostram seu Dictum nostrum protulimus *Ambianis* in crastino Beati *Vincentii* Martyris, Anno Domini millesimo ducentesimo sexagesimo tertio, mense Januario.

IN cujus rei Testimonium, præsentibus litteris nostrum opponi fecimus sigillum, Actum Anno, mense, die, & loco prædictis.

Breve Regis Henrici *Tertii.*

Anno Regni 49°.

Per quod nonnullas Provisiones Oxon. *editas publicari mandavit.*

N. 12. Ex Libro de Antiquis Legibus, in Bib. Roll. S. Benedicti Cantab. & Bib. Cotton. in Libro de Antiquis Legibus.

HENRICUS Dei Gratia, *&c.* Vicecom. & omnibus aliis de Comitat. *Middlesex*, salutem. Cum dudum ad Reformationem & meliorationem Regni nostri Provisiones & Constitutiones subscriptas per Vicecomites nostros Singulorum Comitatuum nostrorum, per *Angliam* publicari, & per totum Regnum nostrum firmiter observari præcepimus; ac cum easdem Provisiones & Constitutiones occasione Tribulationis nuper habitæ in Regno nostro nondum fuerunt observatæ, nos eas---to præsentibus duximus inferendas, & per totum Regnum nostrum publicandas sub hac forma.

DE mera voluntate ipsius Domini Regis, & plena & libera Potestate ipsius, intervenientе Consilio Fidelium suorum, per ipsum Dominum Regem, Constitutiones subscriptæ ad Reformationem Regni nostri sunt Statutæ.

Cap. Primum de Sectis faciendis ad Curias Magnatum.

NOTA quod omnia Capitula quæ sequuntur in hoc Brevi invenies in Statuto de Marlebrige: *conclusio vero hujus Brevis ita se habet.*

ET quia nolumus quod aliquis super observatione præmissorum de cætero se possit per Ignorantiam excusare, seu quod dictæ Provisiones & Constitutiones tan-tummodo verbales ab aliquibus ulterius reputentur, sed quod universa & singula prædicta opere compleantur de Consilio Prælatorum & Magnatum nostrorum præcipimus, firmiter injungentes, quod easdem Provisiones, & Constitutiones per Vicecomites nostros de mense in mensem in Comitat. Hundredis, & Wapentachiis, imo & in Curiis Baronum publicentur, & ad

utilitatem cotius *Communitatis Anglie* ab omnibus de cætero firmiter obſervantur: & ſi aliquis his Proviſionibus & Conſtitutionibus contrarie præſumpſerit, volumus quod ipſi per Vicecomites noſtros tanquam Præcepti noſtri contemptores & earundem Proviſionum & Conſtitutionum tranſgreſſores graviter punientur: quod ſi dicti Vicecomites ad hoc non ſufficiant, tunc nomina eorum nobis ſcire faciant, ut ipſos, & prædictos Vicecomites ſi in permiſſis negligentes fuerint vel remiſſi punire faciamus, prout de Jure fuerit faciendum. In cujus Rei Teſtimonium has literas noſtras fecimus fieri patentes, teſte meipſo apud *Wigorniam* 13° die Decembris Anno Regni noſtri 49°.

Charta Pardonationis, per Regem Henricum *poſt Bellum de* Lewes.

Rot. Cart. 49. Hen. 3. M. 4.

HENRICUS Dei Gratia Rex *Anglie*, Dominus *Hiber.* & Dux *Acquitan.* omnibus de Comitatu *Middleſex* Salutem. Cum propter hoſtilem turbationem habitam in Regno noſtro de unanimi Aſſenſu & voluntate noſtra & *Edwardi filii* noſtri Primogeniti, Prælatorum, Comitum & Baronum, & *Communitatis* Regni noſtri pro Regni ipſius Pace, & ejus ſecuritate Dictus *Edwardus* & *Henricus* filius Regis *Aleman.* nepos noſter, obſides dati fuerunt, concorditer ſicut proviſum, quod quædam ordinatio de unanimi conſenſu noſtro Prælatorum, Comitum & Baronum prædictorum, ſuper noſtro & Regni noſtri ſtatu *London.* menſe Junii 1°. Regni 48°. facta inviolabiliter obſerventur, Univerſitatem veſtram ſcire volumus, quod nos Ordinationem ipſam & Pacem & Tranquillitatem Regni bona fide obſervare, & in nullo contravenire ad ſancta Dei Evangelia juravimus, hoc adjecto in eodem ſacramento ſpecialiter & expreſſe, quod occaſione factorum præcedentium tempore turbationis aut Guerræ præcedentis neminem occaſionabimus aut inculpabimus de illis, aut de parte illorum, quos tanquam Inimicos noſtros diffidavimus puta Comites *Leyceſtrie* & *Gloceſtrie* & alios, ſibi adhærentes aut Barones, ſeu Cives noſtros *London.* & *Quinque Portuum*, nec alicui de prædictis damnum faciemus aut fieri procurabimus, nec per Ballivos noſtros aliquatenus fieri permittemus. Juravimus etiam quod ea omnia quæ pro Liberatione dictorum filii noſtri & nepotis, ſunt proviſa & Sigillo noſtro ſigillata, quantum ad nos pertinet, inviolabiliter obſervabimus, & ab aliis pro poſſe noſtro faciemus obſervari: volentes & conſentientes expreſſe, quod ſi *Nos*, aut *Edwardus* filius noſter contra prædictam Ordinationem & Proviſionem noſtram, ſeu Juramentum (quod abſit) in aliquo venire, ſeu Pacem & Tranquillitatem Regni noſtri turbare, ſeu occaſione factorum præcedentium tempore turbationis, aut Guerræ præcedentis aliquem de prædictis aut de parte prædictorum, quos diffidavimus occaſionare, ſeu alicui eorum damnum facere aut fieri, præſtare præſumpſerimus, liceat omnibus in Regno noſtro contra nos inſurgere, & ad gravamen noſtrum opem & operam dare juxta poſſe, ad quod ex præſenti præcepto noſtro omnes & ſingulos obligari, fidelitate & homagio nobis factis non obſtantibus, ita quod nobis in nullo

inſultent,

intendant, ſed omnia quæ gravamen noſtrum reſpiciunt faciant, ac ſi in nullo nobis tenerentur, donec quod in hac parte tranſgreſſum fuerit ſeu commiſſum, cum ſatisfactione congrua in Statum debitum ſecundum prædictarum Ordinationis & Proviſionis noſtræ ſeu Juramenti formam fuerit reformatum: quo facto, nobis ſicut prius intendentes exiſtant, & ſi aliquis alius de Regno noſtro contra prædicta venire, ſeu Pacem & Tranquillitatem Regni noſtri turbare præſumpſerit, ſeu Nobis vel *Edwardo* filio noſtro, aut alicui alteri, contra prædicta vel aliquod prædictorum venientibus Opem, Conſilium, Conſenſum, vel Auxilium quoquo modo præſtiterit, ſi hoc notorium fuerit, aut de hoc per conſiderationem Conſilii noſtri & Magnatum Terræ noſtræ convictus fuerit, ſtatutum eſt quod corpus ipſius ſi inventum fuerit, capiatur, alioquin a Regno noſtro utlagetur; & ſive inventus fuerit, ſive non, tam ipſe, quam Hæredes ſui in perpetuo exhæderentur, & de Terris & Tenementis eorum fiat, prout de Terris eorum qui de Felonia convicti ſunt, ſecundum leges & conſuetudines Regni noſtri fieri conſuevit, ad hæc de unanimi Aſſenſu & voluntate noſtra & *Edwardi* filii noſtri, Prælatorum, Comitum, Baronum, & *Communitatis* Regni noſtri Concorditer proviſum eſt, quod Cartæ antiquæ Communium Libertatum & Foreſtæ *Communitati* Regni noſtri (per nos dudum & * Apoſtolicum ſpecialiter confirmatæ) nec non & omnes † *i.e.* Papam.
Articuli de noſtro & Magnatum Terræ noſtræ Communi Aſſenſu dudum Conceſſæ, in quarum Violatores ad petitionem veſtram Sententia Excommunicationis dudum lata eſt, & per Sedem Apoſtolicam ſpecialiter Confirmata, nec non & omnes Articuli de noſtro & Magnatum Terræ noſtræ Communi Aſſenſu dudum proviſi, quos nos nuper apud *Wigorn.* exiſtentes per ſingulos Comitatus ſub ſigillo noſtro tranſmiſimus, inviolabiliter obſerventur in perpetuum: ad quorum obſervationem Sacramento ad Sancta Dei Evangelia corporaliter præſtito ſponte Nos obligavimus, & omnes Juſticiarios, Vicecomites & quoſcunque Ballivos de Regno noſtro, tam noſtros, quam aliorum, ſimili Sacramento volumus obligari, ita quod nullos teneatur alicui Ballivo obedire, donec Sacramentum præſtiterit: & ſi quis contra Cartas ipſas vel Articulos prædictos in aliquo venire præſumpſerit, præter perjurii reatum, & Excommunicationis ſententiam quam incurret, per conſiderationem Curiæ noſtræ graviter puniatur, ſalvo in præmiſſis (prout decet) Privilegio Clericali: & quia volumus quod hæc omnia firmiter & inviolabiliter obſerventur, Univerſitati veſtræ firmiter injungendo & præcipiendo mandamus, quatenus vos omnes & ſingulí prædicta omnia & ſingula, ſicut ſuperius ſcripta ſunt, faciatis, teneatis, & inviolabiliter obſervetis, & ad ea omnia facienda, tenenda & obſervanda ad ſancta Dei Evangelia Sacramento Corporaliter præſtito ad invicem vos obligetis. In cujus Rei Teſtimonium Cartas & Ordinationes prædictas cum præſentibus Litteris patentibus vobis ſub ſigillo noſtro in Comitatu veſtro ſub Cuſtodia fide dignorum ad hoc electorum, ad rei memoriam ſalvo cuſtodiendas: contra quas ne quis Ignorantiam prætendere poſſit in futurum, ad minus bis in Anno pleno Comitatu ipſas præcipimus publicari, ita quod prima publicatio fiat in proximo Comitat. poſt inſtantem feſtum *Paſchæ*, ſecunda vero fiat in proximo Comitat. poſt feſtum Sancti *Michael.* & ſic deinceps fiat annuatim. Volumus inſuper, quod, ſalvis omnibus ſupra dictis, omnes aliæ Ordinationes & Articuli per nos & Concilium noſtrum hactenus proviſi, qui poterint ad honorem Dei & Eccleſiæ fidem, noſtrum

&

& Regni noſtri Commodum obſervari, inviolabiliter obſerventur & teneantur, ut autem præmiſſa omnia firma maneant & inconcuſſa, reverendi Patres Epiſcopi per Regnum noſtrum conſtituti, ad inſtantiam noſtram ſententiam Excommunicationis fulminarunt in omnes illos qui contra præmiſſa vel aliquid præmiſſorum ſcienter venerint, aut venire temptaverint cum effectu: quorum Juriſdictioni, ſeu coercioni ſpontanea voluntate, quantum ad præmiſſa nos ſubmittimus, privilegiis noſtris omnibus impetratis aut impetrandis, ſeu proprio motu Domini Papæ nobis conceſſis aut in poſterum concedendis in hoc pure renunciantes, prout in litteris noſtris ſuper hoc confectis penes dictos Prælatos reſidentibus plenius continetur. In cujus rei Teſtimonium has litteras fecimus patentes. Teſti meipſo apud *Weſtm.* 14° die Martii, Anno Regni noſtri 49°.

After this Charter follows the Writ that was ſent down into all the Counties, together with *Magna Charta*, and *Charta de Foreſta*, which were now again confirm'd in the ſame manner and words as in 9° of this King's Reign; then there alſo follows in the Book belonging to *Bennet* College (already mention'd) a like Charter of Prince *Edward*, containing his Confirmation of the ſaid *Oxford* Proviſions, being drawn up almoſt in the very ſame words as this of the King his Father, here recited *mutatis mutandis*, and ſo need not be tranſcribed; it alſo bears date at *London* the 10*th* of *March* in the 49*th* of his Father's Reign; but I ſuppoſe it is a miſtake of the Clerk's, and ſhould bear date the ſame day with this.

Rot. Pat. 49 *H.* 3. *M.* 16.

N. 13. REX omnibus Tenentibus de *Manoriis* de *Melebourn*, *Gunthorp*, *Soca* de *Ludham*, *Eſingwand*, *Kingiſbus*, *Everle*, *Colingburne*, *Crumpton*, *Sepwyk*, *Bere*, *Hungerford*, & *Chauton*, Salutem. Cum dilectus & fidelis noſter *Simon* de *Monteforti* Comes *Leyc.* per Cartam ſuam tradiderit nobis maneria prædicta cum pertinentiis, in Eſcambium aliarum terrarum: Nos maneria illa cum pertinentiis dilecto filio *Edwardo* primogenito noſtro commiſimus habenda quamdiu nobis placuerit. Et ideo Vobis mandamus, quod eidem filio noſtro in omnibus quæ ad maneria illa pertinent, intendentes ſitis & reſpondentes, ſicut prædictum eſt. In cujus &c. Teſte Rege apud *Hereford.* viii. die Maii.

Rot. Clauſ. 54 *H.* 3. *m.* 11. *dorſo.*

N. 14. REX dilectis & fidelibus ſuis *Thomæ Trevet*, & *Johanni Quintyn*, aſſignatis ad Viceſimam in Com. Dorſet. taxandam, ſalutem.

CUM occaſione Viceſimæ prædictæ nobis in ſubſidium *Terræ Sanctæ* conceſſæ, tam a *Magnatibus* & *Militibus*, quam *Aliis Laicis Hominibus*, de Bladis & aliis Bonis ſuis Mobilibus, quæ per vos & quoſdam alios fideles noſtros taxari præcepimus, intentionis noſtræ non extiterit per hoc, quod Bona Eccleſiaſticarum Perſonarum ipſas ratione Eccleſiarum ſuarum contingentia ad præſens taxarentur, Vobis mandamus, quod de hujuſmodi Bladis, ſeu aliis Bonis Spiritualibus, ipſarum Perſonarum Eccleſiaſticarum, ratione prædicta taxandis, in nullo vos ad præſens intromittatis. Teſte Rege apud *Clarendon* xiv°. die Decembris.

EODEM modo mandatum eſt *Petro* de *Scudamor*, *Ric.* de *Wigorn.* & Sociis ſuis aſſignatis, ad viceſimam in Comitatu *Wilts.* taxandam, & *Sampſoni Fabro*, *Petro Alburda*, & Sociis ſuis in Com. *Berks.* Aſſignatis pro Clero Epiſcopatus *Sarum.*

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Has a Conference with young K. Philip *of* France, *and makes him ſenſible of his Duty to his Mother*, 422
Receives Homage of the E. of Flanders, 423
Appoints an Aſſize of Arms for his Dominions beyond Sea, 424
Reconciles the K. of France, *and Earl of* Flanders, ib.
Returns into England *with the K. of* Scots, ib.
Makes an Aſſize of Arms, with the Subſtance of it, 425
Goes into Normandy *to prevent his Son K.* Henry's *Deſigns*, 426
Is again reconciled to his three eldeſt Sons, but he does not continue long ſo, 429
Is like to be killed at a Parley before Limoges, 430
His great Tenderneſs to the young King his Son, ib.
Does Homage to K. Philip *for all his Tranſmarine Dominions*, 434
Gives his Son John *the Government of* Ireland, ib.
Returns into England *with his Daughter the Dutcheſs of* Saxony, ib.
Marches againſt the Welſh, ib.
Raiſes an Army againſt his Son Richard, 437
Treats with the K. of France *about a Peace, which broke off by reaſon of his high Demands*, 440
Agrees on a Truce with that King for two Years, 441
And then upon a Peace, to undertake the Cruſado *together*, 442
Sends into England *to collect the Tenths granted for the* Holy *War*, 444
Sends Envoys to defy K. Philip, *unleſs he makes him ſatisfaction*, 447
Arrives in Normandy, *and enters and burns the K. of* France's *Territories*, 448
Treats with that King, but without any Effect, ib.
Has another Conference, where he and his Son E. Richard *fall out*, 449
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Being worſted by that K. and E. Richard, *he is forced to make Peace on the K. of* France's *Terms, with the Articles*, 451
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Finding his Son John *in the Liſt of thoſe that had deſerted him, he curſes his Sons, and the day of his own Birth*, ib.
Falls ſick of a Fever, and dies, ib.
Was called Curt-Mantel, *and why*, ib.
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His Wife and Iſſue, both Legitimate, and baſe, 456
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His Taxes, 466
Henry, *eldeſt Son to* Henry *the* 2d, *born*, 299
Is married to Margaret *Daughter of the K. of* France, 308
Made Seneſchal of France, *and does Homage for* Poictou, *&c.* 348
Receives the Homages of the K. of Scots *and Princes of* Wales, *&c. as alſo of the Nobility and Clergy of* England, 356
Is Crowned King by his Father's Command, and left Vice-Roy of England, ib.
His ingratitude to his Father, ib.
Is crowned again, together with his Queen, 376
Alienated from his Father by the King of France's *Practices*, ib.
Sends for the Prior and Monks of Canterbury, *gives them leave to chuſe an ABp, and then hinders their Election*, 377
He and his Queen go over into Normandy, *and thence to the K. of* France, 378
His firſt difference with his Father, and on what occaſion, ib.
Leaves his Father, and goes over to the K. of France, 380
Forces his Servants to ſwear Fealty to him, againſt his Father, ib.
Receives Homage of ſeveral Princes and Great Men of France, ib.
Beſtows great Boons on the K. of Scots, *and other Noblemen, that took his part againſt his Father*, ib.
Deſigns to invade England, *but is diſappointed*, 387
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Is reconciled to his Father, and kindly received, 390
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Does Homage to his Father, 395
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Paſſes over into Normandy *with his Brother E.* Richard, *where they reduce the* Brabanters, ib.
Deſires his Father's leave to go on Pilgrimage to St. James, *but is diverted from it*, 403
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Normandy, 407
Proves again undutiful to his Father, yet makes a new Agreement with him, 426
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Receives Homage from his Brother E. Geoffrey, *but his Brother E.* Richard *refuses it,* 428
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His great Falſeneſs and Fickleneſs, 431
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His Character, ib.
Is buried at Rouen, 432
Henry, *eldeſt Son to K.* John, *born,* 806
Is elected and crown'd King, and called Henry *the Third,* 824
Swears Fealty, and does Homage to the Pope, with the Form of that Oath, ib.
Receives Homage of the Biſhops, Earls, &c. 825
Is crown'd with a golden Chaplet, ib.
Makes a Truce with Pr. Lewis, 827
Confirms the great Charter of his Father, 828
Concludes a Peace with Pr. Lewis, *and the Form of it,* 834
Comes to London, *and is joyfully received,* 835
Seizes ſome Caſtles of the E. of Albemarle, ib.
Iſſues out Writs for the Obſervation of the Great Charters, 837
Makes Peace with the Princes of Wales, *and on what Terms,* 836
Iſſues out Writs for the obſervation of the Charter *of Liberties,* ib.
Sends a Writ of Inquiry to 12 *Knights to ſearch out what they were,* ib.
Sends Itinerant Juſtices all over England, 839
Is crowned anew, and for what reaſon, 840
Iſſues out Writs to the Sheriffs to enquire what were the antient Liberties of England, 845
Sends Ambaſſadors to K. Lewis *of* France, *to demand* Normandy, *and his other Dominions detain'd by him,* 847
Again grants the Great Charter of Liberties and Foreſts, and receives a great Aid for it, 852
Has a Fifteenth from the Clergy, with the Pope's conſent on that account, as alſo a Subſidy, 853
Knights his Brother Richard, *makes him Earl of* Cornwal, *and ſends him into* Gaſcoigny *as his Lieutenant,* ib.
Appoints 12 *Knights to ſet out the number and bounds of Foreſts,* ib.
Calls a Council, and demands Judgment againſt Faukes de Brent, 854
Is declared by the Pope of full Age, 859
Forbid by him to make War upon France, *and why,* 860
Lays many heavy Taxes upon his Subjects, 861
Extorts great Sums of Money from the Londoners *and others, as alſo from the Religious Orders.* 862
Holds a Council at Oxford, *wherein he is declared of full Age, and vacates the great Charters,* ib.
Falls out with his Brother E. Richard, *and why,* 863
Is reconciled to him and the Great Men that took his part, 864
Makes a diſadvantageous Peace with the Welſh, 865
Appoints new meaſures of Grain, Wine and Ale, ib.
By his Envoys at Rome *he promiſes the Pope a Tenth of all Moveables,* 866
Calls a Council concerning the granting it, ib.
In which the Barons refuſe it, but the Clergy being afraid of the Pope, grant him a Tenth, ib.
He prepares for an Expedition into France, *which is put off for want of Ships,* 867
Whereupon he falls into a great Rage againſt Hubert de Burgh *as the Cauſe of it,* ib.
Has an Interview with the K. of Scots, 868
Has a great Aid for his War againſt France, ib.
Muſters a great Army, and going over, is kindly received by the E. of Bretaigne, ib. 869
Is invited by ſeveral Noblemen into Normandy, *but dares not accept it,* ib.
Marches through Anjou *into* Poictou *and* Gaſcoigny, ib.
Lies idly at Nants, *waſtes his Treaſure, and returns home,* 870
Calls a Council, and demands a Scutage *of three Marks on each Knight's Fee, which is granted by the Laiety, but refuſed by ſome of the Biſhops,* ib.
Falls out with E. Richard *the Marſhal, and refuſes his Homage,* 871
Yet at laſt accepts it, 872
Offers to marry the K. of Scots *Siſter, but is diſſuaded from it, and why,* ib.
Holds a great Council, wherein he declares his great Debts abroad, and demands an

an Aid, but is refuſed it, and why, 873
Complaining of his Poverty, he is adviſed to call his Officers to account, and thereby gets much Money from them, 874, 875
Is again incenſed againſt Hubert de Burgh, *and puts him out from being Juſtitiary,* ib.
Holds another great Council, wherein he has granted him a Fortieth part of all Moveables, 876
Commands Hubert de Burgh *to be fetch'd out of Sanctuary, but by the Interceſſion of the E. of* Cheſter *revokes that Order,* ib.
Seizes all Hubert's *Treaſure in the* Temple, 877
Yet conſidering his Services, permits him to enjoy all his antient Eſtate, ib.
Removes all the Engliſh *from Places at Court,* 879
Receives a very ſharp Meſſage from the Barons, 880
Breaks his Agreement with the E. Marſhal, 882
Commands the Bps to excommunicate the E. Marſhal, but they refuſe it, ib.
Is ſupplicated by the great Men to reform what was amiſs, but in vain, ib.
Marches into Wales *againſt the Marſhal, but is there defeated,* ib.
Holds a Treaty with his Nobility, and rebukes ſome of the Biſhops for correſponding with the Marſhal, 886
Is adviſed by the ABp of Canterbury *to diſmiſs the* Poictovins, *which he at laſt complies with,* ib.
Sends Ambaſſadors to treat with the Prince of Wales, 887
At the deſire of that Prince he is reconciled to all the proſcribed Noblemen, 888
Makes a Truce with that Prince for two years, 889
Denies his Knowledg of the Letters ſent into Ireland *againſt the Marſhal,* ib.
Summons the Bp of Wincheſter, *and* Peter Rievaulx, *with the other late Miniſters, to give up their Accounts,* 889
His ſevere Charge againſt the ſaid Peter, ib.
As alſo upon Stephen de Segrave, 890
Refuſes to give the E. of Bretaigne *any farther Aſſiſtance,* ib.
Receives a Scutage *of two Marks for the Marriage of his Siſter* Iſabel *to the Emperor,* 891
Is married to Eleanor *Daughter to the Earl of* Provence, ib.
Calls a Council of the great Men at Wincheſter, *where he removes all corrupt Sheriffs,* 893
Calls a Parliament at Wincheſter, *and demands Money,* 895
And then promiſes to obſerve the great Charters, ib.
Squanders away the Money granted by Parliamen, 897
Sends Aſſiſtance of Men to the Emperor, 901
Is like to be murder'd by one that pretended himſelf mad, 902
Shews a ſudden Diſpleaſure againſt the E. of Leiceſter, *and the Counteſs, and why,* 904
Sends Juſtices Itinerant over all England *to fleece the People,* 907
Knights the Nephew of the Pope's Legate, and another Foreigner, and gave them Eſtates, 908
Seems diſpleaſed with the Practices of the Italian *Clerks,* 910
Summons David *Pr. of* Wales *to appear before him at* Worceſter, 912
Has notice of that Prince's Confederacy againſt him, 913
Yet receives his Submiſſion, ib.
Calls a Parliament, where he propoſes a War againſt France, *which being vigorouſly oppoſed by the Nobility, he endeavours to prevail with them apart, but without ſucceſs,* 917
Summons all his military Tenants to meet him with Mony inſtead of Men and Arms, 918
Paſſes over into France, ib.
Sends Meſſengers to the K. of France, *who are kindly received,* 919
Is over-perſwaded by the Poictovins *not to accept of K.* Lewis's *fair Offers,* ib.
Being afraid to be taken Priſoner, he flies from his Camp to Xaintes, 920
Loſes the Affections of that City, and flies to Blaye, 921
Has a Scutage *given him of* 3 *Marks out of every Knight's Fee,* 922
Sends to the ABp of York *for freſh ſupplies,* 923
His Extravagance at Bourdeaux *reduces him to great Neceſſities,* ib.
Does little in France, *beſides reducing ſome* Gaſcoign *Rebels,* 924
Writes over again for more Supplies to the ABp of York, ib.
Renews the Truce with the French *King for five years longer,* ib.
His grievous Exactions from the City of London, ib.
His Return into England, *where he is received with much Joy,* 925
He makes the Jews *pay a great Sum of Money,* ib.

Summons

Summons a great Council, wherein he demands an Aid, but is denied, 926
His promiſe to obſerve the Great Charters better, upon which he obtains an Aid of 20 *s. upon each Knight's Fee,* 928
He makes ſome Alterations in his Court and Council, 929
Summons all his Tenants in Capite *to march againſt the K. of* Scots, 930
Requires another Aid againſt the Welſh, *but is denied,* ib.
Seizes the Eſtates of the Normans *in* England, *and why,* 932
Orders an Enquiry to be made into the Revenues of the Italian *Clergymen in* England, 934
Swears never to pay any more Tribute to the Pope, 936
Summons all his military Tenants to attend him into Wales, ib.
He only builds a Caſtle on the Borders, and returns home, ib.
His Letters to the Pope, ſetting forth the Grievances of the Kingdom, ſent by Ambaſſadors from him and the Parliament, 939
Forbids the Biſhops to pay any further Taxes to the Pope, and why, 940
Iſſues forth Prohibitions againſt making Enquiries concerning any Matters but purely Eccleſiaſtical, 941
Summons a Council for preventing the Pope's Exactions, ib.
Orders that no Layman ſhould appear before an Eccleſiaſtical Judg, unleſs for Eccleſiaſtical Cauſes, 943
And another at Oxford *for the ſame purpoſe,* 944
Sends Ambaſſadors to the K. of France *to demand* Normandy, 945
Calls a Parliament, and demands an Aid, but is denied, 946
Is therefore forced to ſell his Plate and Jewels, 947
Proclaims a Fair at Weſtminſter, *at the Feaſt of St.* Edward, *to the prejudice of the City of* London, ib.
Exacts large New-Year's-Gifts from the Citizens; and continues his oppreſſions on the Clergy, with ſeveral inſtances of it, 948
Tries to borrow Money of the Great Men, but without ſucceſs, ib.
Undertakes the Cruſado *with many of the Nobility and Clergy,* 950
Excuſes his uſing the Clauſe of Non-Obſtante, *from the Pope's Example,* 953
Sends an Officer to enquire into the Tranſgreſſions of Foreſts, ib.
Sets his Affections wholly upon Strangers, 955
Falls out with the E. of Leiceſter, *and calls him* Traytor, *yet is again reconciled to him,* 957
Declares his Son Pr. Edward *Lord of* Gaſcoigny, 958
Is very angry with the Biſhops, and why, 959
Beſtows his Eccleſiaſtical Benefices on Foreigners or mean Perſons, ib.
Moves the Bps for Money towards his Voyage for the Holy Land, *but without Succeſs,* ib.
His Diſpute with the Counteſs of Arundel, ib. 960
Extorts Money from the Citizens of London, *and makes them ſhut up their Shops during St.* Edward's *Fair,* ib.
His unjuſt dealing with certain Abbots, 962
Calls a Parliament, wherein he confeſſes his Failings, yet reflects ſharply on the Biſhops, 964
There confirms the Great Charters, yet contrives to break them as ſoon as he had done, ib.
Goes over to Gaſcoigny *with a great Force, and recovers ſeveral Caſtles there,* ib.
Sends Ambaſſadors to the K. of Caſtile, *to propoſe a Match between his Siſter and Pr.* Edward, ib.
His Commiſſioners demand an Aid of the Parliament, but are refuſed it, 966, 967
He imprudently accepts the Pope's Offer of the Kingdom of Sicily, *&c, for his Son* Edmund, 968
Paſſes through France, *and is there magnificently entertained,* ib.
Returns into England, *and is joyfully received at* London, ib.
Exacts great Preſents from the Citizens, ib.
His Demands for the War in Apulia, 976
Forbids his Chancellor to iſſue out Writs againſt his Half-Brothers and ſeveral great Men, 973 (3)
Makes all that are capable of Knighthood to fine, ib.
Preſents his Son to the Parliament in an Apulian *Habit, and there makes great Demands of Money,* 974 (3)
Marches againſt the Welſh, *but returns without ſucceſs,* 976 (3)
Coins a piece of Gold of the Weight of two Sterlings, 975 (3)
Sends the Pope 5000 *Marks to hinder the* Interdict *threatned againſt him,* 978 (3)
Makes freſh Demands for Money without effect, 979 (3)
Makes the Abbot of Weſtminſter *to ſeal a Bond for* 2500 *Marks, and would have done the ſame by others,* 980

* *Seems*

Seems ſenſible of his former Miſcarriages, and promiſes to amend them for the future, 981
Is not believed by the Great Men, ſo the Parliament is adjourned to Oxford, ib.
Grants by Charter, that the Government ſhould be put into the Hands of twenty four Earls, Biſhops, and Barons, ib.
Grants other Charters to the E. of Glouceſter, *and the reſt of the twenty four, to proceed in the Reformation of the Kingdom,* 984
Iſſues Commiſſions to Governors of Caſtles, who were to take a new Oath, 985
His half Brothers refuſing to give up their Caſtles, &c. *fly to* Wincheſter, *and being perſued by the Barons, quit the Kingdom,* ib. 986
Iſſues out a Charter or Declaration, commanding all Men to ſwear to maintain the Proviſions *of* Oxford, 990
His great fear of the E. of Leiceſter *diſcover'd by an Accident,* 991
He with the Barons ſends Ambaſſadors to the French *King about the Reſignation of* Normandy, 994
Which came then to nothing, but the Reaſon does not appear, ib.
Holds a Parliament at Weſtminſter, *wherein he commands the Proviſions of* Oxford *to be read, and the Abp of* Canterbury, *and the reſt of the Biſhops, pronounce Sentence of* Excommunication *againſt the breakers of them,* 995
Goes over into France, *and makes a full Agreement with K.* Lewis *for his loſt Dominions, and on what Terms,* ib.
Keeps his Chriſtmaſs *at* Paris, *and is magnificently entertain'd by K.* Lewis, 997
There ſurrenders to the King of France *all his Right in* Normandy, *&c. and on what Conſiderations,* ib.
Pr. Edward *and E.* Richard *did not then agree to it,* ib.
Is on his return for England, *recall'd by the death of the* French *King's Son,* 998
Defers his coming over upon a report of his Son Pr. Edward's *conſpiring againſt him,* ib.
But finding it falſe, he came over; yet ſtays in London, *and why,* ib.
He cauſes all the Men in London *above* 12 *Years of Age, to take a new Oath of Fealty,* 999
Summons all the Military Tenants of England *for an Expedition againſt the* Welſh, 1000
Is weary of the Proviſions of Oxford, *and obtains the Pope's Bull of* Abſolution *from his Oath to obſerve them,* 1001
Summons a Parliament, and there plainly declares that he would be no longer bound by them, ib.
Provides Forces, ſhuts himſelf up in the Tower, *and fortifies it,* ib.
Iſſues out a Declaration to clear himſelf from divers falſe Reports, 1002
Goes to the Cinque-Ports, *and takes Oaths of Fidelity from the Barons there,* ib.
Goes a Progreſs, and repoſſeſſes himſelf of all his Caſtles in the Cuſtody of the Barons, 1003
Openly ſhews the Pope's Bull of Abſoluton, ib.
Upon News of the Barons taking Arms, he retires into the Tower, 1004
Iſſues out Writs or Declarations to juſtify his late Proceedings with them, ib.
Summons all thoſe who owed him military Service, to aſſiſt him againſt the Barons, 1005
Agrees to refer all Differences between him and them, to the Arbitrement of certain noble Perſons, ib.
Cauſes the Pope's Diſpenſation *to be read at St.* Paul's *Church, which widens the breach between him and the Barons,* ib.
Goes over with his Queen into France, 1007
Makes a Temporary Agreement with the Barons, and again promiſes to obſerve the Oxford-Proviſions, 1011
Being overpower'd by the E. of Leiceſter, *and the Barons, is again forc'd to be reconciled to them,* 1013
Calls a great Council, wherein the Proviſions *of* Oxford *are again eſtabliſh'd,* ib.
Goes over with his Queen into France, *to confer with K.* Lewis, ib.
Calls another Parliament at Weſtminſter, *and offers the Barons very fair Conditions, which are refus'd,* 1014
Finding his Party grown ſtronger, reſolves to take Dover, *and other Caſtles, out of the hands of the Barons,* 1015
Surprizes only Windſor, *but fails in ſeizing of* Dover, ib.
Makes the Cinque-Ports *renew their Oaths of Fealty to him,* ib.
Agrees to refer all Differences between him and the Barons, to the Arbitration of the French *King,* 1016
Goes over to meet that King at Amiens, ib.
Having received K. Lewis's *Award to his Satisfaction, he returns into* England, 1017
Demands entrance into Dover *Caſtle, but is refuſed it,* 1018
Being at Oxford, *he enters into a Treaty with the Barons,* 1019

He with his Son the Prince, marches towards Northampton, *againſt the Barons*, ib.
Which he beſieges, and takes by Storm, 1020
Takes Leiceſter *and* Nottingham, *and relieves* Rocheſter *Caſtle*, 1021
Marches towards London, *but the Citizens ſallying out, he retreats into* Kent, ib.
Comes to Lewes *in* Suſſex, *and takes up his Quarters in the* Priory. 1022
His Anſwer to the Barons Letter ſent him thither a little before the Battel, ib.
Is taken Priſoner in that Fight, and forced to ſeal a Charter of Agreement with the Barons, 1024
The Articles of that Agreement, ib.
Is carried up and down by Simon Montfort, *to take in thoſe Places that held out*, ib.
Appoints, by Simon Montfort's *procurement, new Conſervators of the Peace*, 1025
Orders them to return four diſcreet Knights for the next Parliament, 1026
Iſſues out Writs to divers Conſtables of Caſtles, to bring up thoſe that had been taken Priſoners at the Battel of Northampton, ib.
Sends certain Biſhops and Barons Commiſſioners to treat with the K. of France, *and the Pope's Legate, with the effect of that Ambaſſy*, 1030, 1031
Being under the Government of Simon Montfort *and his Sons, he is no more than a Cypher*, 1037, 1038
Grants a Charter for the Liberty of the Prince his Son, with the Form of it, 1041, 1042
Comes with Simon Montfort *to* Eveſham, 1051
Is there ſet at Liberty by the Prince after that Battel, 1052
Comes to Worceſter, *and there revokes all Grants made whilſt he was in* Simon Montfort's *Cuſtody*, 1053
Then holds a Parliament at Wincheſt. 1054
Comes to Windſor, *and there detains the Mayor, and 40 Citizens of* Lon. *Priſoners, notwithſtanding their ſafe Conduct*, 1055
He likewiſe then ſeizes all the Liberties of the City, 1056
Appoints ſeveral Noblemen Guardians of it, ib.
Returns to Weſtminſter, *and there holds a Parliament*, ib.
Beſtows the Eſtates of the principal Citizens upon his Favourites, 1057
Demands a Fine from the City of 50000 *Marks*, ib.
Orders the Tenths of the Clergy to be paid to certain Biſhops, 1062
Marches to the Siege of Kenelworth *Caſtle*, ib.
Holds a Parliament at Kenelworth, 1064
Keeps the Feaſt of St. Edward *at* Weſtminſter, *and makes the Legate ſit above him at Dinner*, 1069
Summons a Parliament at St. Edmunds-Bury, 1070
Sends to the Rebels in the Iſle of Ely *to perſuade them to their Allegiance*, 1071
Not being able to reduce that Iſle, he retires to Cambridg, 1073
Marches with his Army towards London, *againſt the E. of* Glouceſter, 1075
Encamps at Stratford le Bow, *and lies there two Months without fighting the Earl*, ib.
Concludes a Treaty with that Earl, and on what Terms, 1076
Grants the Londoners *a Charter of Pardon*, ib.
Has the Tenth of all Eccleſiaſtical Revenues granted him by the Pope for three Years, 1078
Summons a Parliament to meet at Northampton, ib.
Iſſues a ſevere Proclamation againſt Thieves, 1079
Summons a Parliament at Marlebridg, ib.
Squanders away the vaſt Sums he had received by Forfeitures and Ranſoms, 1081
Summons all the Nobility to be preſent at the Tranſlation of St. Edward's *Bones*, 1085
By the Prince's Interceſſion he reſtores to the City of London *her former Privileges*, 1091
Falls deſperately ſick, but recovers, 1092
Writes to Pr. Edward *to return from the* Holy-Land, ib.
Calls a Great Council at St. Edmundsbury, *to adviſe him how to proceed againſt the Citizens of* Norwich, 1097
Summons a Grand Jury out of four adjacent Counties to inquire *concerning them*, ib.
Returns from Norwich *to St.* Edmundsbury, *where he falls ſick*, 1099
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FINIS.

The moſt conſiderable *ERRATA*.

The Author having been for the moſt part abſent from the Preſs, the Reader will, I hope, pardon the following *Errata*, which either his own Inadvertency, or the Negligence of the Tranſcriber or Printer, have left to be corrected.

In the INTRODUCTION.

PAge 36. line 3. dele *not*, ib. after *being*, read *almoſt*, p. 41. l. r. over againſt *That*, add 5. in the Margin. P. 51. l. 30. *Seals* r. *Seats*.

In the HISTORY,

BOOK I.

P. 4. l. 36. after *Brion*, add a *Comma*, p. 39. l. 6. for *him*, r. *the Elect*. p. 64. l. 31. d. *to her*, p. 67. l. 46. d. *for*.

BOOK II.

P. 83. l. 35. for *Egelwin*, r. *William*, p. 97. l. 8. d. *and which*, p. 107. l. 44. for *being*, r. *was*.

BOOK III.

P. 120. l. 1. *the* r. *then*, p. 136. l. 28. r. *Ante-Pope*, p. 142. l. 39. for *never*, r. *now*, p. 146. l. 7. *after condemned*, r. *to perpetual Impriſonment*, p. 171. l. 21. for *Geoffrey* r. Son to *Fulk*.

BOOK IV.

P. 199. l. 12. for *proceed*, r. *precede*, p. 201. l. 10. d. *or after*, p. 202. l. 25. for *Tenure* r. *Tenor*, p. 212. l. 20. *after the*, r. *more*, p. 215. l. 21. for *Albert* r. *Alberic*, p. 225. l. 8. r. *Borders*, p. 241. l. 34. for *Emperor* r. *Empreſs*, p. 248. l. 44. for *King*, r. *Duke*.

BOOK V.

P. 304. l. 4. d. *out*, p. 325. l. 36. r. *interpreted*, p. 330. l. 14. for *Alexander* r. *William*, p. 334. l. 15. for *iſſued forth a*, r. *renewed his*, p. 337. l. 9. after *that*, r. *there*, p. 339. l. 12. after *alſo* r. *he*, p. 346. l. 7. r. *encouraged*, p. 347. l. 11. r. *Luſignian*, p. 353. l. 35. after *and*, r. *Robert*, p. 365. l. 29. f. *Ryne* r. *Ryme*, p. 385. l. 18. after *and* r. *took*, p. 388. l. 2. for *Archbiſhop* r. *Saint*, p. 397. l. 23. for *England*, r. *Scotland*, p. 420. l. 5. for *from* r. *for*, p. 427. l. 1. r. *were*, p. 452. l. 18. d. *poor old*, p. 457. l. 19. d. *Reſides*, ib. l. 26. after *renewed* r. *in part*.

BOOK VI.

P. 473. l. ult. r. *to receive*, p. 487. l. 11. *forget* r. *forge*, p. 528. l. 12. d. *or*.

BOOK VII.

P. 703. l. 33. r. *were*, p. 709. l. 24. d. *Eſtates*, p. 716. l. 24. r. *Laws*, p. 722. l. 9. d. *of*, & in Margin, r. *Dutcheſs*, d. *of*. P. 723. l. 22. for *degred* r. *deſired*, p. 744. l. ult. r. *aſſerting*, p. 745. l. 29. *Nuntio* r. *Nuntios*, p. 765. in Margin for *Alphonſo* r. *Peter*, p. 791. l. 23. *Seal* r. *Seals*, p. 798. l. 49. d. *Male Iſſue, viz.* ib. l. 50. after *Siſter* r. *had ſtill the better Title.*

BOOK VIII.

P. 839. l. 18. d. *whole*, p. 845. l. 8. d. *Parliament* r. *Treaty*, ib. l. 20. after *ſo* r. *much*, p. 853. l. 14. for *alſo that*, r. *likewiſe*, p. 855. l. 4. d. *an Addreſs*, p. 862. l. 29. d. *were*, ib. after *forced* r. *them*, p. 876. after *and* r. *ſent*, p. 886. l. 24. for *Reaſon* r. *Realm*, p. 918. l. 38. for *at*, r. *in*, p. 925. l. 34. for *he* r. *they*, l. *penult*, for *Conſecration* r. *Excommunication*, p. 946. l. 23. r. *exacting*, p. 976. l. 24. d. *was*, p. 975. l. 2. after *held* r. *either this, or:* p. 980, in Margin, f. *Waltham* r. St. *Albans*, p. 983. l. 8. after *Biſhops* r. *were*, ib. after *alſo* r. *to*. p. 1005. l. 31. after *of* r. *Cincia*, or. p. 1012. l. 5. d. *in France*, ib. l. 8. after *all* r. *Strangers*, p. 1030. l. 12. for *eighth* r. *fourth:* p. 1040. l. 12. d. *at laſt*, p. 1069. l. 4. for *Roger Wendover*, r. *Will. Riſhanger*, p. 1079. l. 33. d. *Parliament*, r. *Aſſembly:* p. 1100. l. 13. for *he*, r. *King*, p. 1101. l. 41. after *Men* r. *leave to take*, l. 42. after *Fee*, r. *held of them:* p. 1109. l. 1. after *by the* r. *common*. p. 1111. l. 6. for *and* r. *of the*. p. 1113. l. 1. after *for* r. *all*, l. 2. for *his*, r. *their Fees*, l. 3. for *to* r. *for*.

The *ERRATA* in the *APPENDIX*.

P. 1. cap. 11. l. 3. for *Regni* r. *Regi*, p. 4. cap. xiv. l. 4. for *quodam* r. *quod in*, id. l. 9. for Ceapgel r. Ceapgeld, cap. xvii. Tit. r. *Suppliciorum*, p. 6. cap. xi. l. 2. for *ſui* r. *ſua*, p. 9. cap. iii. l. 2. r. *Servitium*, p. 12. l. 4. dele *terminari non poſſunt*, p. 18. cap. xc. l. 3. r. *impetratum*, p. 21. cap. xvii. l. 6. r. *Corona*, p. 23. l. 16. r. *Burgi*, ib. l. 36. r. *et*, p. 26. l. 24. r. *Our*, p. 33. l. 15. r. *apponi*, p. 36. l. ii. r. *Teſte*.

Corrigenda & Delenda.

UPON the Review of this Volume, ſince it came from the Preſs, I perceive I have committed ſome Miſtakes, which I deſire the Candid Reader to pardon, and thus rectify.

Book I. p. 22. Having followed the printed Copies of *William of Malmesbury*, concerning the Revolt of the City of *Oxford* from K. *William* I. I there mention'd that Story as I found it in my Author; but ſince, upon conſulting the Manuſcript Copies in the *Cottonian* and *Bodleian* Libraries, as alſo *Cambden's* * *Britannia*, I own I was under a Miſtake, for it was *Exeter*, and not *Oxford*, which then revolted: the nearneſs of the Latin names of thoſe two Places, viz. *Exonia*, and *Oxonium*, I ſuppoſe led the Tranſcribers of the Manuſcript Copies into that Error, and conſequently my ſelf into the ſame.

* In *Devonſhire*.

B. III. p. 145. over againſt theſe words, *the King ſpent all this Year*, &c. Add the Year of our Lord in the Margin, *viz.* Anno Dom. *MCXII.* which is there omitted.

B. III. P. 177. *A. D.* 1134. Whereas there is mention'd a terrible Fire in *London*, which is ſaid to have burnt down the greateſt part of that City; upon ſecond Thoughts, I am now ſatisfied that it was no other than what *Florence of Worceſter*, and *Matt. Paris*, mentioned two Years before, *viz. A. D.* 1132. and which I have ſet down under that Year, *P.* 175. tho it is moſt probable, that the Circumſtances of this Fire might be as the Manuſcript Author of the Annals of the City of *London* has related (tho falſly) under that Year (and who was the cauſe of my miſtake) but he flouriſhed not till towards the latter end of King *Henry* III.

B. VI. p. 475, 476. The Appeal of the Biſhops of *Durham* and *Salisbury*, againſt the Election of *Geoffrey* Archbiſhop of *York* being twice mention'd, *dele* the firſt Relation of it, it being overſeen.

B. VII. p. 771. *l.* 38, 39. dele theſe words, *This preſent Charter made by the Popes*, and for them read, *that the ſame was ſoon after confirmed by the Pope's Bull.*

B. VIII. p. 991. Over againſt the words, *This Writ or Charter*, beginning at the third Paragraph, add in the Margin; ſee the Charter in the *Appendix*, N. 10.

ADDENDA

ADDENDA.

THE Author, ſince the finiſhing of this Work, having found ſome things of Conſequence that he thought worthy to be added, deſires the Reader to inſert theſe following particulars, as he is here directed to, in their proper places.

Book I. *P.* 63. l. penult. *Man-bote*, that is, *Amends for a Crime*, from the *Saxon* word, Man, *Crimen*, *Noxa*, *Peccatum*, *Nocumentum*.

Book II. *P.* 89. under *N°* [5] after *Malcolm*, add this, "Yet he reigned but a Year and "a half, and was then treacherouſly ſlain by *Donald*'s inſtigation, who again recovered the "Crown, and kept it for near four Years.

Id. *P.* 106. Under *N°* [5] after the laſt word of that Paragraph (viz. *Death*) inſert this, "And not long after Pope *Urban* himſelf deceaſed.

Book V. *P.* 308. In the beginning of the Year MCLXI. after the words *this Year*, add, "The King having kept his *Chriſtmaſs* at *Bayeux*, in the beginning of *Lent*, held a Great Coun-"cil of the Biſhops and Abbots at *Roüen*, after which he ſeized, *&c.*

Id. *P.* 371. *L.* 1. After *Ireland*, add this, "One of the moſt conſiderable "things that happ'ned there this Year * was, that *Dermot Mac-Murrough* King "of *Leinſter*, who deceaſed at *Fernes* about the end of *April*, being then well "ſtricken in Years. Sometime after which, whilſt, *&c.*

* *Chron. Hibern.*

Id. *P.* 379. At the end of the Paragraph under *N°* [5] after *againſt their Father*, inſert this, "† What *Brompton* in his Chronicle relates concerning this Affair "is very conſiderable, if it be true, *viz.* that upon this Quarrel the two young "Princes laſt mention'd, privately left the Court, but the Queen endeavouring to do ſo too, was "taken diſguiſed in a mean Habit; and being looked upon as the Contriver of all this Miſchief, "was kept Priſoner for moſt part of this King's Reign.

† *Col.* 1424.

Id. *P.* 449. *l.* 32. After *Truce*, add, "Nothing elſe fell out conſiderable in foreign Parts, ex-"cept the Death of *William* King of *Sicily*, who left his Queen *Joan*, Daughter to this King "*Henry*, beſides her Dower or Jointure, a great Legacy in Gold, Plate, and other rich Move-"ables; beſides what he bequeathed to the King his Father-in-Law, of which you will hear more "in the next Reign.

Book VII. *P.* 730. *l.* 44. Inſert this, next to *hereafter*, "Nothing elſe relating to Ec-"cleſiaſtical Affairs happened worth noting, but that *John Ferentine*, a Cardinal, came this Year "into *England*, and having amaſſed a mighty Sum of Money from the Clergy, held a Great "Council or Synod at *Reading*, wherein ſome Canons were made, and then preſently after re-"turned into *Italy*.

FINIS.